

District 2023-24

HANDBOOK FOR

MIDDLE SCHOOL



Blendon · Genoa · Heritage ·  
Minerva Park · Walnut Springs

Westerville City School District



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# INTRODUCTION LETTER

Dear Westerville Families,

We would like to welcome our middle school students and families to the 2023-24 school year. We look forward to working with you and your student(s), and are happy to have you as part of the Westerville family. We are confident this will be a successful and exciting year for everyone.

This handbook is provided as a convenient resource for you and will answer many common questions about middle school and our school district. This student handbook is divided into three sections containing information relevant to middle school, district policy, procedures and programs, and guidance for participation in extra-curricular activities. The collective information is to help convey what is expected for the health, safety and well-being of all. We ask that you take the time to review it with your student so that he/she understands our rules and procedures. Please keep the handbook in a secure, accessible place for easy reference throughout the year or bookmark it on your computer. This handbook is one means of communication between home and school. There are many policies, regulations, programs and services discussed in these pages. We have tried to anticipate many of your questions and have discussed them in detail.

Many factors make Westerville successful, but the support from the families is one of our main strengths. We encourage you to be actively involved in your child's education, be it volunteering at school, at home, attending PTO/PTSA meetings, meeting with the teachers, supervising homework, etc. Student success in school and parent/family support is highly correlated.

## **English**

*Parents/Guardians: For language assistance, please contact the building secretary or building administrator at your child's school and let them know the language you speak.*

## **Spanish**

*Padres / Guardianes: A veces el Distrito puede proporcionar asistencia gratis en otros idiomas. Si necesita esta ayuda, comuníquese con la secretaria del edificio o con el administrador del edificio en la escuela de su hijo y hágalos saber el idioma que usted habla.*

## **Somali**

*Waalidiinta/Mas'uuliyiinta: Degmada Waxbarashadu waxay mararka qaarkood idinka caawin kartaa luqooyinka kale. Haddii aad u baahan tahay caawintaas, fadlan la xariir xoghaynta ama qofka maamula iskuulka ilmahaagu dhigto una sheeg luqadda aad ku hadashid.*

We look forward to working with you. Please contact our office with questions, concerns, or suggestions.

Sincerely,

The Westerville Middle School Principals

# DISTRICT PERSONNEL

WESTERVILLE CITY SCHOOLS  
Board of Education  
936 Eastwind Drive  
614-797-5700

## Board of Education

President ..... Mrs. Tracy A. Davidson  
Vice-President ..... Mrs. Kristina Meyer  
Member ..... Rev. Vaughn Bell  
Member ..... Mrs. Jennifer Aultman  
Member ..... Dr. Nancy Nestor-Baker

## Administration

Interim Superintendent ..... Mark Hershiser  
Deputy Superintendent ..... T. Scott Dorne  
Assistant Superintendent of Teaching and Learning ..... Scott Reeves  
Business Manager ..... Kari Dennis  
Executive Director of Communications and Family Engagement ..... Greg Viebranz

## Treasurer's Office

Treasurer ..... Nicole Marshall  
Assistant Treasurer ..... Laura Hendricks



# WESTERVILLE CITY SCHOOLS DISTRICT POLICIES, PROCEDURES AND PROGRAMS Board Approved

## CODE OF STUDENT CONDUCT

This section of the handbook contains the District Code of Student Conduct and other district policies and procedures. Both parents/guardians and students need to familiarize themselves with these district policies since parents/guardians and students, regardless of educational setting, are expected to follow them.

In addition to policies and procedures, this section contains descriptions of a variety of student services and programs which are available. If there are any questions about anything contained in this handbook, please contact the building principal or his/her designee.

This code of conduct includes (1) misconduct by a student that occurs off school district property but is connected to activities or incidents that have occurred on school district property; and (2) misconduct by a student that, regardless of where it occurs, is directed at a district official or employee or the property of an official or employee. Accordingly, this code of conduct is in effect while (1) students are under the authority of school personnel and/or (2) during all school-related activities and events, even when such activities occur off school grounds.

This Code of Conduct applies to school buses, extracurricular events and to alternative education programs.

The Board approved Code of Student Conduct is presented below. A major intent of the code is the establishment of a standard for acceptable behavior. Violation of rules in the Code of Student Conduct may result in disciplinary action including, but not necessarily limited to, suspension and/or expulsion from school and/or the referral to appropriate legal authorities. (Ohio Revised Code 3313.20, 3313.66, 3313.661).

### **Board Policy 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. In the event that 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 Board Policy 5611 "Due Process Rights".

A student who is suspended shall be permitted to complete any classroom assignments missed because of the suspension.

- 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".

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.

#### **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.

- 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.

Beginning with the 2019-2020 school year, except as permitted by law, suspension or expulsion proceedings shall not be initiated against a student in any of grades Pre-kindergarten through three unless the student has committed at least one 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, or 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 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.
- D. 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.

Prior to suspending or expelling a student in any of grades Pre-K through 3, the Principal shall, whenever possible, consult a mental health professional under contract. If the events leading up to the student's suspension or expulsion from school indicate that the student is in need of additional mental health services, the student's Principal or the District's mental health professional shall assist the student's parent or guardian with locating providers or obtaining such services, including referral to an independent mental health professional, provided such assistance does not result in a financial burden to the District or the student's school.

If a student in any of grades Pre-K through 3 is suspended or expelled, the student shall be afforded the same notice and hearing, procedural, and educational opportunities as set forth in Board policy and the law. The suspension or expulsion of a student in any of grades Pre-K through 3 shall not limit the Board's responsibilities with respect to the provision of special education and related services to such student in accordance with Board policy and the law. Further, the Board shall not be limited in its authority to issue an in-school suspension to a student in any of grades Pre-K through 3, provided that the in-school suspension is serviced in a supervised learning environment.

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 and that the Board has adopted a provision in Policy 2271 under R.C. 3313.613 to deny high school credit for postsecondary courses taken during an expulsion.

If the expulsion is extended, the Superintendent shall notify the college of the extension.

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 12/10/18, 6/10/19

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R.C. 2919.222, 3313.534, 3313.649, 3313.66, 3313.661, 3313.662, 3313.663

R.C. 3313.664, 3313.668, 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

## **Board Policy 5611 - DUE PROCESS RIGHTS**

The Board of Education recognizes that students have limited constitutional rights when it comes to their education.

Accordingly, the Board establishes the following procedures which District Administrators shall use when working with students:

### **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 designee 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 Office of Assessment and Alternative Education within fourteen (14) calendar days after the date of the notice to suspend. 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. 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 fourteen (14) calendar days after the date of the notice to suspend.

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 Office of Assessment and Alternative Education within fourteen (14) calendar days after the date of the notice of expulsion. 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, submitted to the Office of Assessment and Alternative Education.

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 Non-disabled Students.

#### **E. Students subject to suspension from bus riding/transportation privileges:**

Students whose conduct warrants 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.

In determining whether disciplinary action set forth in this policy is to be implemented, District Administrators shall use a preponderance of evidence standard. Further, any individual charged with making a disciplinary determination under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315 - Information Management (i.e. "Litigation Hold")) created and/or received as part of an investigation.

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) 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.

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 non-interscholastic extra-curricular activities.

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R.C. 3313.20, 3313.66, 3313.661

### **Rules for Student Conduct**

The purpose of listing rules for student conduct and disciplinary action which may be taken for violations is to inform students of what is considered unacceptable behavior; and the possible consequences of unacceptable behavior.

1. **Truancy**

Truancy is unexcused absence from school.

2. **Attendance Violations, other than Truancy**

A student shall not fail to comply with school regulations regarding attendance. According to OHIO REVISED CODE 3321.01, a child between six (6) and eighteen (18) years of age is of compulsory school age.

3. **Fighting/Violence**

Fighting/Violence is mutual participation in an incident involving physical contact. A student shall not behave in such a way that could threaten to cause or cause physical injury to another person. A student shall not assemble to observe or encourage a fight nor inhibit school personnel from intervening when a fight occurs. Included in this prohibition are those students who assist, are present, or in any way participate in the violation of this rule. This offense is distinguished from Code of Conduct Section #29/Assault by the involvement of more than one student in the physical contact.

4. **Vandalism/Damage or Destruction of School and/or Personal Property**

The Superintendent may expel for up to one year any student who has committed an act that inflicts serious physical harm to property.

Students are responsible for proper care of school property, school supplies and equipment. Marking on walls, doors or other surfaces will not be tolerated. Stickers are not to be placed on any surface, especially student desks and lockers. Students who cause damage to school property shall be subject to disciplinary measures.

Vandalism is the willful destruction or defacement of school or personal property. A student shall not cause or attempt to cause damage to private or school property. Included in this prohibition are those students who assist, are present, or in any way participate in the violation of this rule.

Students and their parents or guardians will be held responsible for any vandalism, damage, graffiti or destruction by the student at school, on property owned or controlled by the school district, or at an interscholastic competition, extracurricular event, or any other school program

or activity regardless of the location. Remuneration for the complete restoration of the damage will be required.

5. **Theft/Stealing/Deprivation of Personal Property or School Property**

Theft is the unlawful taking of property belonging to another person.

A student shall not steal, attempt to steal or otherwise deprive the rightful owner of private or school property, or possess or transmit lost or stolen property. Failure to return property to its owner or transmit it to school officials is in violation of this code. Included in this prohibition are those students who assist, are present, or in any way participate in the violation of this rule.

6. **Use, Possession, Sale or Distribution of a Firearm**

A firearm is considered a dangerous weapon. "Firearm" is defined as and shall include, but not be limited to: 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 or other propellant; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; or any destructive device. (Please refer to #8 below for a definition of "destructive device"). Included in this prohibition are those students who assist, are present, or in any way participate in the violation of this rule.

**BOARD POLICY 5772 - WEAPONS**

The Board of Education prohibits students from possessing, storing, making, or using a weapon, including a concealed weapon, in a school safety zone and any setting that is under the control and supervision of the Board for the purpose of school activities approved and authorized by the Board including, but not limited to, property leased, owned, or contracted for by the Board, a school-sponsored event, or in a Board-owned vehicle.

The term "weapon" includes any object which, in the manner in which it is used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons. Weapons include, but are not limited to, firearms, guns of any type whatsoever, including air and gas-powered guns (whether loaded or unloaded), knives, razors, clubs, electric weapons, metallic knuckles, martial arts weapons, ammunition, incendiary devices, explosives, and other objects defined as dangerous ordinances under State law.

Policy exceptions include:

- A. items pre-approved by the building principal as part of a class or individual presentation under adult supervision, if used for the purpose and in the manner approved (working firearms and any ammunition will never be approved as a part of a presentation);
- B. theatrical props used in appropriate settings.

Students shall report any information concerning weapons and/or threats of violence by students, staff members, or visitors to the principal. Failure to report such information may subject the student to disciplinary action.

This policy shall be implemented through the Code of Conduct/Student Discipline Code, Policy 5610, and Policy 5610.01, and through administrative guidelines.

The Superintendent is authorized to establish instructional programs on the weapons and the requirement that students immediately report knowledge of weapons and threats of violence by students and/or staff to the building principal. Failure to report such knowledge may subject the student to discipline.

The Superintendent will refer any student who violates this policy to the student's parents or guardians and to the criminal justice or juvenile delinquency system. The student may also be subject to disciplinary action, up to and including expulsion.

This policy will be published annually in all District student and staff handbooks. Publication is not a precondition to enforcement of this policy.

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R.C. 2923.11, 2923.12, 2923.122, 3313.20, 3313.66, 3313.661  
18 U.S.C. 921, 20 U.S.C. 8922, 20 U.S.C. 7151

#### **7. Use, Possession, Sale or Distribution of a Dangerous Weapon Other Than a Firearm or Explosive, Incendiary, or Poison Gas**

A dangerous weapon, other than a firearm or destructive device, including any explosive, incendiary or poison gas, is defined as a device, instrument, material, or substance, animate or inanimate, that is used for, or intended to be used for, or is represented to be readily capable of inflicting death, serious bodily injury or property damage or endangering the health and safety of persons. Examples may include, but are not limited to, tasers or mace.

A knife, razor blade, or any similar device (including sharp, metal martial arts weapons, such as throwing stars) is defined as any weapon or cutting instrument consisting of a blade fastened to a handle that is used for, or is readily capable of, cutting, slicing, or stabbing, causing death or serious bodily injury. Included in this prohibition are those students who assist, are present, or in any way participate in the violation of this rule.

#### **8. Use, Possession, Sale or Distribution of Any Destructive Device, including any Explosive, Incendiary or Poison Gas**

An explosive, incendiary or poison gas is defined as any destructive device, which includes a bomb, a grenade, a rocket having a propellant charge of more than four ounces, a missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or similar device. This definition would also include any dangerous weapon that will, or that may be readily converted to, expel a projectile by the action of an explosive or other propellant, and that has any barrel with a bore of more than one-half inch in diameter. Included in this prohibition are those students who assist, are present, or in any way participate in the violation of this rule.

#### **9. Use, Possession, Sale or Distribution of Tobacco Products**

The use, possession or co-possession of tobacco in any form by students on or near school property, on school transportation or on school-sponsored activities is expressly forbidden. "Use of tobacco" means to chew or maintain any substance containing tobacco, including smokeless tobacco, in the mouth to derive the effects of tobacco, as well as all uses of tobacco or tobacco substitutes, including cigarettes, cigars, pipe tobacco, chewing tobacco, snuff, or any other matter or substances that contain tobacco, in addition to papers used to roll cigarettes, clove cigarettes or other lighted smoking devices for burning tobacco. Smoking and/or possession of electronic cigarettes, "vapor devices," and other substitute forms of cigarettes, whether they contain nicotine or not, are also prohibited. Included in this prohibition are those students who assist, are present, or in any way participate in the violation of this rule.

## **Board Policy 5512 – USE OF TOBACCO**

The Board of Education is committed to providing students, staff, and visitors with an indoor tobacco and smoke-free environment. The negative health effects of tobacco use for both the users and nonusers, particularly in connection with second-hand smoke, are well established. Further, providing a non-smoking and tobacco-free environment is consistent with the responsibilities of teachers and staff to be positive role models for our students.

For purposes of this policy, "use of tobacco" means to chew or maintain any substance containing tobacco, including smokeless tobacco, in the mouth to derive the effects of tobacco, as well as all uses of tobacco or tobacco substitutes, including cigarettes, cigars, pipe tobacco, chewing tobacco, snuff, or any other matter or substances that contain tobacco, in addition to papers used to roll cigarettes and/or the smoking of electronic, "vapor," or other substitute forms of cigarettes, clove cigarettes or other lighted smoking devices for burning tobacco or any other substance.

The term "tobacco" includes any product that contains tobacco, is derived from tobacco, contains nicotine, or e-cigarettes and other electronic smoking devices (including but not limited to "JUULs", but does not include any cessation product approved by the United States Food and Drug Administration for use as a medical treatment to reduce or eliminate nicotine or tobacco dependence.

In order to protect students and staff who choose not to use tobacco from an environment noxious to them, the Board prohibits the possession, consumption, purchase or attempt to purchase and/or use of tobacco or tobacco substitute products by students at all times (twenty-four (24) hours a day, seven (7) days a week) on Board premises, in Board-owned vehicles, within any indoor facility owned or leased or contracted for by the Board, and/or used to provide education or library services to children, and at all Board-sponsored events.

This prohibition extends to any Board-owned and/or operated vehicles used to transport students and to all other Board-owned and/or operated vehicles. Such prohibition also applies to: school grounds, athletic facilities, and any school-related event, on or off Board premises.

### **Advertising/Promotion**

In accordance with Policy 9700.01, tobacco advertising is prohibited on school grounds, in all school-sponsored publications, and at all school-sponsored events.

Tobacco promotional items that promote the use of tobacco products, including clothing, bags, lighters, and other personal articles are not permitted on school grounds, in school vehicles, or at school-sponsored events.

### **Notification**

"No Tobacco" signs will be posted throughout the District as required by R.C. 3794.06 and as specified by the Ohio Department of Health. Students will be provided notice of this policy through student handbooks. District vehicles will display the international "No Smoking" insignia. Announcements will be made during home athletic events both before the event and during intermission, as well as at all school functions where deemed appropriate. School program will include a written reminder of the tobacco-free policy.

### **Educational Programming**

Tobacco-use prevention education shall be coordinated with the other components of the school health program. Staff responsible for teaching tobacco-use prevention education shall have

adequate pre-service training and participate in ongoing professional development activities to effectively deliver education programming. Preparation and professional development activities shall provide basic knowledge about the effects of tobacco use and the effects of peer pressure on tobacco use combined with effective instructional techniques and strategies and program-specific activities.

Students who violate this policy shall be subject to disciplinary action in accordance with the Student Code of Conduct/Student Discipline Code and in accordance with policies of the Board.

Revised 7/25/11, 2/10/20

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R.C. 3313.20, 3313.47, 3313.66, 3313.751, 2151.87  
20 U.S.C. 6081 et seq., 20 U.S.C. 7182

**10. Use, Possession, Sale or Distribution of Intoxicating Alcoholic Beverages**

A student shall not possess, use, conceal, transmit, attempt to transmit, or be “under the influence” of any alcoholic beverage, (including substances containing any measurable amount of alcohol, such as “near-beer” or over-the-counter medicines). Under the influence is defined as manifesting before a school official signs of alcohol misuse such as, but not limited to, staggering, reddened eyes, odor of alcohol, nervousness, restlessness, memory loss, abusive language, falling asleep in class or any other behavior not typical for the particular student. Included in this prohibition are those students who assist, are present, or in any way participate in the violation of this rule.

**11. Use, Possession, Sale or Distribution of Drugs Other Than Tobacco or Alcohol**

Use, possession, sale, concealment or distribution of any controlled drug other than prescription medication that has been administered in accordance with the district's policies is prohibited. A student shall not possess, use, transmit, attempt to transmit, conceal, or be “under the influence” of any illegal/harmful drug, inhalants, mood altering chemical, or substance represented as an intoxicating or a mood altering substance. A student shall not possess or transmit drug paraphernalia and/or instruments, including rolling papers. Under the influence is defined as manifesting before a school official signs of drug misuse such as, but not limited to, staggering, reddened eyes, odor of drugs, nervousness, restlessness, memory loss, abusive language, falling asleep in class or any other behavior not typical for the particular student. Included in this prohibition are those students who assist, are present, or in any way participate in the violation of this rule.

**12. Physical Displays of Affection**

Physical displays of affection such as but not limited to kissing, groping, pinching, slapping, or grinding between students are prohibited. Included in this prohibition are those students who assist, are present, or in any way participate in the violation of this rule.

**13. Tormenting**

A student shall not harass, intimidate, show hostility, ill-treat, disparage, incite, provoke, stalk, or threaten any individual on school premises, on property owned or controlled by the school district, or, regardless of the location; at an interscholastic competition, extracurricular event, or any other school program or activity or otherwise disrupt the school environment. For this purpose, tormenting includes: telecommunications, electronically transmitted acts; slurs; profanity; written information; denigrating remarks or actions; obscene gestures; the wearing or display of insignia, signs, buttons, clothing, or apparel; or other verbal or physical conduct

including, but not limited to, those based on race, color, national origin, ancestry, sexual orientation, citizenship, religion, disability, age, and/or transgender identity, that have the purpose or effect of (1) causing or intending to cause any other student or school employee to be reasonably placed in fear of his or her personal safety; (2) causing or intending to cause a hostile, or offensive educational environment for any other student or school employee; (3) causing or intending to cause material disruption of the educational process; (4) unreasonably interfering with a student's curricular, co-curricular or extracurricular performance; or (5) otherwise unreasonably having an impact on a student's educational opportunities. The use of physical, verbal, written, or electronic communications to cause fear and/or create an intimidating or hostile education or work environment, without displaying a weapon and without subjecting the victim to actual physical attack, is prohibited.

14. **Major Disruption of School False Alarms, Bomb Threat, Disruption of School, Arson/Unauthorized Fires and/or Possession of Lighters**

Any threat (verbal, written or electronic) by a person to bomb or use other substances or devices for the purpose of exploding, burning, causing damage to a school building or school property, or to harm students or staff is prohibited. A student shall not initiate or participate in a false fire or bomb alarm or any other false threat to school safety. According to OHIO REVISED CODE 2917.31, inducing a panic in school could be considered a felony.

A student shall not by use of violence, force, noise, coercion, threat, intimidation, fear, passive resistance, deceit, withholding of information or through any other conduct, cause the substantial and material disruption or obstruction of any lawful mission, process or function of the school. A student shall not initiate or circulate a report or warning of an alleged or impending fire, explosion, crime or other catastrophe knowing that such a report or warning is false.

A student shall not set nor attempt to set any unauthorized fires nor commit nor attempt to commit any act of arson. A student shall not have in his/her possession lighters, matches or any other items used to start a fire. Included in this prohibition are those students who assist, are present, or in any way participate in the violation of this rule.

15. **Improper Dress**

Students will be expected to comply with stipulations placed on them by areas of our educational program that consider standards of dress as necessary parts of their programs (example: field trips, athletic squads, work programs, laboratories, etc.).

Clothing and personal items or property with offensive images or language, including profanity, hate speech, pornography, alcohol, tobacco, drugs, firearms, or related material is prohibited. Clothing and personal items or property relating to illegal activities is prohibited.

In circumstances which might be considered dangerous/disruptive to a student wearing a particular mode of dress or hair style, that student may be required to wear special clothing for that period and/or some sort of hair restraint.

Students may not wear anything that conceals their identity or obscures their face, except for religious and/or medically necessitated reasons. If permitted by the building leadership, hats and hoods should allow the face and ears to be visible.

Students may not wear clothing that exposes private body parts or underwear. Students may not wear clothing exposing the midriff or back. Students shall be required to wear shoes. Students should not possess or use blankets during the school day.

Students are welcome to express themselves through their personal style while still adhering to the current standards of appropriate public attire.

16. **Wireless Communications Devices (WCD)/Entertainment and the Use of Technology**

A student shall not use wireless communications devices or entertainment devices during instructional time unless authorized by the teacher.

A wireless device is a device that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor. The following devices are examples of WCDs: cellular and wireless telephones, personal digital assistants (PDAs), smartphones, Wi-Fi-enabled or broadband access devices, two-way radios, e-readers or similar devices or video broadcasting devices, laptops, tablets and other devices that allow a person to record and/or transmit, on either a real time or delayed basis, sound, video or still images, text, or other information. Students may not use Wireless Communication on school property or at a school-sponsored activity to access and/or view Internet web sites that are otherwise blocked to students at school.

Students are prohibited from using Wireless Communication devices to capture, record or transmit the words, (i.e. audio) images, (i.e., pictures/video) text or other information of any student, staff member or other person in the school or while attending a school-related activity, without express prior notice and explicit consent for the capture, recording or transmission of such words or images. Students are also prohibited from using Wireless Communication to capture and/or transmit test information or any other information in a manner constituting fraud, theft, cheating, or academic dishonesty. Likewise, students are prohibited from using Wireless Communication to receive such information.

WCDs, including but not limited to those with cameras, may not be possessed, activated or utilized at any time in any school situation where a reasonable expectation of personal privacy exists (e.g., bathrooms, showers, locker rooms, etc). If at any time, the possession of a wireless device creates a distraction, disruption, safety or security hazard on school property (to include district-operated vehicles), such devices may be confiscated. School officials will not be responsible for the security of confiscated wireless devices. Students will use school technology in a manner consistent with Board Policy and Administrative Guidelines. (Board of Education Policy: 5136 and AG 5136).

17. **Dishonesty/Forgery and/or Impersonation**

Students shall not engage in any dishonest behavior or provide false information. Students shall not forge parent, guardian, or teacher signatures nor impersonate parents, guardians, or teachers for the purpose of deceiving school officials. Included in this prohibition are those students who assist or in any way participate in the violation of this rule.

18. **Insubordinate/Disruptive Behavior and/or Use of Profanity**

Insubordination is defined as the refusal to respond to and/or comply with reasonable requests, rules, or requirements of his/her teacher, principal, coach, extracurricular activity advisor, staff employees or adult volunteers.

Disruptive Behavior is defined as any act that disrupts the orderly conduct of a school function and may include off-campus behavior. A student shall not engage in behavior that substantially disrupts the orderly learning environment or school-sponsored event. Included in this prohibition are those students who assist, are present, or in any way participate in the violation of this rule.

The use of profane, vulgar or other improper language in spoken, written or electronic format, or the use of profane, vulgar or other improper gestures/actions is prohibited.

19. **Bullying/Harassment/Intimidation/Hazing**

A student shall not harass, intimidate, disparage, incite, provoke, stalk, or threaten any individual on school premises, on property owned or controlled by the school district, or, regardless of the location; at an interscholastic competition, extracurricular event, or any other



school program or activity or otherwise disrupt the school environment. For this purpose, harassment or intimidation includes: telecommunications, electronically transmitted acts; slurs; profanity; written information; denigrating remarks or actions; obscene gestures; the wearing or display of insignia, signs, buttons, clothing, or apparel; or other verbal or physical conduct including, but not limited to, those based on race, color, national origin, ancestry, sexual orientation, citizenship, religion, disability, age, and/or transgender identity, that have the purpose or effect of (1) causing or intending to cause any other student or school employee to be reasonably placed in fear of his or her personal safety; (2) causing or intending to cause a hostile, intimidating, or offensive educational environment for any other student or school employee; (3) causing or intending to cause material disruption of the educational process; (4) unreasonably interfering with a student's curricular, co-curricular or extracurricular performance; or (5) otherwise unreasonably having an impact on a student's educational opportunities. The use of physical, verbal, written, or electronic communications to cause fear and/or create an intimidating or hostile education or work environment, without displaying a weapon and without subjecting the victim to actual physical attack, is prohibited.

In addition, a student(s) is prohibited from retaliating against a person who has made a report or filed a complaint alleging harassment, or who has participated as a witness in a harassment investigation, or who has filed a malicious or knowingly false report or complaint of harassment.

Hazing activities of any kind are prohibited at all times. No student shall plan, encourage, or engage in any hazing. Hazing is defined as performing any act or coercing another, including the victim, to perform any act of initiation into any class, team or organization that causes or creates a substantial risk of causing mental or physical harm to any person. Permission, consent, or assumption of risk by an individual subjected to hazing shall not lessen the prohibitions. Included in this prohibition are those students who assist, are present, or in any way participate in the violation of this rule.

In support of the W.C.S. Anti-Harassment Policy 5517, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent or designee may provide appropriate training to all members of the school district community related to the implementation of this policy and its accompanying guidelines. All training regarding the Board's policy will be age and content appropriate.

#### **BOARD POLICY 5517.01 - BULLYING AND OTHER FORMS OF AGGRESSIVE BEHAVIOR – Refers to code item #19**

The Board of Education is committed to providing a safe, positive, productive, and nurturing educational environment for all of its students. The Board encourages the promotion of positive interpersonal relations between members of the school community.

Harassment, intimidation, or bullying toward a student, whether by other students, staff, or third parties is strictly prohibited and will not be tolerated. This prohibition includes aggressive behavior, physical, verbal, and psychological abuse, and violence within a dating relationship. The Board of Education will not tolerate any gestures, comments, threats, or actions which cause or threaten to cause bodily harm or personal degradation. This policy applies to all activities in the District, including activities on school property, on a school bus or while enroute to or from school, and those occurring off school property if the student or employee is at any school-sponsored, school-approved or school-related activity or function, such as field trips or athletic events where students are under the school's control, in a school vehicle, or where an employee is engaged in school business.

This policy has been developed in consultation with parents, District employees, volunteers, students, and community members as prescribed in R.C. 3313.666 and the State Board of Education's Model Policy.

Harassment, intimidation, or bullying means:

- A. any intentional written, verbal, graphic, or physical act that a student or group of students exhibits toward another particular student(s) more than once and the behavior both causes mental or physical harm to the other student(s) and is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student(s); or
- B. violence within a dating relationship.

"Electronic act" means an act committed through the use of a cellular telephone, computer, pager, personal communication device, or other electronic communication device.

Aggressive behavior is defined as inappropriate conduct that is repeated enough, or serious enough, to negatively impact a student's educational, physical, or emotional well being. This type of behavior is a form of intimidation and harassment, although it need not be based on any of the legally protected characteristics, such as sex, race, color, national origin, marital status, disability, or sexual orientation. It would include, but not be limited to, such behaviors as stalking, bullying/cyberbullying, intimidating, menacing, coercion, name-calling, taunting, making threats, and hazing.

Harassment, intimidation, or bullying also means cyberbullying through electronically transmitted acts (i.e., internet, e-mail, cellular telephone, personal digital assistance (PDA), or wireless handheld device) that a student(s) or a group of students exhibits toward another particular student(s) more than once and the behavior both causes mental or physical harm to the other student and is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student(s).

Any student or student's parent/guardian who believes s/he has been or is the victim of aggressive behavior should immediately report the situation to the building principal or his/her designee or assistant principal, or the Superintendent. The student may also report concerns to teachers and other school staff who will be responsible for notifying the appropriate administrator or Board official. Complaints against the building principal should be filed with the Superintendent. Complaints against the Superintendent should be filed with the Board President.

Every student is encouraged, and every staff member is required, to report any situation that they believe to be aggressive behavior directed toward a student. Reports may be made to those identified above.

All complaints about aggressive behavior that may violate this policy shall be promptly investigated. The building principal or appropriate administrator shall prepare a written report of the investigation upon completion. Such report shall include findings of fact, a determination of whether acts of harassment, intimidation, and/or bullying were verified, and, when prohibited acts are verified, a recommendation for intervention, including disciplinary action shall be included in the report. Where appropriate, written witness statements shall be attached to the report.

If the investigation finds an instance of harassment, intimidation, and/or bullying/cyberbullying by an electronic act or otherwise, has occurred, it will result in prompt and appropriate remedial and/or disciplinary action. This may include suspension or up to expulsion for students, up to discharge for employees, exclusion for parents, guests, volunteers, and contractors, and removal from any official position and/or a request to resign for Board members. Individuals may also be referred to law enforcement officials.

If, during an investigation of a reported act of harassment, intimidation and/or bullying/cyberbullying, the Principal or appropriate administrator believes that the reported misconduct may have created a hostile learning environment and may have constituted unlawful discriminatory harassment based on a Protected Class, the Principal will report the act of bullying and/or harassment to one of the Anti-Harassment Compliance Officers so that it may be investigated in accordance with the procedures set forth in Policy 5517 – Anti-Harassment.

Retaliation against any person who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry concerning allegations of aggressive behavior is prohibited and will not be tolerated. Such retaliation shall be considered a serious violation of Board policy and independent of whether a complaint is substantiated. Suspected retaliation should be reported in the same manner as aggressive behavior. Retaliation may result in disciplinary action as indicated above.

Deliberately making false reports about harassment, intimidation, bullying and/or other aggressive behavior for the purpose of getting someone in trouble is similarly prohibited and will not be tolerated. Deliberately making false reports may result in disciplinary action as indicated above.

If a student or other individual believes there has been aggressive behavior, regardless of whether it fits a particular definition, s/he should report it and allow the administration to determine the appropriate course of action.

The District shall implement intervention strategies (AG 5517.01) to protect a victim or other person from new or additional harassment, intimidation, or bullying and from retaliation following such a report.

This policy shall not be interpreted to infringe upon the First Amendment rights of students (i.e., to prohibit a reasoned and civil exchange of opinions, or debate, that is conducted at appropriate times and places during the school day and is protected by State or Federal law).

The complainant shall be notified of the findings of the investigation, and as appropriate, that remedial action has been taken. If after investigation, acts of bullying against a specific student are verified, the building principal or appropriate administrator shall notify the custodial parent/guardian of the victim of such finding. In providing such notification care shall be taken to respect the statutory privacy rights of the perpetrator of such harassment, intimidation, and/or bullying.

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

## **Complaints**

Students and/or their parents/guardians may file reports regarding suspected harassment, intimidation, or bullying. Such reports shall be reasonably specific including person(s) involved, number of times and places of the alleged conduct, the target of suspected harassment, intimidation, and/or bullying, and the names of any potential student or staff witnesses. Such reports may be filed with any school staff member or administrator, and they shall be promptly forwarded to the building principal or his/her designee for review, investigation, and action.

Students, parents/guardians, and school personnel may make informal or anonymous complaints of conduct that they consider to be harassment, intimidation, and/or bullying by verbal report to a teacher, school administrator, or other school personnel. Such informal complaints shall be reasonably specific including person(s) involved, number of times and places of the alleged

conduct, the target of suspected harassment, intimidation, and/or bullying, and the names of any potential student or staff witnesses. A school staff member or administrator who receives an informal or anonymous complaint shall promptly document the complaint in writing, including the information provided. This written report shall be promptly forwarded by the school staff member and/or administrator to the building principal or his/her designee for review, investigation, and appropriate action.

Individuals who make informal complaints as provided above may request that their name be maintained in confidence by the school staff member(s) and administrator(s) who receive the complaint. Anonymous complaints shall be reviewed and reasonable action shall be taken to address the situation, to the extent such action may be taken that (1) does not disclose the source of the complaint, and (2) is consistent with the due process rights of the student(s) alleged to have committed acts of harassment, intimidation, and/or bullying.

When an individual making an informal complaint has requested anonymity, the investigation of such complaint shall be limited as is appropriate in view of the anonymity of the complaint. Such limitation of investigation may include restricting action to a simple review of the complaint subject to receipt of further information and/or the withdrawal by the complaining student of the condition that his/her report be anonymous.

### **Privacy/Confidentiality**

The School District will respect the privacy of the complainant, the individual(s) against who 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 this policy and its related administrative guidelines shall be maintained as confidential to the extent permitted by law.

### **Reporting Requirement**

At least semi-annually, the Superintendent shall provide to the President of the Board a written summary of all reported incidents and post the summary on the District web site (if one exists). The list shall be limited to the number of verified acts of harassment, intimidation, and/or bullying, whether in the classroom, on school property, to and from school, or at school-sponsored events.

Allegations of criminal misconduct and suspected child abuse will be reported to the appropriate law enforcement agency and/or to Child Protective Services in accordance with statute. District personnel shall cooperate with investigations by such agencies.

### **Immunity**

A School District employee, student, or volunteer shall be individually immune from liability in a civil action for damages arising from reporting an incident in accordance with this policy and R.C. 3313.666 if that person reports an incident of harassment, intimidation, and/or bullying promptly, in good faith, and in compliance with the procedures specified in this policy. Such immunity from liability shall not apply to an employee, student, or volunteer determined to have made an intentionally false report about harassment, intimidation, and/or bullying.

### **Notification**

Notice of this policy will be annually circulated to and posted in conspicuous locations in all school buildings and departments within the District and discussed with students, as well as incorporated into the teacher, student, and parent/guardian handbooks. At least once each school year a written statement describing the policy and consequences for violations of the policy shall be sent to each student's custodial parent or guardian.

The statement may be sent with regular student report cards or may be delivered electronically.

The policy and an explanation of the seriousness of bullying by electronic means shall be made available to students in the District and to their custodial parents or guardians.

State and Federal rights posters on discrimination and harassment shall also be posted at each building. All new hires will be required to review and sign off on this policy and the related complaint procedures.

### **Education and Training**

In support of this policy, the Board promotes preventative educational measures to create greater awareness of aggressive behavior, including bullying and violence within a dating relationship. The Superintendent or designee shall provide appropriate training to all members of the School District community related to the implementation of this policy and its accompanying administrative guidelines. All training regarding the Board's policy and administrative guidelines and aggressive behavior and bullying in general, will be age and content appropriate.

Annually, the District shall provide all students enrolled in the District with age-appropriate instruction regarding the Board's policy, including a written or verbal discussion of the consequences for violations of the policy to the extent that State or Federal funds are appropriated for this purpose.

Students in grades seven (7) through twelve (12) shall receive age-appropriate instruction in dating violence prevention education, including instruction in recognizing dating violence warning signs and characteristics of healthy relationships. Parents/guardians, who submit a written request to the building principal or his/her designee to examine the dating violence prevention instruction materials used in the school, will be afforded an opportunity to review the materials within a reasonable period of time.

The District shall provide training, workshops, and/or courses on this policy for school employees and volunteers who have direct contact with students to the extent that State or Federal funds are appropriated for this purpose. Time spent by school staff in these training programs shall apply toward mandated continuing education requirements.

In accordance with Board Policy 8462, the Superintendent shall include a review of this policy on bullying and other forms of harassment in the required training in the prevention of child abuse, violence, and substance abuse and the promotion of positive youth development.

The Superintendent shall develop administrative guidelines to implement this policy. Guidelines shall include reporting and investigative procedures, as needed. The complaint procedure established by the Superintendent shall be followed.

Revised 12/13/10, 5/7/12, 6/9/14

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R.C. 3313.666, 3313.667

State Board of Education Model Policy (2007)

## **BOARD POLICY 5517 - ANTI-HARASSMENT (NON-TITLE IX SEXUAL HARASSMENT)**

### **Refers to code item #19**

#### **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 gender 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.

#### **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**

Words used in this policy shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.

**Complainant** is the individual who alleges, or is alleged, to have been subjected to unlawful harassment, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged harassment.

**Respondent** is the individual who has been alleged to have engaged in unlawful harassment, regardless of whether the Reporting Party files a formal complaint or is seeking an informal resolution to the alleged harassment.

**School District community** means students and Board employees (i.e., 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.

**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 District property).

Day(s): Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday-Friday, excluding State-recognized holidays).

## **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. cyber-stalking;
- F. cyber-bullying;
- 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.

Complaints of discrimination alleging sexual harassment within the definition and scope of Title IX will be referred to the Title IX Coordinator to be handled in compliance with Board Policy 2266 and Administrative Guideline 2266.

### **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 disability, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like.

### **Anti-Harassment Compliance Officers**

The Board designates the following individual(s) to serve as "Anti-Harassment Compliance Officer(s)" for the District. They are hereinafter referred to as the "Compliance Officer(s)".

Executive Director, Human Resources  
614-797-5700  
936 Eastwind Drive  
Westerville, OH 43081

The names, titles, and contact information of these individuals will be published annually in the parent and staff handbooks and on the School District's website.



The Compliance Officer(s) is 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 harassment.

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 information 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 of 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.

### **Reports and Complaints of Harassing Conduct**

Students and all other members of the School District community along with 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 report shall file it with the Compliance Officer(s) within two (2) days of receiving the report of harassment.

Members of the School District community and Third Parties, 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 Complainant'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 the Compliance Officer(s)

who shall investigate the allegation in accordance with this policy. If the alleged harassment involves Sexual Harassment as defined by Policy 2266, the matter will be handled in accordance with the grievance process and procedures outlined in Policy 2266. While the Compliance Officer investigates the allegation, or the matter is being addressed pursuant to Policy 2266, the Principal shall suspend the Policy 5517.01 investigation to await the Compliance Officer's written report or the determination of responsibility pursuant to Policy 2266. The Compliance Officer shall keep the Principal informed of the status of the Policy 5517 investigation and provide the Principal with a copy of the resulting written report. Likewise, the Title IX Coordinator will provide the Principal with the determination of responsibility that results from the Policy 2266 grievance process.

Complaints of discrimination alleging sexual harassment within the definition and scope of Title IX will be referred to the Title IX Coordinator to be handled in compliance with Board Policy 2266 and Administrative Guideline 2266.

### **Investigation and Complaint Procedure**

Except for Sexual Harassment that is covered by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities, any student who believes that they have been subjected to the unlawful harassment or retaliation under this Policy may seek resolution of the complaint through the procedures described below. The formal complaint process involves an investigation of the Complainant's claims of harassment or retaliation and a process for rendering a decision regarding whether the charges are substantiated.

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) 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 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 State Department of Education Office for Civil Rights.

### **Informal Complaint Procedure**

The goal of the informal complaint procedure is promptly to stop inappropriate behavior and to 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. The informal process is only available in those circumstances where the Complainant and the Respondent mutually agree to participate in it.

Students who believe that they have been unlawfully harassed under this Policy 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.

The Complainant 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 complainants involving a District employee, any other adult member of the School District community, or a Third Party and a student will be formally investigated.

As an initial course of action, if a Complainant feels comfortable and safe in doing so, the individual should tell or otherwise inform the Respondent that the alleged harassing conduct is unwelcome and must stop. The Complainant should address the allegedly harassing conduct as soon after it occurs as possible. The Compliance Officer(s) are available to support and counsel individuals when taking this initial step or to intervene on behalf of the Complainant if requested to do so. A Complainant who is uncomfortable or unwilling to directly approach the Respondent about the alleged inappropriate conduct may file 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 Complainant 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 the Compliance Officer(s).

All informal complaints must be reported to one (1) of the Compliance Officers who will either facilitate an informal resolution as described below, or appoint another individual to facilitate an informal resolution.

The Board'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 Complainant, informal resolution may involve, but not be limited to, one (1) or more of the following:

- A. Advising the Complainant about how to communicate the unwelcome nature of the behavior to the Respondent.
- B. Distributing a copy of this anti-harassment policy as a reminder to the individuals in the school building or office where the Respondent works or attends.
- C. If both parties agree, the Compliance Officer may arrange and facilitate a meeting or mediation between the Complainant and the Respondent to work out a mutual resolution.

While there are no set time limits within which an informal complaint must be resolved, the Compliance Officer designee is directed to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. If the Complainant is dissatisfied with the informal complaint process, the Complainant may proceed to file a formal complaint. And, as stated above, either party may request that the informal process be terminated at any time to move to the formal complaint process.

### **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 the Complainant, from the outset, elects to file a formal complaint, or the CO determines the allegations are not appropriate for resolution through the informal process, the formal complaint process shall be implemented.

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 official who works at another school or at the district level. 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 formal complaint within thirty (30) 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 official, either orally or in writing, about any complaint or harassment or retaliation, that employee must report such information to the Compliance Officer within two (2) business days.

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

All formal complaints must include the following information to the extent known: the identity of the Respondent; a detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); 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 Respondent. In making such a determination, the Compliance Officer should consult the Complainant to assess whether the individual agrees with the proposed action. If the Complainant is unwilling to consent to the proposed change, the Compliance Officer may still take whatever actions deemed appropriate in consultation with the Superintendent.

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

Simultaneously, the Compliance Officer will inform the Respondent that a formal 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 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 designee will attempt to complete an investigation into the allegations or 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 ten (10) business days of receiving the report of the Compliance Officer designee, the Superintendent must either issue a written 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) business days. At the conclusion of the additional investigation, the Superintendent must issue a written decision as described above.

The decision of the Superintendent shall be final.

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.

The parties may be represented, at their 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, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies.

### **Privacy/Confidentiality**

The District will employ all reasonable efforts to protect the rights of the complainant, the Respondent, 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 its related administrative guidelines shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided the Complainant's identity.

During the course of a formal investigation, the Compliance Officer 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 is learned or provided during the course of the investigation.

### **Sanctions and Monitoring**

The Board shall vigorously enforce its prohibitions against unlawful harassment/retaliation 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**

Retaliation against a person who makes a report or files a complaint alleging unlawful harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce 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 report, formal complaint testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws and/or this policy, 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 and/or this policy.

Retaliation against a person from making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition of disciplinary sanction/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under this policy.

### **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 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**

The Compliance Officer(s) is responsible for overseeing retention of all records that must be maintained pursuant to this policy. 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 or individuals contracted or appointed by the Board to fulfill its responsibilities 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 supportive measures offered and/or provided to the Complainant and/or the Respondent, 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 Code of Conduct and/or Employee Handbooks);
- M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment.

Revised 5/24/10, 6/9/14, 12/10/18, 9/28/20, 4/12/21

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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, 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

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#### 20. **Firearm Look-a-Likes**

A firearm look-a-like is any item that resembles a firearm but does not have the explosive characteristics of a firearm but may use a spring loaded device or air pressure by which to propel an object or substance (i.e., toy guns, cap guns, bb guns, pellet guns, air guns and paint ball guns). A student shall not possess, handle, or transmit any firearm look-a-like, the use of which is unrelated to the educational process. Included in this prohibition are those students who assist, are present, or in any way participate in the violation of this rule.

#### 21. **Unwelcome Sexual Conduct/Sexual Harassment/Dating Violence**

Unwelcome sexual advances and/or sexual harassment, may include requests for sexual favors, other physical or verbal conduct or communication of a sexual nature, including gender-based harassment that creates an intimidating, hostile, or offensive education or work environment, for example, but not limited to pinching, grabbing, slapping, groping, grinding, touching, rubbing against, and/or suggestive comments, gestures or jokes, unwelcome



suggestive or insulting sounds or whistles, obscene telephone calls or electronic messages, or pressure to engage in sexual activity. Sexual harassment may involve the behavior of a person of any gender against a person of the same or other gender. Unwelcome sexual advances and/or sexual harassment is unacceptable and will be prohibited. Included in this prohibition are those students who assist, are present, or in any way participate in the violation of this rule.

Dating Violence is defined as a pattern of behavior where a person uses or threatens physical, sexual, verbal, or emotional abuse to control the person's dating partner. A dating partner is any person, regardless of gender, involved in an intimate relationship with another person, primarily characterized by the expectation of affectionate involvement whether casual, serious, or long-term. Dating violence is unacceptable and will be prohibited. Included in this prohibition are those students who assist, are present, or in any way participate in the violation of this rule.

22. **Serious Bodily Injury**

The Superintendent may expel for up to one year any student who has committed an act that inflicts serious physical harm to persons. Serious physical harm to persons is defined as: any mental illness or condition of such gravity as would normally require hospitalization or prolonged psychiatric treatment; any physical harm that carries a substantial risk of death; any physical harm that involves some permanent incapacity, whether partial or total, or that involves some temporary, substantial incapacity; any physical harm that involves some permanent disfigurement or that involves some temporary, serious disfigurement; or any physical harm that involves acute pain of such duration as to result in substantial suffering or that involves any degree of prolonged or intractable pain. Included in this prohibition are those students who assist, are present, or in any way participate in the violation of this rule.

23. **Off-Limit Areas**

Students are prohibited from occupying off-limit areas. Off-limit areas are defined as those areas, both inside and outside of the school building, which have been designated as such by school officials by definition or by time of day, including leaving the school building without permission during the school day.

24. **Gambling**

Students are prohibited from gambling. Gambling is defined as playing games for money or other gain, including but not limited to games involving dice, cards or poker chips. Included in this prohibition are those students who assist, are present, or in any way participate in the violation of this rule.

25. **Merchandising**

Students shall not offer any items for sale to other students without the approval of the building principal or his/her designee. Included in this prohibition are those students who assist, are present, or in any way participate in the violation of this rule.

26. **Violation of School Rules**

A student shall not fail to comply with school rules and regulations properly established for the safe and efficient operation of the school.

Students will be issued identification cards (I.D.) which will include their name, student ID number and photograph. These cards are to be carried at all times while the student is in the school building, during school hours, on school property or while attending any school-sponsored event. The I.D. shall be surrendered upon the request of any school employee or law enforcement officer.

27. **Violation of School Vehicle Rules**

A student shall not fail to comply with school vehicle rules and regulations properly established for the safe and efficient operation of the school.

28. **Use, Possession, Sale, or Distribution of Fireworks**

The use, possession, sale or distribution of fireworks, including but not limited to “cherry bombs,” is prohibited. Included in this prohibition are those students who assist, are present, or in any way participate in the violation of this rule.

29. **Assault**

A student shall not threaten to cause physical injury to another person or behave in such a way that could cause physical injury. A student shall not assemble to observe or encourage and/or incite an assault, nor inhibit school personnel from intervening, when an assault occurs. Included in this prohibition are those students who assist, are present, or in any way participate in the violation of this rule.

30. **Academic Integrity/Misconduct**

Academic integrity is a core principle of the Westerville City Schools. It is important that students are given the skills they need in order to have integrity in presenting what they learn, just as it is important for students to develop personal integrity to become socially responsible citizens. It is the expectation that students create their work authentically without engaging in academic misconduct. Academic misconduct is defined as any activity that tends to compromise the academic integrity of the school district, or subvert the educational process. Examples of academic misconduct include, but are not limited to, plagiarism, collusion (unauthorized collaboration), submitting AI-generated text, copying the work of another student, possession of unauthorized materials, and/or any other behavior that gains a student an unfair advantage. Academic misconduct may be intentional and/or unintentional. Unintentional misconduct may occur due to a lack of familiarity with citation rules, misunderstanding course requirements or assignment instructions, or lack of preparation. It is important to note that any form of academic misconduct, whether intentional or unintentional, is a violation of the Student Code of Conduct.

**Search/Seizure**

School Officials will consider the student's age, scope and severity of the suspected violations(s) when considering the breadth and/or intrusiveness of the search. All searches shall be conducted only to the extent reasonably necessary to investigate suspected violations of law or school rules.

School officials may search a student's person, including, but not limited to, having the student turn out his or her pockets or remove shoes, personal effects, including but not limited to wireless communications and media storage devices, locker, desk and/or vehicle (while the vehicle is parked on school property) without the student's permission. Such action may be taken whenever school officials have a reasonable suspicion that the search will uncover a violation of school rules, stolen property or an item or substance which may be illegal, dangerous to the student or to others, or disruptive of the safe and orderly environment of the school. Failure to cooperate in a reasonable search will be considered insubordination and is a violation of the Code of Student Conduct.

**Consequences for Violation of School Rules**

Violation on the part of a student of any one or more of the Code of Student Conduct shall result in disciplinary action. A record of a disciplinary action shall be maintained at the school of attendance. Action may include, but not be limited to: verbal and/or written reprimand; loss of parking permit; loss of operator's license permit; detention; after school discipline; work detail; community service; confiscation of items not appropriate for school; loss of curricular and/or extracurricular activity privileges; loss of leadership positions; loss of privileges to attend or participate in assemblies, banquets/ceremonies; graduation ceremonies; loss of academic credit (grades); loss of awards, letters, or recognition; diversion program; alternative learning center; out-of-school suspension; emergency removal; intervention referral; expulsion; permanent exclusion and/or referral to appropriate legal authorities.

Students who violate the school rules are subject to a variety of consequences as defined in the Code of Conduct and deemed appropriate by the school officials. The intent of the consequences is to improve the behavior of students.

### **Discipline of Students with Disabilities**

The procedures for suspension and expulsion of students with disabilities from attendance and participation in curricular and co/extracurricular activities will be followed in accordance with the Individuals with Disabilities Education Improvement Act of 2004, Section 504 of the Rehabilitation Act of 1973, the Ohio Revised Code, and the 2008 Operating Standards for Ohio Educational Agencies serving Children with Disabilities, revised in 2014 (Rules 3301-51-01 to 3301-51-09 and 3301-51-11 of the Ohio Administrative Code).

### **Board Defined Consequences**

#### **Tobacco Products**

Disciplinary measures pertaining to the enforcement of this policy are necessary for the development and maintenance of a healthy, safe and tobacco-free school environment. The enforcement of this policy by the staff should be consistent and fair with the understanding of the developmental differences between elementary, middle and high school students. Therefore, as required by ORC 3313.751 (C) the following disciplinary measures for violations of this policy are listed below for smoking or the use or possession of tobacco products, K-12.

FIRST OFFENSE	Up to 2 Days OSS
SECOND OFFENSE	Up to 5 Days OSS
THIRD OFFENSE	Up to 10 Days OSS

OSS = Out-Of-School Suspension

The Principal or his/her designee may modify a student's suspension if the student agrees to attend a no tobacco use clinic intended to help a student quit smoking.

#### **Drugs other than Tobacco**

If the student is in possession of, concealment of, or sale of, or behavior is determined to be related to, the illegal use or misuse of drugs, alcohol (including beverages containing a measurable amount of alcohol including, but not limited to, "near-beer" or over-the-counter medicines) or substance believed to be or represented as a mood altering chemical, or an intoxicating or mood altering substance, drug paraphernalia or instruments such as pipes, roach clips, syringes, hypodermic needles, rolling papers, cocaine spoons, kits, or any other item normally or actually used for the packaging, conveyance, dispensing or use of illegal drugs, the student shall be suspended and/or recommended for expulsion in compliance with the due process procedures and Code of Student Conduct #10 & #11. Disciplinary actions shall progress as follows:

**1st offense** – 10 days out of school suspension (reduced to five (5) if student participates in an evaluation and any accompanying, recommended intervention plan as outlined by a qualified mental health/medical professional.)

**2nd offense** – 10 days out of school suspension (recommendation for expulsion)

In the case of possession for sale or transmission of illegal drugs, alcohol or drug paraphernalia or a substance believed to be or represented as a drug, the principal or his/her designee shall recommend the student who transmitted or intended to transmit such material for expulsion from school on the first offense.

If it is determined that a student is in possession or control of illegal drugs or substance believed to be or represented as a mood altering chemical, an intoxicating or mood altering substance, and/or has transmitted same to others, law enforcement officials may be notified and requested to take appropriate action. Efforts will be made to notify parents/guardians of the school's intent to notify law enforcement officials and to give the parent(s)/guardian(s) the opportunity to be present while their student is interviewed by law enforcement officials.

## **School Consequences**

### **Community Service**

In determining whether to offer or impose community service as an option to a student who has been found to have violated the Code of Student Conduct and, if so, the nature and duration of the community service to offer or impose, the Superintendent or Superintendent's designee will consider the individual circumstances of the student, the nature and severity of the Code of Conduct infraction(s) committed by the student, and any aggravating or mitigating factors. The Superintendent or Superintendent's designee may, in their complete discretion, impose a community service requirement in lieu of applying the suspension or expulsion. The Superintendent or Superintendent's designee will work with the parents/guardians/students to identify the community service site. The community service is not to be served during the school day.

### **Detention of Students**

No student will be denied lunch as punishment. Reasonable detention, at the close of the school day is not forbidden, but such detention will not exceed thirty (30) minutes for elementary school students, forty-five (45) minutes for middle school students, and one (1) hour for high school students. In case a student in an elementary school is detained at the end of the day, the parents/guardians will be notified in advance. Any student who is transported in a school bus will not be made to miss the bus by reason of such detention except with advance notice to the parents/guardians.

### **After-School Discipline**

Students under a disciplinary action may be assigned to after school discipline. Students are required to bring relevant textbooks and study materials. Parents/guardians must assume responsibility for all transportation. The building principal/designee will use his/her discretion when determining days and times of after school discipline.

### **Emergency Removal**

"Emergency Removal" means that a student may be removed from curricular or extracurricular activities if it is determined that the student is posing a continuing danger to self, persons or property or poses an ongoing threat to disrupting the academic process and/or school-sponsored events.

### **Loss of Extracurricular Activity Privileges**

"Loss of Extracurricular Activity Privileges" means the exclusion from some or all of the extracurricular activities in which a student is participating or eligible to participate unless otherwise specified. The exclusion from a particular activity is total and applies to practices, rehearsals, field trips, competitions, and all other activities related to the extracurricular activity as governed by Section IV of the Code of Conduct for Students Participating in Extracurricular Activities.

### **Parent Intervention Option**

In those instances when a student repeatedly violates the Code of Student Conduct, the Superintendent or Superintendent's designee may modify the suspension/expulsion if the parents/guardians participate in an agreed upon intervention program such as, but not limited to, parenting classes, family counseling and/or after school discipline.

### **Alternative Learning Center**

Alternative Learning Center (ALC) is an educational placement option which, when appropriate, provides for an alternative to an out of school suspension. This placement provides the student with an opportunity to attend school and receive 100% credit for the work performed, while educating the student in a controlled learning environment, removed from the customary educational setting. ALC is an educational center that teachers and administrators may use as a behavior modifying tool for our students.

### **Suspension**

All suspensions are made under the authority of Ohio Revised Code Section 3313.66 that provides procedural safeguards for the suspension and expulsion of students from public schools. "Suspension" is defined as a temporary exclusion of a student from school including both curricular and extracurricular activities for a period of not more than ten (10) school days. If fewer than ten (10) days remain in the school year, the pupil, during the first full week of summer break, may be required 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. Students shall earn 75% of points earned on graded work while under suspension except for semester/final exams or projects, which will be awarded full credit earned.

### **Expulsion**

All suspensions are made under the authority of Ohio Revised Code Section 3313.66 that provides procedural safeguards for the expulsion of students from public schools. "Expulsion" is defined as a removal of a student from school including both curricular and extracurricular activities for a period of more than ten (10) school days and within the maximum set by the Ohio Revised Code. The student will receive no academic credit for work missed during an expulsion.

The Superintendent may suspend or expel a student whose:

- a. Misconduct occurred off of property owned or controlled by the district but that is connected to activities or incidents that have occurred on property owned or controlled by that district; and
- b. Misconduct, regardless of where it occurs, is directed at a district official or employee or the property of such official or employee.

### **School Violations/Recommendation for Expulsion**

Listed below are violations which may be considered serious enough to warrant a recommendation for expulsion. This list does not represent an exclusive listing of all misconduct which might warrant a recommendation for expulsion. The following violations are offered as examples of misconduct which may warrant a recommendation to the Superintendent for the expulsion of a student. Further, they include students who assist or in any way participate in the violations of rules of the Code of Student Conduct.

1. Repeated minor violations for which the student has been previously suspended for an accumulated total of fifteen (15) or more days.
2. Willful destruction or vandalism of school or other's property on or off school grounds.
3. Transmission, sale, or attempted transmission of an illegal/harmful drug, beverage, mood altering chemical or substance represented as a mood altering chemical.
4. Willful physical assault of a teacher, administrator or other school employee.
5. Repeated violation of the alcoholic beverages and harmful drugs rules.
6. Threats regarding weapons or explosive devices.
7. Willful initiation of or participation in any type of false alarm or threat relating to the health and/or safety of the students or staff.
8. Any willful act of arson or unauthorized fire setting.
9. Possession and/or transmission of any object which could be considered a dangerous weapon.
10. Violation of any rule in a manner that that poses a significant threat to the health or safety of student, staff or volunteer.

11. Violent conduct that would be a criminal offense if committed by an adult; and results in serious physical harm to a person(s) or to property.

### **Expulsion for One Calendar Year**

#### **Firearms**

A student who possesses a firearm at a school; on any other property owned or controlled by the Board of Education; or regardless of the location, at an interscholastic competition, extracurricular event, or any other school program or activity, which firearm was initially brought to school, on the property, or to the competition, event, program or activity by another person may be expelled from school by the Superintendent for one calendar year.

#### **Knives**

A student who possesses a knife at a school; on any other property owned or controlled by the Board of Education; or regardless of the location, at an interscholastic competition, extracurricular event, or any other school program or activity, which knife was initially brought to school, on the property, or to the competition, event, program or activity by another person may be expelled from school by the Superintendent for one calendar year.

#### **Acts that result in serious harm to persons or property**

A student who commits an act that is a criminal offense when committed by an adult and that results in serious physical harm to persons or property, as defined in OHIO REVISED CODE 2901.01, while the student is at school; is on any other property owned or controlled by the Board of Education, or is at an interscholastic competition, extracurricular event, or any other school program or activity may be expelled from school by the Superintendent for one calendar year.

#### **Bomb Threats**

A student who makes a bomb threat to a school building or to any premises at which a school activity is occurring, may be expelled from school by the Superintendent for one calendar year.

#### **Permanent Exclusion**

Permanent exclusion shall mean the student is banned from attending a public school in the State of Ohio. The Board of Education may seek the permanent exclusion of a student, sixteen (16) years of age or older, who is convicted of committing or adjudicated a delinquent child for committing one or more of the following acts:

1. Conveying or attempting to convey deadly weapons or dangerous ordnance onto school property or to a school function in violation of Ohio Revised Code Section 2923.122;
2. Possessing deadly weapons or dangerous ordnance on school property or at a school function in violation of Ohio Revised Code Section 2923.122;
3. Carrying a concealed weapon on school property or at a school functions in violation of Ohio Revised Code Section 2923.122;
4. Knowingly possessing an object on school property or at a school function that is indistinguishable from a firearm (regardless of whether the object is capable of being fired) and indicating that the student possesses the object and that it is a firearm, or knowingly displays or brandishes the object and indicates that it is a firearm, in violation of Ohio Revised Code Section 2923.122;
5. Trafficking or aggravated trafficking in drugs or the sale of a controlled substance on school property or at a school function in violation of Ohio Revised Code Section 2925.03;
6. Murder, aggravated murder, voluntary manslaughter, or involuntary manslaughter on school property or at a school function in violation of Ohio Revised Code Sections 2903.01, 2903.02, 2903.03, or 2903.04;
7. Felonious assault or aggravated assault on school property or at a school function in violation of Ohio Revised Code Sections 2903.11 or 2903.12;
8. Rape, gross sexual imposition, or felonious sexual penetration on school property, at a school function, or when the victim is a school employee in violation of Ohio Revised Code Sections 2907.02, 2907.05, 2907.12;

9. Possession of drugs on school property or at a school function in violation of Ohio Revised Code Section 2925.11, unless such violation is a minor offense under that provision.

### **Special Circumstances for Students with Disabilities**

Students with disabilities who commit an act that involves weapons, drugs, or serious bodily injury (as defined below) may be removed to an interim alternative educational setting. Even if the student's behavior is determined to be a manifestation of his or her disability, the removal may be for up to forty-five (45) school days. If the behavior is determined not to be a manifestation of the student's disability, the student may be disciplined the same as any regular education student.

The term "serious bodily injury" means bodily injury that involves:

1. A substantial risk of death;
2. Extreme physical pain;
3. Protracted and obvious disfigurement; or
4. Protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

18 U.S.C. 1365(h)(3)

### **School Safety Zone**

The Code of Student Conduct governs student behavior at all times, on or near school grounds, while riding school transportation, during all curricular and/or extracurricular activities in any location and at all times during school related trips. Criminal Code 2901.01(C) defines "school safety zone" as a school building, school premises, school activity, school bus and vicinity of a school. Further, it includes those students who assist or in any way participate in the violation of rules of the code.

The Board will not tolerate violent, disruptive or inappropriate behavior by its students and such behavior is prohibited as set forth in the Code of Student Conduct.

### **Dangerous Weapons**

A student shall not possess, store, make, transport, transmit, conceal or attempt to possess, transport, transmit or conceal a dangerous weapon, firearm, knife, explosive ordnance or dangerous instrument, or "look-alike" counterfeit weapon, firearm, knife, explosive ordnance or dangerous instrument. "Look-alike" weapons, firearms, knives, explosive ordnance, or instruments include, but are not limited to, any object a reasonable person might consider under the circumstances a dangerous weapon, firearm, knife, explosive ordnance or dangerous instrument.

Nothing in this provision is intended to, nor shall it preclude the Superintendent from suspending, expelling or removing a student in accordance with Ohio law for otherwise possessing, storing, making, transmitting, or concealing a weapon, explosive ordnance, or other dangerous instrument in a school safety zone that is not as just defined herein.

### **Fraternity/Sorority/Gang Activity**

Membership or participation in the organization or operation of any fraternity, sorority, or other secret group as described by law is prohibited throughout the School District. In particular, the Board shall not tolerate any type of gang or gang-related activity to occur on District property or while students are under the auspices of the Board.

A student shall not commit any act/behavior, verbal or non-verbal (for example, but not limited to, gestures, handshakes, attire) that may reasonably be perceived by any student or school personnel as evidence of membership in or affiliation with any gang. A student shall not commit an act, verbal or non-verbal, in furtherance of the interests of a gang or gang activity, including, but not limited to: (1) soliciting others for membership in a gang or gang-related activity; (2) requesting any person to pay for protection or otherwise intimidating or threatening a person. The term "gang", as used in the policy, means a group of two (2) or more persons whose purposes or activities include the commission of illegal acts or violation of school district rules or policies.

### **School Transportation**

The presence of unauthorized persons or vehicles on Westerville School District land or premises is NOT permitted. Unprivileged intrusion may constitute criminal trespass, a misdemeanor under Section 2911.21, Ohio Revised Code, and Section 509.05, Codified Ordinances of the City of Westerville. (O.R.C 3313.20; O.R.C.2911.21; City of Westerville, Codified Ordinances 509.05)

### **Student Conduct on School Vehicles**

Transportation is a service provided by the Westerville Board of Education and should be regarded as a privilege by students and parents/guardians. Those who ride school vehicles will conduct themselves in accordance with posted rules and the Student Code of Conduct at all times.

Middle school students will show school identification badges when asked. Failure to provide requested identification badges may result in the loss of transportation privileges.

### **Responsibilities of Students**

Students are expected to:

- a. Behave in an orderly manner at all times while on the school vehicle.
- b. Follow the instructions or directions of the driver.
- c. Load and unload at their designated assigned stop. At each assigned stop, students shall be assigned a residence side designated place of safety. Students are not to proceed to their residence until the school vehicle has departed.
- d. Use their required and assigned stop. If a stop change or change in destination is necessary, a signed note by the parent/guardian and administrator must be presented and approved by a representative from transportation
- e. Maintain absolute quiet at railroad crossings and other places of danger as specified by the driver.
- f. Go promptly to the school vehicle when dismissed from school.
- g. Have a note from their parent or guardian and signed by the principal or his/her designee if it is necessary for students to get off the school vehicle other than at their regular stop.
- h. ODE Pupil Transportation Operation and Safety Rules OAC 3301-83-08(C) (12) states that "pupils may carry on the school vehicle only objects that can be held in their laps".
- i. Skateboards, animals and/or pets of any kind are not permitted; individuals with disabilities shall be permitted to be accompanied by their service animals.

### **Responsibilities of Parents/Guardians**

Parents are expected to:

1. Be responsible for the safety and discipline of students while going to and from pickup points and at the school vehicle stop.
2. Refrain from entering the school vehicle without prior approval.
3. Have their children at the school vehicle stop five (5) minutes prior to their scheduled pick-up time as outlined by the transportation department.
4. Be monetarily responsible for any damage done to a school vehicle by their child.
5. Respect that staff should not be asked to enter disputes involving parents/guardians and/or students prior to pick up or after return to pick up points.
6. Respect the need for a driver to focus on driving and to stay on schedule. Please refrain from discussing school vehicle problems with the driver while he/she is in his/her route. This delays the schedule of the school vehicle. Call the Transportation Department at 614-797-5950.

### **School Vehicle Safety Rules**

1. Students shall remain seated at all times.
2. Fighting/tripping/pushing or other acts of violence are not permitted at any time (this also refers to bullying as described in section 5517.01 – "BULLYING AND OTHER FORMS OF AGGRESSIVE BEHAVIOR").



3. Obscene language/gestures will not be permitted.
4. Improper behavior at any time is not tolerated.
5. Throwing objects inside or out of the school vehicle is not allowed.
6. Eating/drinking on the school vehicle is not permitted except as required for medical reasons.
7. No loud or excessive noise is permitted.
8. Being disrespectful to others and/or not following driver's instructions will result in discipline.
9. Any other actions that jeopardize the safety of persons or property will result in discipline.
10. Students shall abide by the Code of Student Conduct at all times.

### **Rules Posted On All School Vehicles**

#### **“DON'T LOSE YOUR RIDING PRIVILEGE”**

- Observe same conduct as in the classroom.
- Be courteous, use no profane language.
- Do not eat or drink on the bus.
- Keep school vehicle clean.
- Cooperate with the driver.
- Do not smoke/vapor.
- Do not be destructive.
- Do not take photo/videos of yourself or others.
- Do not play audio through external speakers.
- Stay in your seat.
- Keep head, hands and feet inside the bus.
- Bus driver is authorized to assign seats.

***If an incident occurs on the school vehicle which calls for suspension from school by the Code of Student Conduct, the Code of Student Conduct will take precedence, and the student will be suspended from school.***

### **Suspension/Expulsion from School Vehicles**

Proper conduct on a school vehicle is important because of the concern for the safety of other students and the driver. When a student does not display proper conduct on a school vehicle, suspension and/or expulsion from the vehicle can be the result of the misbehavior. Students who choose to violate the vehicle rules will receive a Disciplinary Warning Notice. Copies of the report will be distributed to all parties involved and students' school vehicle riding privileges may be suspended. Continued violation of school vehicle rules could result in expulsion from the vehicle. School personnel will make every effort to protect the rights of the student through the use of due process procedures when suspension or expulsion is used.

Students and their parents or guardians will be held responsible for any vandalism, damage or destruction that the student commits on a school vehicle. Remuneration for the complete restoration of the damage will be required.

### **Change of Transportation or Destination**

If at any time there is a change of transportation assignment or destination of a student, a note from the parents/guardians of each student involved must be sent designating this change and must be approved by both a building administrator and a transportation representative. Permission for such changes must be approved by transportation and is on a space available basis.

For updates on transportation delays, call transportation at 614-797-5950 or visit <https://www.westerville.k12.oh.us/operations/my-bus-student-busing-information>

# HEALTH OF OUR STUDENTS

## Medications – Administering Medications to Students

Parents should determine with the counsel of their child's prescriber whether the medication schedule can be adjusted to avoid administering medication during school hours.

The Westerville City Schools do not purchase or make available acetaminophen, ibuprofen, or, other nonprescription or prescription medications to be given to students. Ohio Revised Code Section 3313.713 requires school personnel to:

- A. Administer all prescription or non-prescription medications to students when parents/guardians request that the school personnel administer such medications. To request assistance with medication, the parent/guardian must:
  - 1. Complete the appropriate medication related form. See summary of forms below. All medication forms must be signed by the parent and health care provider with prescriptive authority.
  - 2. Deliver medication to school directly by the parent/guardian or other responsible adult at parental request. This should be arranged in advance.
  - 3. Keep medication in a prescription labeled bottle, labeled with date; student's name; and exact dosage. (Pharmacy may provide an extra bottle for long-term medication.) If it is a non-prescription drug, it must be in the original container.
  - 4. Not deliver more than two to four (2-4) week's supply of medication at one time;
  - 5. Provide a revised statement signed by the parent/guardian and health care provider with prescriptive authority for any changes in the dosage to be given; a revised labeled medication bottle is required for prescription medications.
  
- B. If you would like your child to carry an inhaler during school hours, the "Self-Medication for Asthma Inhalers Authorization Form" (Form 5330 F3) needs to be completed by the health care provider with prescriptive authority and signed by you.
  
- C. If you would like your child to carry an Epinephrine Auto Injector (for anaphylaxis reaction to an allergen) during school hours, the Allergy Action Plan and Authorization for Student Possession and Use of an Epinephrine Auto Injector (Form 5330F4a and Form 5330F4b) need to be completed by a health care provider with prescriptive authority and signed by parent/guardian pursuant to Ohio Revised Code Section 3313.718. The school must have a back-up dose of the Epinephrine Auto Injector. If a dose is used during school or at any school activity, 911 will be called.
  
- D. If you would like your child to self-administer any non-prescribed (over-the-counter) medications at school, Form 5330 F1a must be completed by a parent or guardian and kept in the students health file at school. The student must carry and self-administer medication independently. Medication may not be stored in the clinic.
  
- E. If your child will need Diabetic Care at school, Form 5330 Fdm1 or other provider forms and WCS parent/guardian permission forms that may be substituted, must be completed by a health care provider with prescriptive authority, and signed by the parent/guardian. School nurses will work with families to ensure all necessary forms, permissions, and orders for diabetic management are received and completed at the beginning of every school year and with any changes. The Board of Education is committed to ensuring that each student enrolled in the District who has diabetes receives appropriate and needed diabetes care in accordance with an order signed by the student's treating practitioner. Within fourteen (14) days after the District receives an order signed by the student's

treating practitioner, the Board will inform the student's parent, guardian, or other person having care or charge of the student that the student may be entitled to a Section 504 Plan regarding the student's diabetes. The Board will use the 504 plan information sheet developed by the Ohio Department of Education to provide such notification.

**Summary of Medication Related Forms** - \* Medication forms can be obtained from your school nurse, or on the Westerville City Schools website: [www.westerville.k12.oh.us](http://www.westerville.k12.oh.us) (\*Click on Parents/Guardians; then Health Services links)

- A. Request to Administer Used as Prescribed Medication (5330 F1):
  - 1. This form allows for medications to be stored in the building clinic and administered by building staff.
- B. Authorization for Student Possession and Use of Asthma Inhalers (5330 F3):
  - 1. This form allows for students to self-administer their inhalers without assistance from school staff.
- C. Authorization for Student Possession and Use of Epinephrine Auto Injectors (5330 F4a):
  - 1. This form allows for students to self-administer emergency epinephrine without assistance from school staff, but also requires a "back-up" dose of epinephrine to be kept in the school clinic.
  - 2. Form 5335 F4b must accompany Form 5330 F4a
- D. Allergy Action Plan (5335 F4b):
  - 1. This form allows for and gives specific directions re: the administration of epinephrine auto-injectors by trained school staff.
- E. WCS Authorization for Diabetic Care (5330 Fdm1)
  - 1. This form allows for your child to receive insulin and diabetic care at school. Provider forms and WCS parent/guardian permission form may be substituted.
- F. Please refer to Policy 5330 and complete form 5330 F1a for appropriate procedures for Student Self Administration of Over-the-Counter medication.
  - 1. Form 5330 F1a is a waiver form, allowing students to be 100% responsible and independent in their own Over the Counter medication management.
- G. Resource Guide for Supporting Students With Life-Threatening Allergies (5335)
  - 1. This document details the school process for assisting students with life-threatening allergies.

Please be aware, after reviewing instructions, the School Nurse and or the Principal's designee may need clarification of instructions from the prescribing healthcare provider before medication can be administered.

### **Illness and Emergency Procedures**

The Emergency Contact Information and Medical Information forms are strongly encouraged to be submitted at the start of each school year. These are electronic forms found in the PowerSchool Parent Portal under "Ecollect Forms". Only those persons listed on an emergency form may pick up students unless there has been prior approval from the building administrator. During the school year, there may be changes in addresses and telephone numbers on emergency forms. If there is a change please notify the front office of your student's building to update the PowerSchool contact information.

Students who become ill during the school day should report to the clinic. Students are discouraged from calling or texting a parent/guardian directly, as an evaluation of symptoms and notification of proper contacts is best facilitated in the office/clinic. The school personnel will attempt to notify the parents/guardians or person listed on the student's emergency form to make arrangements for the student to go home. We can assume no responsibility for treatment of sickness beyond emergency first aid.

In all cases of illness or injury, it is expected a parent/guardian or the emergency contact person will pick up the student as soon as possible after being called. If a student needs to be transported by an emergency vehicle, the emergency squad official will determine to which hospital the student will be transported.

Parents will be required to provide medical clearance for a student to return to play following any injury resulting in concussion symptoms on school grounds, per R.C. 2305.23 (Good Samaritan), 3313.20, 3313.539 and Policy 5340, Student Accidents.

### **Immunizations**

State legislation requires that the parents/guardians submit written evidence, within fourteen (14) days of beginning school, that their child has had all the required immunizations, or is in the process of being immunized, or has a completed and signed/exemption form for him/her to remain in school. If, after the end of the fourteen (14) day grace period, the parent/guardian has not submitted written evidence of compliance, the student shall be excluded from school until such evidence is submitted. During the period of exclusion, the student's absence will be recorded as unexcused. Immunizations required by Ohio Revised Code 3701.13 and 3313.671 can be found on the district's website, or located at the district enrollment center or building clinics.

### **Tuberculosis (TB) Screening**

Students enrolling in Westerville City Schools (born or traveling) from any TB endemic foreign country must show written documentation of a negative PPD skin test and/or a negative chest x-ray, done in the United States. If the parent/guardian is unable to provide the required written documentation, the student shall be required to have another PPD and or chest x-ray completed and reviewed. This documentation is required before enrollment can proceed. Westerville Schools follows the reporting requirement found in O.R.C. 3313.71.

### **Student Health Concerns**

If a child has a health concern, parents/guardians must provide a written explanation of the concern for the child's school health records, and update the information at the beginning of the school year and as needed if changes occur. Documentation from the child's health care provider may be required.

Students who need physical activity or weather related restrictions beyond two days require written authorization from their doctor.

### **Contagious Situations**

If a child has been ill, please remember that he/she should be fever-free, without the aid of fever reducing medication, for 24 hours before returning to school.

A child will be sent home if the student has a temperature of 100 degrees or above. A child could be sent home if the student has vomited, has diarrhea, has an undiagnosed rash, or is suspected of having a contagious condition, including head lice, at the discretion of the school nurse. Contagious students must be picked up by a parent/guardian and cannot ride school transportation. School bus or other public school-provided transportation is not advisable for students with contagious conditions. A parent/guardian or emergency contact person will be required to transport the student home.

### **Head Lice**

Head lice (Pediculosis) seems to be a year-round problem for most communities. Since parents can be of crucial importance in controlling head lice, we want to help you become well informed.

#### **How Do You Get It?**

Head lice are a fairly common, easily treated condition that is generally not associated with any serious medical complications. Head lice are usually transmitted from one person to another by direct personal contact and by the common use of personal items such as combs, brushes, hats or scarves. Children should be warned against sharing hats, clothing or grooming aids with other

children. Many people think that head lice become established on persons who are not clean. In the case of head lice, this is NOT TRUE. Frequent bathing will neither prevent head lice nor eliminate them once they are present.

#### What To Look For:

One of the most common signs to look for is intense itching and scratching of the scalp. Head lice are elongated insects about (--) this long and are grayish-white to light brown. Lice do not have wings and, therefore, cannot fly. They do not jump, but do move very quickly; this makes them very difficult to find in a child's hair. Since crawling forms are so difficult to see, the diagnosis of head lice is usually made on the basis of finding nits (louse eggs). Nits are teardrop in shape, about this size ('), and vary in color from yellowish-brown to white. Head lice attach nits to a single hair shaft with a waterproof, cement-like substance. Thus, nits cannot be washed out or brushed out of the hair like dandruff or other debris that sometimes look like nits to the naked eye. Nits are most commonly found in the hair at the back of the neck or behind the ears. It helps to use a magnifying glass and bright light (preferably daylight) when looking for nits.

#### What Can Parents Do?

Lice are highly communicable and difficult to prevent, but if every parent takes the responsibility to check the entire family's hair and scalp often, their spread can be controlled. If you suspect your child has head lice, but you are not sure, contact your child's school. If you know your child has head lice, consult your physician, school nurse or pharmacist concerning treatment. Don't be embarrassed to notify your child's school so measures may be taken to control the lice. Also, notify the parents of your child's recent playmates. Parental/guardian cooperation will help to prevent spreading lice to other children including your own.

Students should return to school as soon as treatment is completed and no active infestation is identified. Active infestation will be defined as the presence of live lice, or no progression in nit removal. Treatment can be accomplished overnight, allowing readmission the following day. An adult must accompany the student to school to meet with the nurse or other staff member upon return to school. The student will be examined by a school staff member trained in the screening procedure. If a student is found to have an active infestation of head lice, the parent/guardian will take the student home for further treatment. Active infestation means that there are live bugs or no progress in nit removal. The process of nit removal may take a few days. Continue combing daily and remove any nits found.

#### **Home Instruction**

If it is determined by a physician that a child is physically unable to attend school and will be absent for eleven (11) or more consecutive school days, he/she may be eligible for home instruction. An Intervention Team meeting will be held to determine eligibility for home instruction. For further information, contact the school office.

#### **Student Accident Insurance and Liability Insurance**

The Westerville School District's insurance policy does not provide coverage for student injuries. While the district takes appropriate measures to ensure the safety of students, accidents do occur. The school district does not pay for any medical related expenses as a result of students injuring themselves on school premises, off school grounds during school sponsored events, on school-sponsored transportation, or on any school or non-school property before or after school hours. This means that the parent(s)/guardian(s) are responsible for any bills from a school related injury to the child.

The district does not carry student accident insurance. However, for those families needing insurance, student accident insurance information is available. As a service to parents/guardians, insurance is available through school and parents/guardians are encouraged to obtain insurance for their child. Please remember this is not a school district sponsored program. The school district will allow the distribution of this information for the benefit of students and

parents/guardians. Distribution of this information does not constitute an endorsement of this or any particular student insurance plan. The District is not being compensated in any way for distributing the information. Any decision whether to purchase insurance must be based upon the parent's/guardian's own assessment of the risk of injury or illness and the adequacy of the plan to meet their needs in the event of a covered illness or injury.

The district does not carry insurance for the property of others. If students lose an item (for example, but not limited to, a musical instrument) or their property is otherwise stolen, it is still their responsibility to replace the property. Parents/guardians are reminded that insurance is required for student-athletes and proof of insurance must be presented for eligibility.

### **Integrated Pest Management (IPM) and Notifications**

The Westerville City School District uses the process of Integrated Pest Management (IPM). IPM uses a mixture of chemical and other, non-pesticide, methods to control pests. Parents/guardians or community members, desiring to be notified about pesticide applications, may locate pre-notification and emergency pesticide applications on our district website.

## **ATTENDANCE**

Students enrolled in Westerville City Schools are required by state law to attend each day school is in session. Students are to be in all of their assigned classes and study halls every day. Westerville City Schools will soon be implementing technology that integrates with our Student Information System to make reporting and scheduling student absences more convenient for families. Families are encouraged to watch for additional information about this new system and adhere to established absence reporting procedures until this technology is in place.

### **Attendance Definitions**

**Excused Absence:** Absence resulting from personal illness, illness in the family, quarantine of the home, the death of a relative, work at home due to absence of parents or guardians, observance of religious holidays, pre-approved family vacation or emergency situations or a special reason for which approval is given by an administrator.

**Unexcused Absence:** Absence not confirmed by parent/guardian, or a known absence, with consent of parent/guardian, for a reason not acceptable to the school. High school students will receive 75% of points earned on graded work while unexcused. Elementary and Middle school students will receive 100% of points earned while unexcused.

**School Truancy:** A deliberate, unauthorized absence from school. The student will not receive academic credit for work missed during school truancy.

**Class cutting:** A deliberate unauthorized absence from a class. The student will not receive academic credit for work missed during class cutting.

### **Excused Absences**

Make-up work should be completed within the number of day's equivalent to his/her absence when practical. If the work is not made up, the student will receive a failing grade for incomplete work. In the case of work missed due to a family vacation, please refer to the attendance section "Make-up Work".

An excused absence may be granted on the basis of any one or more of the following conditions:

**Personal Illness:** Absence of a child to receive health care from an appropriately licensed health care provider will be excused. The approving authority may require the certificate of a physician if he/she deems it advisable.

Illness in the Family: The absence under this condition will not apply to children under 14 years of age.

Quarantine of the Home: The absence of a child from school under this condition is limited to the length of quarantine, as fixed by the proper health officials.

Death of a Relative: The absence arising from this condition is limited to a period of three (3) days unless a reasonable cause may be shown by the applicant child for a longer absence.

Work at Home Due to Absence of Parents or Guardians: Any absence arising because of this condition will not extend for a period longer than that for which the parents/guardians are absent. (This only applies to students 14 and over.)

Observance of Religious Holidays: Any child of any religious faith will be excused if his/her absence was for the purpose of observing a religious holiday consistent with his/her creed or belief.

College Visitation: The District requires verification of the date and time of the visitation by the college, university, or technical college. (policy 5200)

Foster Care Placement or Change in Foster Care Placement: Absences due to a student's placement in foster care of change in foster care placement or any court proceeding related to their foster care status. (policy 5200)

Homeless: Absences due to a student being homeless. (policy 5200)

Service as a Precinct Officer: A student may serve as a precinct officer at a primary, special or general election in accordance with the program set forth in Policy [5725](#)

Family Vacation: Absence resulting from a student traveling a distance significant enough to require absence from school. Excused travel absences will only be approved for the instances where a student is traveling in the company of his or her parent or legal guardian when the purpose of the travel is for rest, recreation and/or vacation.

- The student's parent or guardian should complete the "Pre-excused Absence Form" and receive the approval of one of the principals at least three days prior to the first day of the anticipated absence. After the principal reviews the form, it must be signed by all of the student's teachers and returned to the Attendance Office.
- Approval of an absence request in this category entitles the student to receive advanced assignments covering the period of the anticipated absence. The student must be prepared to turn in homework assignments and graded work missed upon return and be prepared to take make-up tests within five (5) days of his/her return as practical. Teachers will not be expected to provide tutorial assistance for materials covered during the student's absence.

Emergency or Exceptional Situation: An emergency or a set of circumstances which, in the judgment of the building principal, designated assistant principal, or Superintendent of schools, constitutes a good and sufficient cause for absence from school, will be approved for a student.

All absences from school which are not approved by a building administrator shall be recorded as "unexcused" or "truant."

**Section 517.12 of the Westerville Codified Ordinances States:** No person, being the parent or guardian or person having the legal custody and control of any minor shall negligently allow the minor, to be truant from school when the laws of the State require such child's attendance in school.

### **Student Attendance Accounting (Missing and Absent Children)**

The Westerville Board of Education supports state and national efforts to decrease the number of missing children. Therefore, school personnel will attempt to identify possible missing children and notify the proper adults or agencies.

At the time of their initial entry to school a student, or a student's parent/guardian shall present a certified original certificate of birth, an attested baptism certificate showing the date of birth, or a birth affidavit and copies of those records maintained by the school that was most recently attended to the office in charge of admission. Copies will be made and returned. For homeless youth, see Board Policy 5111.01 for information on providing documentation for enrollment.

### **Tardy to School and Early Dismissal**

Parents/guardians may request approval for late arrival or early dismissal of a student from the building principal or his/her designee. While the approval of late arrivals or early dismissals is discouraged, the Board recognizes that exceptional circumstances may arise where the granting of late arrivals or early dismissals is appropriate.

Such reasons would include family emergencies or doctor/dental care. However, doctor and dental appointments should be scheduled after school or on weekends, if at all possible.

If early dismissal or late arrival is necessary, send a note to the office explaining the reason for the early dismissal or late arrival and the time the child will be leaving or arriving. The principal or his/her designee will determine whether the request for late arrival or early dismissal shall be granted. Parents/guardians must report to the office when dropping a child off late or taking a child out of school early. School officials may request that such individual show proper identification.

No student who has a medical disability which may be incapacitating may be released without a person to accompany him/her. No student shall be released to anyone who is not the student's parent/guardian without parental/guardian permission. School officials may request a parent or guardian to show proper identification.

Late arrivals and early dismissals shall not be granted when such approval would interfere with the operation of any school program or activity, school opening, school dismissal or transportation, or when such approval would be a severe detriment to the education of the student or create a safety hazard.

Students who do not report to their assigned school classroom at the specified starting time shall be considered "tardy" and will be marked accordingly on attendance records.

### **Make Up Work**

Students have the right to make up work missed during an excused or unexcused absence. Following the return to school, the make-up work shall be completed within the number of days equal to the days of excused or unexcused absence. Responsibility for obtaining information about missed assignments rests solely with the student or the student's parents/guardians.

If a student anticipates being absent for an extended amount of school days, he/she or their parent/guardian should request assignments from teachers and/or the school counselor. Arrangements can be made with the school office or teacher regarding picking up or electronically receiving the requested assignments.



## **RESIDENCY**

For a student to be enrolled in the Westerville City Schools, his/her custodial parent must reside within the Westerville School District or satisfy one of the provisions of Ohio Revised Code Section 3313.64 such as being in the legal or permanent custody of someone other than their parent, being eligible for special education, residing in a children's home or other residential institution, by residing with an individual with whom the child has been placed for adoption, or are a child of active-duty uniformed services members who are subject to a transfer or relocation order and will be relocating to but do not yet reside in the District shall be permitted to apply for enrollment in the same manner and at the same time as resident students in accordance with the provisions of the Interstate Compact on Educational Opportunity for Military Children (see Policy 5111.02). (BOE Policy 5111) Enrollment must be authorized by the W.C.S. Enrollment and Family Resource Center, prior to registration.

### **School of Attendance**

Students are assigned to attend a school based upon their custodial parent's (legal guardian's) residence unless an intra-district transfer request has been made by an individual student's parent or guardian and duly approved by the Superintendent or the Superintendent's designee. School district boundaries within the Westerville school district will be established by the Superintendent, with the knowledge of the Board of Education. In establishing such boundaries, due consideration will be given to the capacity of buildings, size of classes, distances, topography, transportation and other pertinent factors. Parents/guardians are required to notify the building principal or his/her designee of any address changes.

### **Moving Out of the District**

If the student's legal guardian(s) move out of the Westerville City School district before the completion of the school year, high school seniors will be permitted to finish the school year without the payment of tuition upon Board approval as outlined in OHIO REVISED CODE 3313.64.

### **Residency and Legal Guardianship**

If the parents are separated or divorced or their marriage has been dissolved or annulled, the "parent" means the parent who has been granted residential custody of the child for school purposes.

When the child is in the legal or permanent custody of a "custodian," such as a government agency or person other than the natural or adoptive parent, "parent" means the parent who gave up custody and perhaps residual parental rights, privileges, and responsibilities. Residency and Guardianship are defined by Ohio Revised Code 3313.64(A) (1)).

In cases of joint custody, the child may attend school in the district assigned by the court. If no assignment is made by the court, the child may attend in the district of the parent with whom he/she is residing. In the best interest of the child, he/she should maintain attendance in one school district.

Any change of custody during the school year must be reported to the building principal and a copy of the custody papers must be on file at the student's building of attendance.

### **Non-Resident Issues**

Procedures Governing the Enrollment of a Nonresident Student by the Non-Custodial "Parent" or Person Other Than the Parent

1. Prior to registration, the non-custodial parent shall provide the W.C.S. Enrollment and Family Resource Center with documentation of a court filing indicating that the non-custodial parent, relative or person other than the parent, has initiated proceedings to gain custody of the child.

2. The sworn statement shall include the name of the non-custodial parent, address, name of child, name and address of custodial parent, name and address of school last attended by the child, and the name and address of their attorney.
3. Upon receipt of documentation of a court filing, the child may attend the Westerville City Schools without the payment of tuition for a period not to exceed sixty (60) days or the minimum number of days required by law.
4. If custody is transferred to the natural or adopting parent who resides in the Westerville School District within the sixty (60) day period, no tuition will be charged.
5. The parent who resides in Westerville must provide the W.C.S. Enrollment and Family Resource Center with legal documentation that he/she has been granted legal custody by a court of law.
6. If legal custody is not granted within the sixty (60) day period, payment of tuition will become the obligation of the parent for the period of time. The child may be withdrawn from school if tuition is not paid.

Any change of custody during the school year must be reported by parents/guardians and copies of the custody papers must be on file at the student's building of attendance.

## **GENERAL OPERATIONS**

### **Deliveries and Messages**

Other than an emergency, no messages or deliveries will be given to students during the school day. Items such as flowers, balloons, etc., will not be accepted for delivery to students. Phone calls to remind a student of an appointment or an errand cannot be forwarded to students.

### **Classroom Videotaping Notice**

District teachers, as part of their own assessment, evaluation and professional development, as well as student teachers working toward their education degrees at local colleges and universities, may occasionally videotape themselves teaching in a classroom. If a parent or legal guardian desires to avoid the potential of having their child videotaped during instruction, accommodations can be arranged. Please notify your principal in writing by September 30 of the current school year should you wish to request these accommodations for your child.

### **Video Surveillance and Electronic Monitoring**

Video surveillance is routinely used to help maintain a safe and orderly student learning environment for staff, students and visitors at our school facilities and during bus transportation.

### **Emergency Procedures**

In the event of an emergency, every effort will be made to communicate through multiple means of communication. Families may receive information through several communication channels employed by the district, including, but not limited to: the district web site ([www.wcsoh.org](http://www.wcsoh.org)), e-mail announcements, text messages, emergency phone notification, and announcements on local television and radio stations. Please note that in order to receive emergency text and e-mail messages, families must visit the district web site and subscribe to receive electronic communications from the district.

**Emergency School Closing** - If it is necessary for the Westerville City Schools to close for the day, close early or have a start time delay, announcements including but not limited to the district web site, e-mail communication, text messages, emergency phone notification and broadcasts from local radio and television stations servicing the Franklin County/Delaware County area will take place. Parents/guardians are encouraged to listen for an announcement of the closing or delay of all Westerville Schools.

Fire Drills - Fire drills conducted in an orderly manner are a necessary part of the school program. Students will leave the building by following the "fire exit" instructions posted in their classroom. All parents/guardians/visitors are required to evacuate the building.

K-9 Searches - K-9 searches may be conducted without notice and at the discretion of the Superintendent or building administrator.

Lock-Down Drills - Lock down drills will be conducted periodically as a part of the school safety program. Parents/guardians/visitors are required to cooperate in the school's effort in the operation of such drills.

Lockout - If police activity is occurring in the vicinity of a school, the school will lockout.

During a lockout, students remain inside the building. No one is permitted to enter or leave the building and education continues as usual. A lockout will continue until police indicate the threat no longer remains. Parents/guardians/visitors are required to cooperate in the school's effort to control access to the school building during a lockout.

Tornado Procedures - Students are assigned to a safe and protected area during a tornado warning. Drills will be held to facilitate this procedure and specific safety instructions will be given. All parents/guardians/visitors are required to take cover per the building safety plan of the building.

#### **Food Service Availability and Cafeteria Behavior**

The free or reduced meal program is available to students who qualify under the federal guidelines. A free and reduced breakfast program is available to our students under the same federal guidelines. For students requiring special dietary needs, please contact your school's food service manager and notify your school nurse. For more information, contact the school or the food service office.

Lunches will be served during scheduled lunch periods in both plate lunch and, for high-school and middle-school students, a-la-carte fashion. Students may also bring their lunch. A breakfast program is also available to students. Please contact your school office for details and cost of this program. Students are asked to observe the following rules of courtesy:

- A. Remain in the lunch room until the end of the period or until dismissed by a supervising adult.
- B. Do not cut into the lunch line.
- C. Do not throw food, paper, or other items.
- D. Eat all food or beverages in the breakfast/lunch area.
- E. Remove all materials they have placed on the table before leaving. All paper and trash must be deposited in trash containers.
- F. Treat all cafeteria staff, custodians and supervising adults with respect and courtesy.

#### **Student Achievement Records, Grade Cards**

The student Achievement Record or grade card provides a running summary of a student's scholastic achievement and attendance. Student Achievement Records or grade cards are available online through the District's electronic grade reporting system. Parents/guardians may opt for a hard copy but must do so in writing to the school principal or his/her designee.

#### **Unpaid Fees**

The Board may adopt rules and regulations providing a schedule of fees for materials used in a course of instruction and prescribing a schedule of charges which may be imposed upon pupils for the loss, damage, or destruction of school apparatus, equipment, musical instruments, library material, textbooks, or electronic textbooks required to be furnished without charge, and for damage to school buildings, and may enforce the payment of such fees and charges by withholding the grades and credits of the pupils concerned, which may impact participation in

graduation exercises. In the event the above course of action does not result in the fee being collected, the Board authorizes the Treasurer to take appropriate legal or other action for collection. See Ohio Revised Code Section 3313.642(C).

### **Lost and Found**

For any lost items, please check in the main office. Should a student find any item, he/she should turn it in to one of the secretaries in the office. To facilitate return in case of loss, students' names should be on all books and other property.

### **Personal Items**

Students are not to bring personal items that are likely to disrupt and distract from learning such as, but not limited to: wireless communications or entertainment devices. Skateboards, bicycles, hover boards, skates, mopeds, or scooters except those deemed medically necessary are not permitted to be ridden on school property. The school cannot assume the responsibility of losses and damages.

### **Pets and Animals at School**

In order to protect the health, safety and welfare of students and to maintain a quality educational environment, pets and animals are NOT PERMITTED in the school. In situations where a pet or animal is needed for a specific lesson, the principal or designee may approve this request. Individuals with disabilities shall be permitted to be accompanied by their service animals.

### **Posting of Signs/Distribution of Leaflets**

Anyone wishing to post a sign or distribute printed materials in the school or on school grounds must obtain approval from the Superintendent or designee.

### **Student Records**

Federal and State Law as well as Board policy restrict the disclosure of personally identifiable information contained in student records. Typically, such information cannot be disclosed without the prior written consent of the student's parent/guardian or the adult student. Exceptions to this consent requirement include the disclosure of records to other school officials, disclosure that is required under a judicial order or subpoena, disclosure to facilitate a student's transfer, disclosure of directory information and disclosure related to a health or safety emergency. Complete details regarding the release of student records and the applicable exceptions to the written consent requirement are found elsewhere in Board Policy.

### **Annual Notice Concerning Student Records**

The Family Educational Rights and Privacy Act (FERPA) afford parents/guardians and students over 18 year of age ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 45 days after the District receives a request for access.

Parents/guardians or eligible students should submit to the school principal (or appropriate District official) a written request that identifies the record(s) they wish to inspect. The District official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request the amendment of the student's education records that the parent/guardian or eligible student believes is inaccurate, misleading, or otherwise in violation of the student's privacy rights.

Parents/guardians or eligible students may ask the District to amend a record that they believe is inaccurate, misleading, or in violation of the privacy rights of the student. The parent(s), guardian(s) or eligible student shall write the school principal (or appropriate

official), clearly identify the part of the record they want changed, and specify why it is inaccurate, misleading, or in violation of the privacy rights of the student. The school principal or his/her designee shall decide whether he/she will amend the record within a reasonable time of the request, not to exceed forty-five (45) days after the request is made. If the school principal or his/her designee decides to grant the request, he/she shall amend the record accordingly. If the school principal or his/her designee decides not to amend the record as requested by the parent/guardian or eligible student, the school principal or his/her designee shall notify the parent/guardian or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedure will be provided to the parent/guardian or eligible student when they are notified of the right to a hearing. If, as a result of any hearing held, it is determined that the information is inaccurate, misleading or otherwise in violation of the student's privacy rights, the record shall be amended accordingly, and the parent/guardian or eligible student shall be notified of the amendment in writing. If, as a result of any hearing held, it is determined that the information in the education record is not inaccurate, misleading, or otherwise in violation of the student's privacy rights, the parent/guardian or eligible student shall be so informed and shall be advised of the right to place a statement in the record commenting on the contested information and/or stating why he or she disagrees with the decision of the District. If the District places such a statement in the student's education records, the District shall maintain the statement with the contested part of the record as long as the record is maintained and shall disclose the statement whenever it discloses the portion of the record to which the statement relates.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception that permits disclosure without consent is disclosure to School officials with legitimate educational interests. A school official is a person employed by the Board as an administrator, supervisor, teacher/instructor (including substitutes), or support staff member (including health or medical staff and law enforcement unit personnel); and a person serving on the Board. The Board further designates the following individuals and entities as "school officials" for the purpose of FERPA:

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

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

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

"Legitimate educational interest" is defined as a direct or delegated responsibility for helping the student achieve one or more of the educational goals of the District, or if the record is necessary in

order for the School official to perform an administrative, supervisory, or instructional task or to perform a service or benefit for the student or the student's family.

The District also discloses student education records without consent of the parents/guardians or eligible student under the following circumstances:

- a. Upon request, to officials of another school, school district or system, or post-secondary education institution in which a student has enrolled or seeks or intends to enroll. In addition, the School may disclose a student's education record to another educational agency or institution if the student receives services from the other educational agency or institution;
- b. To authorized federal officials or state or local educational authorities;
- c. The disclosure involves necessary information in connection with financial aid for which the student has applied or which the student has received;
- d. The disclosure is to state and local officials or authorities and is allowed to be reported or disclosed pursuant to a state statute adopted before November 19, 1974, if the allowed reporting and disclosure concerns the juvenile justice system and the system's ability to effectively serve the student prior to adjudication; and, where disclosure of information is permitted by a state statute adopted after November 19, 1974, the state official and authorities to whom the records are disclosed certify in writing to the school that the information will not be disclosed to any other party, except as provided under state law, without the prior written consent of the student's parent;
- e. To organizations conducting studies for or on behalf of, educational agencies or institutions in order to develop, validate or administer predictive tests, administer student aid programs, or improve instruction;
- f. To accrediting organizations to carry out their accrediting functions;
- g. The disclosure is to parents of a dependent student, as defined in the Internal Revenue Code;
- h. To comply with a judicial order or subpoena;
- i. In a health or safety emergency, where necessary to protect the health and safety of the student or other individuals; or
- j. The disclosure is to the parent/guardian of a student who is not an eligible student or to the student.

"Directory information" is personally identifiable information that is contained in an educational record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Subject to this definition, the District has designated the following personally identifiable information in a student's education record as "directory information" and will disclose that information without prior written parental/guardian or eligible student consent, except when the request is for a profit-making plan or activity: a student's name, major field of study, dates of attendance, current grade level, participation in officially-recognized extra-curricular activities and sports, height and weight if a member of an athletic team, date of graduation, honors and awards received, and the current and previous educational institution attended by the student.

The Board designates school-assigned e-mail addresses as "directory information" for the limited purpose of facilitating students' registration for access to various online educational services, including mobile applications apps that will be utilized by the student for education purposes and for the inclusion in internal e-mail address books. School-assigned e-mail addresses shall not be released as directory information beyond this/these limited purpose(s) and to any person or entity but the specific online educational service provider and internal users of the District's Education Technology.

In accordance with Federal and State law, the Board shall release the names, addresses, District-assigned e-mail addresses (if available), and telephone listings of secondary students to a recruiting officer for any branch of the United States Armed Forces, or an institution of higher

education who requests such information- A secondary school student or parent of the student may request in writing that the student's name, address, District-assigned email address (if available), and telephone listing not be released without the prior consent of the parent(s)/eligible student. The recruiting officer is to sign a form indicating that any information received by the recruiting officer shall be used solely for the purpose of informing students about military service and shall not be released to any person other than individuals within the recruiting services of the Armed Forces. The Superintendent is authorized to charge mailing fees for providing this information to a recruiting officer.

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

The Board may disclose directory information, on former students without student or parental consent, unless the parent or eligible student previously submitted a request that such information not be disclosed without their prior written consent. (Policy and AG8330)

Parent(s), guardian(s) or eligible students shall provide notice to advise your school principal or his/her designee by September 30 of the current school year, in writing, of any or all of the above items that should not be released without the parent's/guardian's or eligible student's prior consent.

The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-4605

#### **Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA)**

PPRA affords parents certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

- Consent before students are required to submit to a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED):
  1. Political affiliations or beliefs of the student or student's parent/guardian;
  2. Mental or psychological problems of the student or student's family;
  3. Sex behavior or attitudes;
  4. Illegal, anti-social, self-incriminating, or demeaning behavior;
  5. Critical appraisals of others with whom respondents have close family relationships;
  6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
  7. Religious practices, affiliations, or beliefs of the student or parents/guardians; or
  8. Income, other than as required by law to determine program eligibility.
- Receive notice and an opportunity to opt a student out of :
  1. Any other protected information survey, regardless of funding;
  2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and

3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.
- Inspect, upon request and before administration or use:
    1. Protected information surveys of students;
    2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
    3. Instructional material used as part of the educational curriculum.

These rights transfer from the parents/guardians to a student who is 18 years old or an emancipated minor under State law.

Westerville City Schools (“The District”) has developed policies, in consultation with parents/guardians, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes.

The District will directly notify parents/guardians of these policies at least annually at the start of each school year and after any substantive changes. The District will also make information available to parents/guardians of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent/guardian to opt his or her child out of participation of the specific activity or survey.

Notification to parents/guardians will occur at the beginning of the school year if The District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents/guardians will be provided reasonable notification of the planned activities and surveys listed below and are provided an opportunity to opt their child out of such activities and surveys. Parents/guardians will also be provided an opportunity to review any pertinent surveys.

Following is a list of the specific activities and surveys covered under this requirement:

- Collection, disclosure, or use of personal information for marketing, sales, or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.
- Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office  
 U.S. Department of Education  
 400 Maryland Avenue, SW  
 Washington, D.C. 20202-8520

**Nondiscrimination**

It is the policy of the Westerville City School District not to discriminate, in violation of federal or state law on the basis of race, color, religion, national origin, gender, military status, ancestry, sex (including sexual orientation or transgender identity), age (except as authorized by law), genetic information, or disability (collectively, “Protected Classes”) in admission to, access to, treatment in, or employment in any service, program, or activity sponsored by the Westerville City Schools. Inquiries or complaints regarding compliance with this policy or the nondiscrimination requirements of the Americans With Disabilities Act, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination in Employment Act of 1975, Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, or Title IX of the Education Amendments of 1972 should be directed to the:



Westerville School District  
Elizabeth Jelkin, J.D., M.B.A.  
Civil Rights/Section 504/ADA Compliance Coordinator  
936 Eastwind Drive, Suite 200, Westerville, Ohio 43081

Telephone (614) 797-5911, or to the Office of Civil Rights, U.S. Department of Education.

### **504 Plans**

The Westerville City School District is committed to the provision of high quality education for all students. Section 504 of the Rehabilitation Act of 1973 prohibits discrimination on the basis of a qualified disability and ensures that disabled students have equal access to the same educational opportunities as their nondisabled peers. If a student is suspected of having a qualified disability that must be accommodated in order to access their education, a Section 504 evaluation may be conducted. If the evaluation team determines that the student has a qualified disability (one that substantially limits one or more major life activities) and requires accommodations or supports that extend beyond those normally provided in the educational setting, a 504 Plan will be written. Any student identified as disabled under Section 504 is ensured equal opportunities for participation in academic, nonacademic and/or extracurricular activities. Requests for student assistance and 504 evaluations are directed to the building principal or district designee.

### **Individuals with Disabilities Education Improvement Act of 2004**

The Westerville City School District strives to locate, identify, and evaluate all children through age 22 who reside within the district and are suspected to have a disability. Children with qualifying disabilities may be eligible for special education and related services. Requests for student assistance and the necessary evaluations should be made in writing to the building principal or district designee.

### **Homeless Students**

The Westerville City School District is committed to ensuring educational rights and protections for children and youth experiencing homelessness, including those with disabilities, under the McKinney-Vento Homeless Assistance Act. Homelessness is a lack of permanent housing and is broadly defined to mean individuals who lack a fixed, regular and adequate nighttime residence. For more information on the rights of homeless students, see Board Policy 5111.01, or contact the school district's Office of Health & Safety Services.

### **BOARD POLICY 5111.01 - HOMELESS STUDENTS**

Children who are identified as meeting the Federal definition of "homeless" will be provided a free and appropriate public education (FAPE) in the same manner as all other students of the District. To that end, homeless students will not be stigmatized or segregated on the basis of their status as homeless. The District shall establish safeguards that protect homeless students from discrimination on the basis of their homelessness. The District shall regularly review and revise its policies, including school discipline policies that impact homeless students or those who may be a member of any of the Protected Classes (Policy 2260).

Homeless children and youth are defined as individuals who lack a fixed, regular, and adequate nighttime residence, and include children and youth who meet any of the following criteria:

- A. share the housing of other persons due to loss of housing, economic hardship, or similar reason
- B. live in motels, hotels, trailer parks, or camping grounds due to a lack of alternative adequate accommodations

- C. live in emergency or transitional shelters
- D. are abandoned in hospitals
- E. have a primary night time residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings, or
- F. live in a car, park, public space, abandoned building, substandard housing<sup>1</sup>, bus or train station, or similar setting

Pursuant to the McKinney-Vento Act, an unaccompanied youth includes a homeless child or youth not in the physical custody of a parent or guardian.

Additionally, pursuant to Federal and State law, migratory children who are living in circumstances described in A-F above are also considered homeless.

### **Services to Homeless Children and Youth**

The District will provide services to homeless students that are comparable to other students in the District including:

- A. transportation services;
- B. public preschool programs and other educational programs and services for which the homeless student meets eligibility criteria including:
  1. programs for children with disabilities;
  2. programs for English Learners (ELs) (i.e., students with Limited English Proficiency (LEP));
  3. programs in career and technical education;
  4. programs for gifted and talented students;
  5. school nutrition programs; and
  6. before - and after-school programs.

The Superintendent will appoint a Liaison for Homeless Children who will perform the duties as assigned by the Superintendent. Additionally, the Liaison will coordinate and collaborate with the State Coordinator for the Education of Homeless Children and Youth as well as with community and school personnel responsible for the provision of education and related services to homeless children and youths. For more information on the role of the Liaison, refer to AG 5111.01.

### **School Stability**

Maintaining a stable school environment is crucial to a homeless student's success in school. To ensure stability, the District must make school placement determinations based on the "best interest" of the homeless child or youth based on student-centered factors. The District must:

- A. continue the student's education in the school of origin for the duration of homelessness when a family becomes homeless between academic years or during an academic year; and for the remainder of the academic year even if the child or youth becomes permanently housed during an academic year; or

- B. enroll the student in any public school that non-homeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.

When determining a child or youth's best interest, the District must assume that keeping the homeless student in the school of origin is in that student's best interest, except when doing so is contrary to the request of the student's parent or guardian, or the student if he or she is an unaccompanied youth. The school of origin is the school the student attended or enrolled in when permanently housed, including a public preschool. The school of origin also includes the designated receiving school at the next level for feeder school patterns, when the student completes the final grade level at the school of origin.

When determining the student's best interest, the District must also consider student-centered factors, including the impact of mobility on achievement, education, health, and safety of homeless students and give priority to the request of the student's parent or guardian, or youth (if an unaccompanied youth). The District also considers the school placement of siblings when making this determination.

If the District finds that it is not in the student's best interest to attend the school of origin or the school requested by the parent or guardian, or unaccompanied youth, the District must provide the individual with a written explanation and reason for the determination in a manner and form understandable to the parent, guardian or unaccompanied youth. This written explanation will include appeal rights and be provided in a timely manner.

### **Immediate Enrollment**

The District has an obligation to remove barriers to the enrollment and retention of homeless students. A school chosen on the basis of a best interest determination must immediately enroll the homeless student, even if the student does not have the documentation typically necessary for enrollment, such as immunization and other required health records, proof of residency, or proof of guardianship, birth certificate, or previous academic records. The homeless student must also be enrolled immediately regardless of whether the student missed application or enrollment deadlines during the period of homelessness or has outstanding fines or fees.

The enrolling school must immediately contact the school last attended by the homeless student to obtain relevant academic or other records. If the student needs immunization or other health records, the enrolling school must immediately refer the parent, guardian, or unaccompanied youth to the local liaison, who will help obtain the immunizations, screenings or other required health records. Records usually maintained by the school must be kept so that they are available in a timely fashion if the child enters a new school or district. These records include immunization or other required health records, academic records, birth certificates, guardianship records, and evaluations for special services or programs. Procedures for inter-State records transfer between schools should be taken into account in order to facilitate immediate enrollment.

In addition, the District will also make sure that, once identified for services, the homeless student is attending classes and not facing barriers to accessing academic and extracurricular activities, including magnet school, summer school, career and technical education, advanced placement, online learning, and charter school programs (if available). Fees shall be waived in these circumstances.

### **Transportation**

The District provides homeless students with transportation services that are comparable to those available to non-homeless students. The District also provides or arranges for transportation to and from the school of origin at the parent or guardian's request, or the liaison's request in the case of an unaccompanied youth. Transportation is arranged promptly to allow for immediate enrollment and will not create barriers to a homeless student's attendance, retention, and success.

- A. If the homeless student continues to live in the District, where the school of origin is located, transportation will be provided or arranged for the student's transportation to or from the school of origin.
- B. If the homeless student moves to an area served by another district, though continuing his/her education at the school of origin (which is in the District), the District and the district in which the student resides must agree upon a method to apportion responsibility and costs for transportation to the school of origin. If the districts cannot agree upon such a method, the responsibility and costs will be shared equally.
- C. When the student obtains permanent housing, transportation shall be provided to and from the school of origin until the end of the school year.

The District determines the mode of transportation in consultation with the parent or guardian and based on the best interest of the student.

In accordance with Federal law, the above transportation requirements still apply during the resolution of any dispute. The District will work with the State to resolve transportation disputes with other districts. If the disputing district is in another State, the District will turn to the State for assistance as Federal guidance says that both States should try to arrange an agreement for the districts.

### **Dispute Resolution**

Homeless families and youths have the right to challenge placement and enrollment decisions. If a dispute arises between a school and a parent, guardian, or unaccompanied youth regarding eligibility, school selection, or enrollment of a homeless student, the District must follow its dispute resolution procedures, consistent with the State's procedures. If such a dispute occurs, the District will immediately enroll the homeless student in the school in which enrollment is sought pending final resolution of the dispute, including all appeals. The student will receive all services for which they are eligible until all disputes and appeals are resolved.

Pursuant to State, District, and Board of Education policies, the District will provide the parent, guardian, or unaccompanied youth with a written explanation of all decisions regarding school selection and enrollment made by the school, District, or State, along with a written explanation of appeal rights.

The District's notice and written explanation about the reason for its decision will include, at a minimum, an explanation of how the school reached its decision regarding eligibility, school selection, or enrollment, including 1) a description of the proposed or refused action by the school, 2) an explanation of why the action is proposed or refused, 3) a description of other options the school considered and why those options were rejected, 4) a description of any other relevant factors to the school's decision and information related to the eligibility or best interest determination such as the facts, witnesses, and evidence relied upon and their sources, and 5) an appropriate timeline to ensure deadlines are not missed. The District must also include contact information for the Liaison and the State Coordinator, and a brief description of their roles. The District will also refer the parent, guardian or unaccompanied youth to the Liaison, who will carry out the dispute resolution process.

The District ensures that all decisions and notices are drafted in a language and format appropriate for low-literacy, limited vision readers, and individuals with disabilities. For children and youth and/or parents or guardians who are English learners or whose dominant language is not English, the District will provide translation and interpretation services in connection with all phases of the dispute resolution process pursuant to federal laws. The District will also provide

electronic notices via email if the parent, guardian, or unaccompanied youth has access to email followed by a written notice provided in person or sent by mail.

### **Homeless Children in Preschool**

Homeless preschool-aged children and their families shall be provided equal access to the educational services for which they are eligible, including preschool programs, including Head Start programs, administered by the District. Additionally, the homeless child must remain in the public preschool of origin, unless a determination is made that it is not in the child's best interest. When making such a decision on the student's best interest, the District takes into account the same factors as it does for any student, regardless of age. It also considers pre-school age specific factors, such as 1) the child's attachment to preschool teachers and staff; 2) the impact of school climate on the child, including school safety; the quality and availability of services to meet the child's needs, including health, developmental, and social-emotional needs; and 3) travel time to and from school.

The District must also provide transportation services to the school of origin for a homeless child attending preschool. It is the District's responsibility to provide the child with transportation to the school of origin even if the homeless preschooler who is enrolled in a public preschool in the District moves to another district that does not provide widely available or universal preschool.

### **Public Notice**

In addition to notifying the parent or guardian of the homeless student or the unaccompanied youth of the applicable rights described above, the District shall post public notice of educational rights of children and youth experiencing homelessness in each school. In addition, the District shall post public notice of the McKinney-Vento rights in places that homeless populations frequent, such as shelters, soup kitchens, and libraries in a manner and form understandable to the parents and guardians and unaccompanied youths.

### **Records**

The local liaison will assist the homeless students and their parent(s) or guardian(s) or unaccompanied homeless students in their efforts to provide documentation to meet State and local requirements for entry into school.

All records for homeless students shall be maintained so that they are subject to the protections of the Family Educational Rights and Privacy Act (FERPA) and Policy 8330, and in such a manner so that they are available in a timely fashion and can be transferred promptly to the appropriate parties, as required. Pursuant to the McKinney-Vento Act, information regarding a homeless student's living situation is not considered directory information and must be provided the same protections as other non-directory personally identifiable information (PII) contained in student education records under FERPA. The District shall incorporate practices to protect student privacy as described in AG 5111.01, AG 8330, and in accordance with the provisions of the Violence Against Women Act (VAWA) and the Family Violence Prevention and Services Act (FVPSA).

No Board policy, administrative procedure, or practice will be interpreted or applied in such a way as to inhibit the enrollment, attendance, or school success of homeless children.

<sup>1</sup> According to nonregulatory guidance from the U.S. Department of Education (ED), standards for adequate housing may vary by locality. Please see ED guidance for factors to consider when determining whether a child or youth is living in "substandard housing."

Note:

*Education for Homeless Children and Youth Programs, Non-Regulatory Guidance, U.S. Department of Education (ED), Title VII-B of the McKinney-Vento Homeless Assistance Act, as amended by the Every Student Succeeds Act, at A-3 (July 27, 2016).*

Revised 1/21/11, 5/8/17

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Legal

42 U.S.C. 11431 et seq. (McKinney – Vento Homeless Act)

### **Textbooks/Library Books/Equipment**

Students shall be responsible for textbooks, library books, equipment and other materials that they borrow. All resources should be treated with respect. Costs arising from lost books, equipment, and/or other materials damaged beyond normal usage shall be the responsibility of individual students and/or their parents or guardians. Replacement costs and/or fees will be assessed accordingly.

Consumable resources (e.g. workbook) will be given to students at no cost. If the resource is lost or is no longer usable, the student will be responsible for purchasing another copy.

### **Textbooks**

The use of book covers is highly encouraged. Remember not to use book covers that “stick” to the entire surface of the book. Students are financially responsible for all books issued to them. (Many books now cost over \$50.00).

If the student is responsible for damaging the binding, a rebind fee will apply. The rebind fee schedule can be found in the student fee schedule.

Every textbook has a unique barcode which is electronically scanned when assigned to your student. The books are again scanned at the end of the school year to assure that the same book assigned to your student is returned.

### **School Facility/Classroom Visitors – Shadowing/Observing at School - Procedures**

1. Persons wishing to visit a school or a class must make arrangements at least twenty-four (24) hours in advance in the main office and must agree to the provisions in Administrative Guideline 9150 School Visitors.
2. Upon arrival, visitors must verify with the office, via intercom, their arrangements for visiting and upon entry proceed directly to the main office.
3. No visitor may confer with a student in school without the approval of the principal or designee. A student is not permitted to leave the school with anyone who has not been identified as his/her parent or guardian or person authorized to act on the behalf of a parent or guardian.

Any visitor to the school whose presence or conduct is disruptive, or whose behavior, past or present, suggests that he/she intends or is likely to become disruptive, may be requested to leave the premises. If the visitor so addressed does not leave, the principal or designee may summon local law enforcement officers.

For more specific information to Visitors to any of the schools within Westerville School District, please refer to Administrative Guideline 9150.

### **Volunteer Programs**

Our schools offer a wide variety of volunteer opportunities and parents, guardians, community members, businesses and students are encouraged to get involved. Information about volunteer opportunities can be found by contacting the building principal, classroom teacher, PTA, PTSA, PTO or Booster organization or by visiting the Westerville Parent Council website, located on the Westerville City Schools website.

**VOLUNTEER INFORMATION** - <https://www.westerville.k12.oh.us/our-district/volunteer>

Definitions:

#### **Level 1 – Supervised Building Volunteer**

Directly supervised by district staff - District/building ID badge required.

#### **Level 2 – Unsupervised Building Volunteer or Chaperone**

These individuals may have unsupervised access to child/children. Examples include: library helper or overnight trip chaperone. District/building ID badge required.

In order to volunteer at a Westerville City Schools, please visit the district website for the complete volunteer process.

To review policy 3120.09: [click here](#)

To review administrative guidelines 3120.09: [click here](#)

### **Parental Involvement**

The Westerville City Schools Board of Education believes that parent/guardian involvement is an important part of the educational program. Current research indicates that a home/school partnership and greater involvement on the part of parents/guardians in the education of their children generally results in higher achievement scores, improved student behavior and reduced absenteeism. All parents/guardians of students enrolled in the district are encouraged to take a variety of active roles in the education of their children.

The Westerville City Schools Board of Education directs the administration to develop the necessary regulations to ensure that this policy is followed and that parent/guardian involvement is encouraged. The regulations should:

1. Encourage strong home/school partnerships and a shared responsibility for education;
2. Provide for consistent and effective communications between the parents/guardians and school official;
3. Offer parents/guardians ways to assist and encourage their children to do their best;
4. Provide opportunities for parents/guardians to be involved in the parental involvement program, including parent/teacher associations or organizations, booster and support groups, and other building and district opportunities;
5. Include parents/guardians, where appropriate, as leaders and/or decision makers;
6. Provide for appropriate dissemination of this policy. Such dissemination should include school handbooks and public posting at school buildings.
7. Review of curriculum, textbooks, and instructional materials.

## **Positive Behavior Intervention and Supports**

### **Westerville City Schools Bylaws & Policies**

#### **POLICY 5630.01 - POSITIVE BEHAVIOR INTERVENTION AND SUPPORTS AND LIMITED USE OF RESTRAINT AND SECLUSION**

The Board of Education is committed to implementation of Positive Behavior Intervention and Supports (PBIS) framework on a District-wide basis and the establishment of a school environment focused on the care, safety, and welfare of all students and staff members. Staff are directed to work to prevent the use of physical restraint and/or seclusion. The PBIS framework shall serve as the foundation for the creation of a learning environment that promotes the use of evidence-based academic and behavioral practices aimed at enhancing academic, social, and behavioral outcomes for all students. An emphasis shall be placed on promoting positive interventions and solutions to potential crises. If a student's behavior, however, presents a threat of immediate physical harm to the student or others, staff may, as a last resort (i.e., there is no other safe and effective intervention available) and in accordance with the terms of this policy, use approved physical restraint or seclusion to maintain a safe environment.

All physical restraint and seclusion shall only be done in accordance with this Policy, which is based on the standards adopted by the State Board of Education regarding the use of student restraint and seclusion.

Training in methods of PBIS and the use of physical restraint and seclusion will be provided to all professional staff and support staff determined appropriate by the Superintendent or Designee. Training will be in accordance with the State's Standards. Absent an emergency, only school staff trained in permissible seclusion and physical restraint measures shall use such techniques.

Every use of restraint and seclusion shall be documented and reported in accordance with this Policy.

The Board shall annually notify parents of this policy, which will be published on the District's website.

#### **DEFINITIONS**

**Aversive behavioral interventions** mean interventions that are intended to induce pain or discomfort to a student for the purpose of eliminating or reducing maladaptive behaviors, including such interventions as application of noxious, painful, and/or intrusive stimuli, including any form of noxious, painful or intrusive spray, inhalant, or taste, or other sensory stimuli such as climate control, lighting, and sound.

**Behavioral Intervention Plan ("BIP")** means a comprehensive plan for managing problem behavior by changing or removing contextual factors that trigger or maintain it, by strengthening replacement skills, teaching new skills, and by providing positive behavior intervention and supports and services to address behavior.

**Chemical restraint** means a drug or medication used to control a student's behavior or restrict freedom of movement that is not:



- A. Prescribed by a licensed physician, or other qualified health professional acting under the scope of the professional's authority under Ohio law, for the standard treatment of a student's medical or psychiatric condition; and
- B. Administered as prescribed by a licensed physician or other qualified health professional acting under the scope of the professional's authority under Ohio law.

**De-escalation techniques** are interventions that are used to prevent violent and aggressive behaviors and reduce the intensity of threatening, violent and disruptive incidents.

**Functional behavior assessment ("FBA")** is a school based process for students with disabilities and students without disabilities that includes the student's parent and, as appropriate, the child, to determine why a child engages in challenging behaviors and how the behavior relates to the child's environment. Consent from the parent and, as appropriate, the child (eighteen (18) years of age or older), must be obtained at the initial Functional Behavior Assessment.

**Mechanical restraint** means any method of restricting a student's freedom of movement, physical activity, or normal use of the student's body, by using an appliance or device manufactured for this purpose. Mechanical restraint does not mean a device used by trained Student Personnel, or used by a student, for the specific and approved therapeutic or safety purposes for which the device was designed and, if applicable, prescribed, including:

- A. restraints for medical immobilization;
- B. adaptive devices or mechanical supports used to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports; or
- C. vehicle safety restraints when used as intended during the transport of a student in a moving vehicle.

**Parent** means:

- A. a biological or adoptive parent;
- B. a guardian generally authorized to act as the child's parent, or authorized to make decisions for the child (but not the State if the child is a ward of the State);
- C. an individual acting in the place of a biological or adoptive parent (including a grandparent, stepparent, or other relative) with whom the child lives, or an individual who is legally responsible for the child's welfare;
- D. a surrogate parent who has been appointed in accordance with A.C. 3301-51-05(E); or
- E. any person identified in a judicial decree or order as the parent of a child or the person with authority to make educational decisions on behalf of the child.

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

**Physical restraint** means the use of physical contact that immobilizes or reduces the ability of a student to move the student's arms, legs, body, or head freely. Physical restraint does not include brief physical contact for the following or similar purposes to:

- A. break up a fight;
- B. knock a weapon away from a student's possession;
- C. calm or comfort;
- D. assist a student in completing a task/response if the student does not resist the contact; or
- E. prevent imminent risk of injury to the student or others.

**Positive Behavior Intervention and Supports ("PBIS")** means a multi-tiered, school-wide, behavioral framework developed and implemented for the purpose of improving academic and social outcomes, and increasing learning for all students. PBIS includes a decision-making framework that guides selection, integration, and implementation of evidence-based academic and behavior practices for improving academic and behavior outcomes for all students. PBIS encompasses a range of systemic and individualized positive strategies to reinforce desired behaviors, diminish reoccurrences of challenging behaviors, and teach appropriate behaviors to students.

**PBIS Leadership Team** means the assigned team at the district and building level that plans, coaches and monitors PBIS implementation in the District and buildings. The PBIS Leadership Teams may include, but is not limited to, school administrators, teacher representatives across grade level and programs, staff able to provide behavioral expertise, and other representatives identified by the District or school such as bus drivers, food service staff, custodial staff, and paraprofessionals.

**Prone restraint** means physical or mechanical restraint while the student is in the face-down position.

**Seclusion** means the involuntary isolation of a student in a room, enclosure, or space from which the student is prevented from leaving by physical restraint or by a closed door or other physical barrier. It does not include a timeout.

**Student** means an individual enrolled in the District.

**Student Personnel** means teachers, principals, counselors, social workers, school resource officers, teacher's aides, psychologists, bus drivers, related service providers, nursing staff, or other District staff who interact directly with students.

**Timeout** means a behavioral intervention in which the student, for a limited and specified time, is separated from the class within the classroom or in a non-locked setting for the purpose of self-regulating and controlling his or her own behavior. In a timeout, the student is not physically restrained or prevented from leaving the area by physical barriers.

## **POSITIVE BEHAVIOR INTERVENTION AND SUPPORTS FRAMEWORK**

The District will implement PBIS on a system-wide basis in accordance with R.C. 3319.46 and A.C. 3301-35-15. The District's PBIS framework involves comprehensive, school-wide data systems that enable monitoring of academic progress, behavioral incidents, attendance, and other critical indicators across classrooms. The administration is encouraged to use data-based decision making to select, monitor, and evaluate

outcomes, practices, and systems. The PBIS framework further involves a school-wide investment in evidence-based curricula and effective instructional strategies, matched to students' needs, and data to support teachers' academic instruction. Evidence-based practices along a multi-tiered continuum of supports will be used. The District's PBIS framework will further focus on improving staff climate and culture regarding the role of discipline in the classroom, by using positive and proactive communication and staff recognition. Finally, classroom practices shall be linked to and aligned with the school-wide system so progress monitoring can occur with fidelity and target outcomes. The PBIS framework will strive to enable accurate and sustainable implementation of practices.

As part of its implementation of the PBIS framework, the District will provide Student Personnel with appropriate professional development, engage in explicit instruction of school-wide behavior expectation, employ consistent systems of acknowledging and correcting behavior, create teaching environments designed to eliminate behavior triggers, and promote family and community involvement.

The PBIS framework shall apply to all students and staff, and in all settings. It shall include:

- A. school staff trained to identify conditions such as where, under what circumstances, with whom, and why specific behaviors occur;
- B. functional behavior assessments that include:
  - 1. review of existing data;
  - 2. interviews with parents, family members, and students; and
  - 3. examination of previous and existing behavioral intervention plans.
- C. development and implementation of positive behavior interventions and supports and the teaching of appropriate behavior, including:
  - 1. modification of environmental factors that escalate inappropriate behavior;
  - 2. supporting the attainment of appropriate behavior; and
  - 3. use of de-escalation techniques to defuse potentially violent dangerous behavior.

## **PROFESSIONAL DEVELOPMENT FOR IMPLEMENTATION OF PBIS**

In order to successfully implement the PBIS framework on a District-wide basis, the Board shall provide or Student Personnel shall receive professional development as follows:

- A. the professional development will occur at least every three (3) years;
- B. the professional development must be provided by a building or District PBIS Leadership Team or an appropriate State, regional, or national source in collaboration with the building or District PBIS Leadership Team;
- C. the trained PBIS Leadership team will provide the professional development in accordance with the District-developed PBIS training plan, which the Superintendent or Designee will develop;

D. the Superintendent or Designee shall retain records of completion of the professional development; and

E. the professional development will include the following topics:

1. an overview of PBIS;
2. the process for teaching behavioral expectations;
3. data collection;
4. implementation of PBIS with fidelity;
5. consistent systems of feedback to students for acknowledgment of appropriate behavior and corrections for behavior errors; and
6. consistency in discipline and discipline referrals.

F. the training will be appropriately modified for the intended audience.

The Superintendent or Designee is charged with arranging for continuous training structures to be in place to provide ongoing coaching and implementation with fidelity.

## **SECLUSION**

Seclusion may be used only when a student's behavior poses an immediate risk of physical harm to the student or others and no other safe or effective intervention is available. Seclusion may be used only as a last resort to provide the student with an opportunity to regain control of the student's actions. Seclusion must be used in a manner that is safe and developmentally appropriate, for the minimum amount of time necessary for the purpose of protecting the student and/or others from physical harm, and otherwise in compliance with this Policy and the Ohio Department of Education's ("ODE") model policy.

Seclusion shall be implemented only by Student Personnel who are trained to protect the care, welfare, dignity and safety of the student, including trained to detect indications of physical or mental distress that require removal and/or immediate medical assistance. Student Personnel must document their observations of the student during the seclusion.

### **Additional requirements for the use of seclusion:**

If Student Personnel use seclusion, they must:

- A. continually observe the student in seclusion for indications of physical or mental distress and seek immediate medical assistance if there is a concern;
- B. use communication strategies and research-based de-escalation techniques in an effort to help the student regain control as quickly as possible;
- C. remove the student from seclusion when the immediate risk of physical harm to the student and/or others has dissipated.
- D. assess the student for injury or psychological distress after the use of physical restraint, and monitor the student as needed following the incident;

- E. conduct a debriefing including all involved staff to evaluate the trigger for the incident, staff response, and methods to address the student's behavioral needs; and
- F. complete all required reports and document their observations of the student.
- G. ensure safety of other students and protect the dignity and respect of the student involved;
- H. combine the use of seclusion with other non-physical interventions (which are always preferred) that will diminish the need for seclusion in the future;
- I. if at any point the staff assess that the intervention is insufficient to maintain safety of all involved, contact emergency personnel;
- J. use seclusion for the least amount of time necessary.

**Requirements for a room or area used for seclusion:**

A room or area used for seclusion must provide for adequate space, lighting, ventilation, and clear visibility in order to allow Student Personnel to observe the student.

A room or area used for seclusion must not be locked or otherwise prevent the student from exiting the area should staff become incapacitated or leave the area.

**Additional prohibited seclusion practices:**

Seclusion shall not be used:

- A. for the convenience of staff;
- B. as a substitute for an educational program;
- C. as a form of discipline or punishment;
- D. as a substitute for other less restrictive means of assisting a student in regaining control;
- E. as a substitute for inadequate staffing;
- F. as a substitute for staff training in positive behavior intervention and supports framework and crisis management; or
- G. as a means to coerce, retaliate, or in a manner that endangers a student.

Seclusion of preschool-age children is prohibited, except that a preschool-age child may be separated from classmates, either in the classroom or in a safe, lighted, and well-ventilated space, for an amount of time that is brief in duration and appropriate to the child's age and development, if the child is always within sight and hearing of a preschool staff member.

**PHYSICAL RESTRAINT**

Prone restraint, including any physical restraint that obstructs the airway of the student, or any physical restraint that impacts a student's primary mode of communication, is

prohibited. Student Personnel may use physical restraint only as a last resort and in accordance with this policy and the requirements of A.C. 3301-35-15.

Physical restraint may be used only when the student's behavior poses an immediate risk of physical harm to the student and/or others and no other safe or effective intervention is available. The physical restraint must be implemented in a manner that is age and developmentally appropriate, does not obstruct the student's ability to breathe, does not interfere with the student's ability to communicate in the student's primary language or mode of communication, and otherwise in compliance with this Policy and the ODE's corresponding model policy.

Only Student Personnel trained in safe restraint techniques may implement physical restraint, except in the case or rare and unavoidable emergency situations when trained personnel are not immediately available. Student Personnel must be trained to protect the care, welfare, dignity, and safety of the student.

#### **Additional requirements for the use of physical restraint:**

If Student Personnel use physical restraint, they must:

- A. continually observe the student in restraint for indications of physical or mental distress and seek immediate medical assistance if there is a concern;
- B. use communication strategies and research-based de-escalation techniques in an effort to help the student regain control;
- C. remove the student from physical restraint immediately when the immediate risk of physical harm to the student and/or others has dissipated;
- D. assess the student for injury or psychological distress after the use of physical restraint and monitor the student as needed following the incident;
- E. conduct a debriefing including all involved staff to evaluate the trigger for the incident, staff response, and methods to address the student's behavioral needs; and
- F. complete all required reports and document their observations of the student;
- G. implement in a manner that accommodates age and body size diversity;
- H. ensure safety of other students and protect the dignity and safety of the student involved;
- I. combine with other non-physical interventions (which are always preferred) that will diminish the need for physical intervention in the future;
- J. use the least amount of force necessary for the least amount of time necessary;
- K. if at any point the staff assesses that the intervention is insufficient to maintain safety for all involved, contact emergency personnel.

Physical restraint shall not be used for punishment or discipline, or as a substitute for other less restrictive means of assisting a student in regaining control.

#### **Prohibited Practices**

The following practices are prohibited under all circumstances, including emergency safety situations:

- A. prone restraint;
- B. any form of physical restraint that involves the intentional, knowing, or reckless use of any technique that:
  - 1. involves the use of pinning down a student by placing knees to the torso, head, or neck of the student;
  - 2. uses pressure point, pain compliance, or joint manipulation techniques;
  - 3. otherwise involves techniques that are used to unnecessarily cause pain;
- C. corporal punishment as defined in R.C. 3319.41;
- D. child endangerment as defined in R.C. 2919.22;
- E. deprivation of basic needs;
- F. seclusion or restraint of preschool-age students in violation of A.C. 3301-37-10(D) and A.C. 3301-35-15
- G. mechanical restraint;
- H. chemical restraint;
- I. aversive behavioral interventions; and
- J. seclusion in a locked room or area.

#### **CONTACT LAW ENFORCEMENT AND/OR EMERGENCY RESPONSE PERSONNEL**

In accordance with the Board's Emergency Management Plan (see Policy 8400), District personnel shall contact law enforcement and/or appropriate emergency response personnel if at any point they determine that an intervention (either a physical restraint or seclusion) is insufficient to maintain the safety of all involved.

#### **MULTIPLE INCIDENTS OF RESTRAINT AND/OR SECLUSION - CONDUCTING A FUNCTIONAL BEHAVIORAL ASSESSMENT AND DEVELOPING A BEHAVIOR INTERVENTION PLAN**

After a student's third incident of physical restraint or seclusion in a school year, a meeting must occur within ten (10) school days of the third incident as follows:

- A. For a student who has been found eligible for special education services or has a 504 plan, the student's individualized education program or 504 team must meet to consider the need to conduct or develop a FBA or BIP, or amend an existing FBA or BIP.
- B. For all other students (i.e., students not described in the preceding paragraph), a team, consisting of the student's parent, an administrator or designee, a teacher of the student, a staff member involved in the incident (if not the teacher or administrator already invited), and other appropriate staff members must meet to discuss the need to conduct or review a FBA and/or develop a BIP.

- C. Nothing in this section is meant to prevent the completion of a FBA or BIP for any student who might benefit from these measures, but has fewer than three (3) incidents of restraint or seclusion.
- D. Nothing in this section is meant to prevent the District from conducting any evaluations or other obligations the staff feel are appropriate under the Individuals with Disabilities Education Improvement Act.

### **TRAINING AND PROFESSIONAL DEVELOPMENT FOR USE OF CRISIS MANAGEMENT AND DEESCALATION TECHNIQUES**

The District shall provide training and professional development for the use of crisis management and de-escalation techniques that includes the use of restraint and seclusion. Specifically, the District shall annually train an appropriate number of personnel in each building in evidence-based crisis management and de-escalation techniques, as well as the safe use of physical restraint and seclusion. At a minimum, the training will cover the following topics:

- A. proactive measures to prevent the use of seclusion or restraint;
- B. crisis management;
- C. documentation and communication about the restraint or seclusion with appropriate parties;
- D. the safe use of restraint and seclusion;
- E. instruction and accommodation for age and body size diversity;
- F. directions for monitoring signs of distress during and following physical control; and
- G. debriefing practices and procedures.

The training will occur face-to-face and allow for a simulated experience of administering and receiving physical restraint so that participants can demonstrate proficiency in the topics identified above.

The Superintendent or Designee is charged with maintaining written or electronic documentation concerning the training provided that includes the following:

- A. the name, position, and building assignment of each person who has completed training;
- B. the name, position, and credentials of each person who has provided the training;
- C. when the training was completed; and
- D. what protocols, techniques, and materials were included in training.

As part of the required training, Student Personnel shall be trained to perform the following functions:



- A. identify conditions such as: where, under what conditions, with whom and why specific inappropriate behavior may occur; and
- B. use preventative assessments that include at least the following:
  - 1. a review of existing data;
  - 2. input from parents, family members, and students; and
  - 3. examination of previous and existing behavior intervention plans.

Only individuals trained in accordance with this Policy in the appropriate use of restraint and seclusion may use those techniques.

### **MONITORING AND COMPLAINT PROCEDURES**

The Superintendent or designee shall monitor the implementation of A.C. 3301-35-15 and this policy, and annually conduct a review of A.C. 3301-35-15 and this policy related to the use of PBIS, physical restraint, and seclusion. Additionally, the administration will annually notify parents of the District's policy and procedures related to the requirements of PBIS, physical restraint, and seclusion, including the following complaint process.

Any parent of a child enrolled in school in the District may submit a written complaint to the Superintendent or Designee regarding an incident of restraint or seclusion. The Superintendent or Designee shall investigate each written complaint and respond in writing to the parent's complaint within thirty (30) days of receipt of the complaint. The Superintendent or Designee will make reasonable efforts to have an in-person follow-up meeting with the parent.

A parent may also file a complaint with local law enforcement, the county department of job and family services, or the office of integrated student supports within the Ohio Department of Education. The procedures and timeline for filing a complaint with the Ohio Department of Education are outlined in A.C. 3301-35-15(L).

A parent of a child with a disability (as defined by Ohio Revised Code 3323.01) may file a complaint with the Ohio Department of Education, Office of Exceptional Children, in accordance with the complaint procedures available under Ohio Administrative Code Section 3301-51-05(K)(4)-(6).

### **REQUIREMENT FOLLOWING AN INCIDENT OF SECLUSION OR PHYSICAL RESTRAINT**

Each use of restraint or seclusion shall be:

- A. reported to the building administration immediately;
- B. reported to the parent immediately; and
- C. documented in a written report;
- D. documented in a written report (see Ohio Department of Education's Model Restraint and Seclusion Debriefing Form).

A copy of the written report shall be issued to the student's parent or guardian within twenty-four (24) hours of the use of restraint or seclusion. The District shall maintain the written report, including placing a copy of the written report in the student's file.

All written documentation of the use of restraint or seclusion are educational records pursuant to the Family Educational Right to Privacy Act ("FERPA"), and District personnel are prohibited from releasing any personally identifiable information to anyone other than the parent, in accordance with FERPA's requirements.

The Superintendent or Designee shall develop a process for the collection of data regarding the use of restraint and seclusion.

The administration shall develop a support plan for substitute teachers if they need assistance with PBIS or crisis management and de-escalation (including restraint and seclusion).

The Superintendent or Designee shall report information regarding the District's use of restraint and seclusion annually to the Ohio Department of Education in the form and manner prescribed by the Department as requested by that agency and make the District's records concerning PBIS, restraint and seclusion available to the staff of the Ohio Department of Education upon request.

\*Adapted from the Ohio Department of Education's Positive Behavior Intervention and Supports and Restraint and Seclusion Model Policy and Procedures, issued July 2021.

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## **SPECIAL SERVICES**

### **English Learners (EL)**

English Learner services are provided by TESOL-endorsed teachers and EL paraprofessionals to students who qualify for services. Criteria for the EL program include:

- Student's primary/home language is other than English.
- The student scores less than proficient on one or more areas of English proficiency (reading, writing, listening, speaking, and comprehension) on tests of English language proficiency within the district.
- The student is not over 21 years of age and is enrolled in the district.
- The student has difficulty speaking, reading, writing, or understanding English and may be unable to perform well enough in class or on state tests to meet expected state standards for achievement without support.
- The student's native/home language is not English, whether born in the U.S. or another country.
- Materials and the instructional pace of an EL class are adapted to meet the individual needs of each student. Students move from the "Emerging" English proficiency through "Progressing" to "Proficient" as basic skills and English fluency are acquired.

### **Gifted Education Service**

In Ohio, the term "gifted" refers to students who perform or show potential for performing at remarkably high levels of accomplishment when compared to others of their age, experience, or environment and who are identified following procedures and criteria established by Ohio Revised Code 3324.

The gifted education department is committed to identifying and meeting the needs of gifted students. In developing K-12 program options to accomplish this goal, a variety of opportunities are supported and provided in a number of settings to address the diverse abilities and needs of gifted students.

The district ensures equal opportunity for all district students identified as gifted to be considered for participation in district services. Each program service has qualifying criteria that must be met by identified students for participation.

### **School Health Service-Screenings**

Health services are provided by licensed school nurses. Services include general and emergency school health service to all schools in the district. Their services include screening hearing/vision in Pre-K, kindergarten, 1st, 3rd, 5th, 7th (vision only), 9th, and 11th grades, new students to the district, as well as screening hearing of students at risk for noise exposure (e.g. band, orchestra). Students having a multi-factored evaluation also are required to have their vision and hearing screened prior to testing. A student's teacher might refer a student to the nurse for screening. A parent/guardian may ask for a screening by contacting their child's school. Parents/guardians will be notified via a referral form if there is a recommendation that the student have a professional evaluation due to failure of any one of these screenings.

### **Counseling and Mental Health Supports**

The school counselor program and mental health support services are an integral part of the curricular structure of Westerville City Schools. They exist to help individuals derive the greatest possible benefit from educational experiences. Programs and services in the areas of classroom-based guidance activities, group counseling, individual counseling and planning, parent workshops, crisis counseling and referral, and the provision of consultation and coordination services to school personnel, parents/guardians and community agencies are available to all students to assist them with academic, career, and personal-social development.

### **Intervention Assistance**

The IAT (Intervention Assistance Team) in each building collaborates with parents/guardians to address student concerns, develop a plan of intervention, and monitor progress. Referrals for the IAT can begin with a parent/guardian, student, or any school staff member who works with the child. The members of an IAT vary by building, but typically include a building administrator, teachers, school counselors, specialists, and often the school psychologist. The IAT addresses academic as well as health, social-emotional and behavioral concerns.

### **Education of Students with Disabilities**

The Westerville City Schools are required to identify all students with disabilities, ages 3 – 22, residing in the district. Pre-school and school age students with disabilities are to be provided FAPE, a Free Appropriate Public Education, as determined by the Individualized Education Program Team. Students are provided services in the regular classroom and regular school to the maximum extent appropriate.

“Student with a disability” means a student evaluated by a multi-disciplinary team, and found to require special education and related services as a result of one of the following disabling conditions: Autism, Cognitive Disability, Deaf-Blindness, Deafness, Emotional Disturbance, Hearing Impairment, Multiple Disabilities, Orthopedic Impairment, Other Health Impairment, Specific Learning Disability, Speech or Language Impairment, Traumatic Brain Injury, or Visual Impairment. The multi-factored evaluation team includes both school personnel and parents/guardians. If you are aware of a child who may qualify as a “student with a disability,” please call the Office of Special Education at (614)797-5700.

## **OPT-OUT STUDENT NETWORK/INTERNET ACCESS**

The Westerville City School District considers the use of the Internet to be a privilege, not a right, and grants all students the means to access e-mail and/or the Internet at school. The Board's Internet connection is provided for educational purposes only. Unauthorized and inappropriate use will result in a cancellation of this privilege.

The Board has implemented technology protection measures, which protect against (e.g. block/filter) Internet access to visual displays/depictions/materials that are obscene, constitute child pornography, or are harmful to minors. The Board also monitors online activity of students in an effort to restrict access to child pornography and other material that is obscene, objectionable, inappropriate and/or harmful to minors. Nevertheless, parents/guardians are advised that determined users may be able to gain access to information, communication, and/or services on the Internet that the Board has not authorized for educational purposes and/or that they and/or their parents/guardians may find inappropriate, offensive, objectionable or controversial. Parents/Guardians assume this risk by consenting to allow their students to participate in the use of the Internet. Students assume personal responsibility and liability, both civil and criminal, for unauthorized or inappropriate use of the Internet.

The Board has the right, at any time, to access, monitor, review and inspect any directories, files and/or messages residing on or sent using the Board's computers/networks. Messages relating to or in support of illegal activities will be reported to the appropriate authorities.

**STUDENT NETWORK/INTERNET OPT-OUT FORM**

Please read and complete the following information and return this form to your school building ONLY if you wish to restrict or refuse access to the Internet for your student:

As the parent/guardian of this student, I have read the Student Network and Internet Acceptable Use and Safety Policy and Guidelines located on the WCS Board Docs website. I understand that student access to the Internet is designed for educational purposes and that the Board has taken available precautions to restrict and/or control student access to material on the Internet that is obscene, objectionable, inappropriate and/or harmful to minors. However, I recognize that it is impossible for the Board to restrict access to all objectionable and/or controversial materials that may be found on the Internet and hereby request the following:

- I deny permission for my child to use and access the Internet at school.
- I deny permission for the Board to transmit "live" images of my child (as part of a group) over the Internet via a web cam through distance learning opportunities using Skype and similar technologies.

Additionally, I accept responsibility for communicating this decision to my child.

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

Student's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Opt-out forms for students under the age of eighteen (18) must include both parent and student signatures.

Ref Board Policy # 7540.03      Rev. 2/6/2012 CRT  
Ref Student Handbook

**WESTERVILLE CITY SCHOOLS  
MIDDLE SCHOOL POLICIES AND PROCEDURES AND PROGRAMS  
Board Approved**

**Academic Evaluation**

Grade reports are mailed at year end for all students.

**The Middle School Grading System**

The Board of Education believes that a reliable grading system for use throughout the school district is essential in order to provide for consistency in reporting the evaluation of student performance and to communicate performance information about students to the students themselves and to the parents or guardians of the students. The Board will approve a grading system for the schools. The Superintendent will develop specific administrative procedures for implementation of this policy. These procedures will be reviewed periodically to ensure that grading practices remain consistent with changes in the district's courses of study.

Students taking high school coursework while enrolled in middle school must understand that grades are calculated using the appropriate high school grading system for each individual course. This may impact the calculation of the student's grade point average. Questions pertaining to the calculation of a student's GPA, especially in the case of a student taking high school coursework, can be answered by the student's school counselor.

**Standardized Numerical Grading System**

The following standardized range of percentages must be used by all teachers when awarding grades:

NUMERICAL PERCENTAGE POINT RANGE	LETTER GRADE
98 - 100	A+
92 - 97	A
90 - 91	A-
88 - 89	B+
82 - 87	B
80 - 81	B-
78 - 79	C+
72 - 77	C
70 - 71	C-
68 - 69	D+
62 - 67	D
60 - 61	D-
0 - 59	F

### **Quality Range, Letter Grade Options, And Quality Points**

QUALITY RANGE	LETTER GRADE	QUALITY POINTS
Excellent	A+	4.0
	A	4.0
	A-	4.0
Above Average	B+	3.0
	B	3.0
	B-	3.0
Average	C+	2.0
	C	2.0
	C-	2.0
Below Average	D+	1.0
	D	1.0
	D-	1.0
Failing	F	.0

### **High School Credit/Courses**

Middle school students who enroll in a course leading to high school credit should consult the High School Academic Planning Guide for grade point calculations. This guide can be obtained from your school counselor, or on the Westerville City Schools website: [www.westerville.k12.oh.us](http://www.westerville.k12.oh.us) (\*Click on Parents/Guardians; then High School Academic Planning Guide).

### **Conferences**

Parents/guardians are encouraged to arrange conferences with teachers, school counselors, or school administrators. A conference time may be arranged by calling the school and by making an appointment. Conferences are held in the fall and winter for parents/guardians to see their child's academic progress and have the opportunity to meet the students' teachers.

### **Promotion, Placement, and Retention Policy 5408**

The Board of Education recognizes that the personal, social, physical, and educational growth of children will vary and that they should be placed in the educational setting most appropriate to their needs at the various stages of their growth.

It shall be the policy of the Board that each student is moved forward in a continuous pattern of achievement and growth that is in harmony with his/her own development.

Such pattern should coincide with the system of grade levels established by this Board and the academic content standards established for each.

A student will be promoted to the succeeding grade level when he/she has in the opinion of the professional staff, met the academic content standards set for the present grade or as set forth in an alternative learning plan, met State mandated requirements and demonstrated the capacity for a successful learning experience in the next grade.

A student may be placed at the next grade level when retention would no longer benefit the student.

The Superintendent shall develop administrative guidelines for promotion, placement, and retention of students which:

- A. Require the recommendation of the relevant staff members for promotion, placement, or retention;
- B. Require that parents/guardians are informed in advance of the possibility of retention of a student at a grade level in a language parents/guardians understand;

- C. Assure that efforts will be made to remediate the student's difficulties before s/he is retained;
- D. Require that a student be retained if s/he has failed at least two (2) courses of study (major subjects), unless the principal or his/her designee and the teachers of the failed subjects determine that the student is academically prepared to be promoted;
- E. Assign to the principal or his/her designee the final responsibility for determining the promotion, placement, or retention of each student.
- F. Provide parents/guardians the opportunity to request the promotion, placement, or retention of their child.
- G. Provide parents the opportunity to appeal the decision about their child's promotion, placement, or retention.

## **ATTENDANCE**

### **Absences – What to do**

When a student is absent from school, parents/guardians must notify the school of the reason for the absence.

1. A parent/guardian should notify the school as soon as possible to report the student's absence. Ideally, absence notification will occur prior to the time instruction begins for the day. If this is done, no note will be necessary when the student returns to school.
2. If the parent/guardian does not notify the school that their student(s) will be absent, the office will notify parents/guardians of students whose name appears on the daily absence list within the timeframe as prescribed by Ohio law. If the absence is confirmed and approved by the parent/ guardian on the day of the absence, it will be recorded and no note will be necessary when the student returns to school.
3. If the parent/guardian has not notified the school on the day the student(s) missed school, and if the school has not received confirmation of the absence(s) from the parent/guardian on the day of the absence, the student must bring a written statement from home, signed by parent or guardian, properly dated, stating the cause of the absence.
4. If your child is late to school they must obtain an admit slip from the attendance officer. You must walk your child into the office and provide the reason for the tardiness.

### **Release For Appointments**

If at all possible, the district encourages parents/guardians to schedule medical appointments outside of the school day. If a school day appointment cannot be avoided, please observe the following guidelines prior to or on the day of the appointment:

Send a written note with your son/daughter to school explaining the appointment and the necessary sign-out time.

Students shall bring the note to the attendance clerk before school.

A dismissal slip to show the student's teacher at the time he/she is to be signed out from the attendance office will be given to the student.

Parents/guardian come to the office and sign out their son/daughter on the early dismissal list. Please be sure to bring a picture ID with you.



Please bring in “Return to School” notes from all doctors’ appointments taking place during the school day. Medical notes from the doctor for appointments during the school day will result in the absence not counting toward the student’s 10 days of parent-excused, medical-related absences for the year. To ease the process parents/guardians and/or medical offices can fax notes/letters.

### **Withdrawals from School**

If a parent/guardian wishes to withdraw their child, please report to the main office and fill out a Student Withdrawal Form.

## **COMMUNICATIONS**

### **Announcements**

All regular announcements will be made each morning over the public address system. In addition, the announcements are typed and posted on the bulletin board across the hall from the main office. Announcements are also on the school website ([www.wcsoh.org](http://www.wcsoh.org)).

### **Bicycles at School**

The Board of Education regards the use of bicycles for travel to and from school by students as an assumption of responsibility on the part of those students – a responsibility in the care of property, in the observation of safety rules, and in the display of courtesy and consideration toward others. The Board will not be responsible for bicycles which are lost, stolen, or damaged. Bicycles that are ridden to school must be parked in the bicycle racks provided. There are a limited number of spaces and students are responsible for securing their bicycles in the racks. Locks are recommended.

Due to the already hazardous nature of our parking lot and driveways at school opening and dismissal, the personal use of skateboards, hover boards, skates, scooters, or mopeds except those deemed medically necessary by students is prohibited.

## **STUDENT ACTIVITIES**

### **Field Trips, Assemblies, School Activities**

Each year students are given the opportunity to participate in a variety of field trips and assemblies. Special dress and behavior may be required for these events. Dress requirements will be announced ahead of time. At all special events, students are expected to comply with the Student Code of Conduct. Students who do not demonstrate appropriate behavior in school may be excluded from field trips, assemblies or other school activities.

### **Social Events Policy**

Student sports, clubs, and other recreational activities provide excellent opportunities for students. As voluntary participants in school social events, students shall be held responsible for compliance with rules set forth for their conduct, and infractions of those rules will be subject to the same disciplinary measures as are applied during the regular school program. In addition to rules outlined in this handbook, the following special rules apply to after school activities:

1. Students remaining after school to participate in extra-curricular activities must be with and under the supervision of a teacher or coach at all times.
2. Areas such as the faculty lounge and copy rooms are off limits at all times including evenings and weekends.
3. Those remaining after school as spectators for a sporting event or other activity must leave the building by 3:00 p.m. until the appropriate starting time of the event.
4. All athletic practices are closed to student observers except with the permission of the head coach.

5. Students must have their transportation arranged to pick them up as soon as possible after the conclusion of a meeting or event. It is not acceptable for students to remain at school more than 15-30 minutes after the end of an activity unless they have permission from the coach or advisor.
6. A specific school's social event is for that specific school's students only.
7. Students who violate the Code-of-Conduct or school rules during after-school activities may lose their privilege to participate or attend, as participation in school events is not a right and may be denied to any student who has demonstrated disregard for the rules of the school.

### **Student Conduct**

The Board approved Code of Student Conduct is located on the district website. Please review this so there is no misunderstanding as to what is considered acceptable school behavior.

## **STUDENT RESPONSIBILITIES**

### **Absences Affecting Participation In Extracurricular Activities**

Unless a student is in attendance for at least one-half day, he/she may not participate in any after-school extracurricular activities.

### **Book Bags/Backpacks**

Due to space limitations, students may not carry book bags, backpacks, or similar bulky items to the cafeteria during lunch.

### **Diversion**

The Westerville City Schools and the Westerville Police Department (WPD) cooperate in the enforcement of a voluntary Diversion Program. This program is open for juvenile students, who fall under the jurisdiction of the WPD, and must be for an offense over which the Juvenile Court has jurisdiction. Examples include but are not limited to: habitual truancy, theft, or disorderly conduct.

All involved parties must agree to the following terms of the Diversion agreement:

- A. Conference with the school administrator, School Resource Officer, participant and parent(s)/guardian(s) and other as deemed appropriate.
- B. Abide by the Juvenile Diversion Program Contract.
- C. Failure to comply with the terms of the Program Contract will result in the original juvenile charge(s) being filed.

A School Resource Officer is available in each middle school and can be contacted by calling your respective building.

### **Hall Passes**

Students must carry and be prepared to present a pass from a staff member to be out of their assigned classroom during class time.

### **Personal Items**

Students should not bring personal items not related to their education. There should be no distractions from the students' "job" – which is school.

Toys, trading cards, and games are examples of personal property not needed at school. These items will be confiscated and held in the office. Consequences will be assigned when items are used during school, when items cause a distraction at school, or if items are repeatedly confiscated.

### **Middle School Dress Code**

Students and parents/guardians should refer to the Westerville City Schools District Policies, Procedures and Programs Code of Student Conduct, or building level student guidelines.

## **STUDENT SERVICES**

### **Lockers**

The Board of Education has provided school lockers for the purpose of providing students with convenient storage for clothing, books, and other articles necessary or convenient for students' use during the school day. Lockers must be emptied on or before the last day of school.

### **LOCKER SEARCH NOTICE** - [OHIO REVISED CODE SEC. 3313.20B]

All lockers are property of the Westerville Schools Board of Education and are subject to search at any time.

#### **Locker Security**

- Do not share lockers.
- Do not give your lock combination to anyone, even your best friend.
- Lock your lock at all times.
- Keep only necessary items in your locker.
- If your lock or locker is not locking properly, report it to the main office or custodian as soon as possible.

### **Physical Education Lockers**

These lockers are used to store P.E. clothes and to secure street clothes, books and personal belongings while students are participating in physical education class. Each student is required to purchase a combination lock. Students are to secure all of their property and school books in this locker during class.

The school is not responsible for missing and stolen property.

A uniform is required which consists of shorts, t-shirt, athletic socks and gym shoes. The physical education department sells t-shirts.

### **Student Fees**

General fees, instructional fees, and athletic fees are established yearly. Actual grades will be recorded only upon full payment of such fees and/or charges. If the fees or charges are not fully paid during the school year in which the fees or charges are incurred, failure may result in the withholding of grades or credit. In the event the above course of action does not result in the fee being collected, the Board authorizes the Treasurer to take appropriate legal or other action for collection.

### **Study Halls**

Study halls are arranged implicitly for the purpose in the name ... study. Students should come to the study hall prepared with books, notebooks, pens, paper, pencil, etc. Seats will be assigned by the study hall monitor. No student will leave the study hall without a permit/hall pass. Students must follow library procedures to be excused from the study hall to use the library. Failure to observe such procedures will be treated as a class cut.

### **Wireless Communications And Entertainment Devices - Middle School Guidelines**

During the school day, students may be allowed to use their Wireless Communications/Entertainment Devices in designated areas during designated times. Designated areas and times will be determined at the discretion of the building administration. If students are using their Wireless Communications/Entertainment Devices during lunch, it should only be in the Commons area of the school. The district is not liable for loss of or damage to devices at any time.

Teachers may allow students to use Wireless Communications/Entertainment Devices during class instruction for educational purposes. Use of any form of a camera device is strictly prohibited in any situation in which there exists a reasonable expectation of personal privacy, (bathrooms, showers, locker rooms, etc.).

Violations of this policy may result in disciplinary action and/or confiscation of the wireless communication device. Confiscated devices may be subject to search. Wireless Communications/Entertainment Devices can be held for an indefinite period of time if they are part of an on-going investigation by administration.

School administration may review Wireless Communications/Entertainment Device information to investigate violations of school policy.

The building principal or his/her designee may also refer the matter to law enforcement if the violation involves an illegal activity.

- First Violation: Student will be warned and reminded to put the device away.
- Second Violation: Device may be confiscated, turned into the office, and will be released to the student after the school day is complete.
- Third Violation: Device may be confiscated, turned into the office, and will only be released to a parent or guardian of the student.
- Additional Violations: Device may be confiscated, turned into the office, and will be released to a parent or guardian of the student after an assigned disciplinary consequence has been served. Students may lose the right to bring device(s) on campus.

**POLICY**  
**WESTERVILLE CITY SCHOOLS**  
**CODE OF CONDUCT FOR STUDENTS PARTICIPATING IN**  
**EXTRACURRICULAR ACTIVITIES**  
**Board Approved**

**Philosophy**

The Westerville City School District Board of Education recognizes the use and abuse of chemicals among students is a serious problem. Research has shown that use of drugs and alcohol has harmful effects on students' mental, physical and emotional health. Research has also shown that tobacco is addictive and harmful to students' physical health. Therefore, the Board believes regulations for alcohol, tobacco and other drugs should be developed for all extracurricular participants while enrolled as students in any Westerville School. Further, the Board of Education expects that students use good judgment and not attend activities where alcohol and other drugs are present among peers.

The goal of the extracurricular program is to provide every participant the opportunity to grow mentally, morally, physically and emotionally. A student participating in extracurricular activities is expected to conduct him/herself in a manner that reflects good citizenship and brings honor to him/herself, one's family, one's school and one's community, both in the classroom, on and off the performance stage or athletic field, as a member of a school club, during and out of season.

To assure that the program can provide these opportunities, a degree of self-discipline is required of each participant. Self-discipline involves compliance with rules and regulations concerning personal behavior and the laws that help govern a civilized society. Student extracurricular participants who engage in actions that are not consistent with this philosophy will lose their privilege to represent their school. Participation in extracurricular activities is not a right, but a privilege. In addition, all students who participate in extracurricular activities at any time must meet the following regulations during the school year and any season in all locations. Failure to comply with the regulations could jeopardize a student's entire extracurricular career.

This policy is in conjunction with the existing Student Code of Conduct adopted by the Board.

**Admission to School Events**

The Ohio Capital Conference sets the cost of admission for athletic events each school year. Admission fees for theatre or other school activities are set by the individual club or other organization. Coordination among all Middle Schools and High Schools is encouraged.

**G. Extracurricular Eligibility**

The opportunity to represent Westerville City Schools in any extracurricular activity is a privilege. The final determination of eligibility rests with the school and/or the Ohio High School Athletic Association. The decision to allow for participation rests with the school and the coach/advisor of each activity. Any student is welcome to try out for an extra-curricular activity if the student meets the following criteria. The students must:

1. Be eligible under the Ohio High School Athletic Association rules and regulations, when applicable;
2. When required, present a current [Ohio High School Athletic Association Pre-Participation Physical Examination Form](#) including parent's signature, student's signature and signature of physician with date of last medical exam, and information necessary for the eligibility list;
3. Submit completed data sheets, insurance and emergency forms;

Achieve a minimum grade point average (GPA) of 1.75 each quarter for the academic grading period immediately preceding participation in the activity and pass the equivalent of five (5) credits; freshman in fall activities have no GPA minimum but (per OHSAA) must have passed a minimum of five (5) subjects carried during the 4th nine weeks of the 8th grade.

4. Maintain compliance with the District's Code of Student Conduct, this Code of Conduct for Students Participating in Extracurricular Activities and Tobacco/Drug/Alcohol Policies and Procedures;
5. Be in attendance at school at least ½ day on the day of the contest/event when the event occurs on a school day;
6. Maintain compliance with the eligibility requirements of the Ohio High School Athletic Association.

### **Non-Traditional Extracurricular Eligibility Guidelines**

Students who are enrolled in non-traditional coursework that includes but is not limited to: online coursework for credit recovery or credit acceleration, and approved Credit Flex options, must meet all of the eligibility requirements of Westerville City Schools and the Ohio High School Athletic Association.

1. A student may not use the "Test-Out" option for coursework to qualify for extracurricular participation.
2. Unless a definitive start and end date coinciding with the Board adopted grading periods for non-traditional coursework is established before the student begins coursework, the non-traditional course will be weighted with a multiplier of "1" in determining the equivalency needed for extracurricular eligibility. Non-traditional coursework with an established end date will use the corresponding OHSAA Guidelines for Student Athletic Eligibility to determine eligibility.
3. Prior to the start of the non-traditional coursework, the non-athletic extracurricular supervisor or athletic/activities director will establish appropriate progress to be measured at the end of the Board adopted grading period to determine eligibility. All eligibility plans must have final approval from the non-athletic extracurricular supervisor or athletic/activities director.
4. If the student completes the non-traditional course prior to the end of the grading period, regardless of the established end date (if applicable) for the course, the student may not count the coursework for eligibility purposes in the grading period after the course was completed.

### **H. Fees/Rules**

Students must comply with this "Code of Conduct for Students Participating in Extracurricular Activities." For each activity, the head coach/advisor has a set of written rules. Copies of these rules will be distributed to each student. The student and the parents/guardians will sign the form to acknowledge awareness of the rules and the consequences of their infraction. A Pay-To-Participate (PTP) fee is required of all students selected for high school teams/clubs. The PTP fee must be paid by the tenth day of participation as established by the OHSAA, or the first activity date, where applicable. Students will be removed from the team/club/activity for lack of payment.

### **Awarding Of Letters**

To be awarded a Westerville City Schools varsity letter, the recipient must meet at a minimum, all Ohio High School Athletic Association and Westerville City Schools eligibility standards.

Special accommodations will be made for athletes involved in the Westerville Special Olympics program.

### **Hazing**

Hazing activities of any kind are prohibited at all times. No student shall plan, encourage, or engage in any hazing. Hazing is defined as performing any act or coercing another, including the victim, to perform any act of initiation into any class, team or organization that causes or creates a substantial risk of causing mental or physical harm to any person. Permission, consent, or assumption of risk by an individual subjected to hazing shall not lessen the prohibitions. See the school handbook (District Code of Student Conduct, Item 19) for additional information.

### **Loss of Extracurricular Activity Privileges**

"Loss of extracurricular activity privileges" means the exclusion from some or all extracurricular activities in which a student is participating or eligible to participate. This exclusion will normally apply to practices, rehearsals, field trips, competitions and all other activities connected with the extracurricular activity (or activities) involved.

The loss of all extracurricular activity privileges automatically accompanies all days of suspension or expulsion. In addition, the loss of extracurricular activity privileges may be imposed as a separate disciplinary measure whether or not the student is being suspended or expelled. (See Section II, below)

Students who are in their first academic year in a WCS high school or middle school who are serving a suspension from participation, due to a code violation, will serve their suspension in their current/next activity. All other students who are serving a suspension from participation, due to a code violation, will not be permitted to serve their suspension by participating in an extracurricular activity for the first time.

### **Fund-Raising**

All fund-raising projects must be approved by the principal or his/her designee.

### **Drug, Alcohol, and Tobacco Use**

#### **Section I - Definitions**

For the purposes of this Policy, these terms are defined as follows:

1. Alcohol - Any liquor, wine, beer or other substance which contains intoxicants.
2. Assistance Program - The student may be required to do one or more of the following:
  - A. Attend an intervention conference with the student assistance team. Parent or guardian involvement is strongly encouraged.
  - B. Follow the recommendations of the student assistance team;
  - C. Complete an assessment for possible chemical problems at an approved agency;
  - D. Complete the treatment program recommended by the evaluator;
3. Extracurricular Activities - Out-of-class pursuits which may, or may not be associated with a specific class, in which students enjoy freedom in selection and participation and carries no grade or academic credit.
4. Drugs - Any mood altering substance, including, but not limited to, illegal drugs, marijuana, inhalants, build-altering steroids (without a valid prescription) Policy AG5530A, legal prescription and over-the-counter drugs used or possessed or distributed for unauthorized purposes, and counterfeit (look-alike) substances.
5. Mood-Altering Chemicals - This includes, without limitation, narcotics, depressants, stimulants, hallucinogens, counterfeit drugs, marijuana and prescription drugs, unless authorized by a medical prescription from a licensed physician and kept in the original container, which container shall state the student's name and the directions for proper use.

6. Parent/Guardian - A "parent" means a student participant's parent unless the rights of the parents have been restricted by court order or legal agreement; guardian; or legal custodian.
7. Permanent Suspension - Remainder of student's academic life from extracurricular activities.
8. Appeal - A student may file a petition for re-entry into an extracurricular activity by submitting a written notice to the building principal or his/her designee. The notice shall include the violation, activity and necessary rationale for consideration.
9. Possession - Alcohol, tobacco, controlled substance (as defined by Ohio Revised Code Section 3719.01), or drug paraphernalia that is found physically on or in student's body, or physically within his/her property (for example: coat, backpack, car, locker, shared locker (etc.)).
10. School Year - The school year is defined as the first official day of school/season through the last official day of school/season as set forth by the Westerville Board of Education.
11. Season Length – Athletic activity seasons are defined as Fall, Winter, and Spring. Extra-curricular activity seasons are defined by each semester.
12. Self-referral - A self-referral, to the principal, athletic/activities director and/or the head coach/school activity advisor, is not to be used as a means of avoiding the consequences of a code violation. Code violations already reported or pending violations cannot be "self-referred". Students may self-refer only once during their school career (see Section II, Rules, Item #1, below). A self-referral must be reported the next school day after the occurrence. A student cannot be self-referred if police intervention has taken place.
  - A. A student may seek assistance from a school approved program for drug/alcohol problems. The Superintendent or designee will establish the necessary criteria for sanctioning of drug/alcohol programs.
  - B. Self-referrals will be considered for first violations. No reduction of season or activity will be assessed if the student agrees to follow the student assistance procedure.
  - C. Parent/guardian-referral or peer-referral may be treated as a self-referral.
  - D. If the student fails to complete the assistance and treatment, the penalty will be enforced in full.
  - E. Each self-referral will be evaluated and approved by the administrator. Approval will be based on the participants' past history and disciplinary record.
13. Substance Abuse - The use of drugs or alcohol in violation of local, state or federal law or in violation of school policy.

## **Section II- Disciplinary Procedures**

### Infraction of Rules

1. When a student is in violation or suspected violation of any rule, the principal (designee) shall be notified.
2. The student may be temporarily removed from an activity by the principal/designee, athletic/activities director, coach or activity advisor responsible for supervision of that activity.
3. A review committee consisting of no less than the coach or advisor and the principal or his/her designee or other staff deemed appropriate will meet to investigate the violation. If the review committee feels action beyond temporary removal is warranted, the principal or designee shall inform the student and parent/guardian of the specific violation and possible penalty.



4. An informal hearing with the student will be held.
5. Violations shall be determined on the basis of significant and/or relevant evidence. In assessing evidence, the principal or his/her designee and/or the review committee may take any reasonable step which may include, but not be limited to, the following:
  - A. Investigating the alleged violation before holding hearings;
  - B. Verifying evidence essential to hearings;
  - C. Creating records of sources of evidence or verifications of evidence;
  - D. Consulting with any other personnel of the Westerville City School District.
6. The building principal/designee will inform the student and parents/guardian of the decision.
7. The decision may be appealed to the Superintendent or designee.
8. During an appeal, the student may practice but may not participate in any official activity pending the outcome of the hearing conducted by the Superintendent or designee. The decision of the Superintendent or designee is final.
9. Consequences will apply to all extracurricular activities the student participates in during the penalty period.

### **Section III- Rules with Prescribed Consequences**

Participants will be advised by means of the student handbook/folder of all regulations prior to their participation so that each student may determine the feasibility of his/her participation.

To help achieve the personal commitment of participating students, each coach/advisor will explain this Extracurricular Activities Code of Conduct before the first contest /event.

RULE I. No use, abuse, purchase, or possession of drugs or alcohol.

RULE II. No transmission, attempted transmission or sale of drugs or alcohol.

RULE III. No use, purchase, possession or transmission of tobacco in any form.

Students may be exempted from the use of drugs or alcohol in Rule 1 if parents/guardians present a written statement specifying their objection for religious convictions, medical reasons, or due to a disability condition. All exemptions must be approved by the Superintendent or designee.

1. All penalties to the above rules shall be cumulative to the last official school day within each of the following three (3) periods of academic life:
  - A. Grades K through 5;
  - B. Grades 6 through 8;
  - C. Grades 9 through 12.
2. Penalties may not be fulfilled concurrently.

## **Section IV- Penalties**

### **RULE I. NO USE, ABUSE, PURCHASE, OR POSSESSION OF DRUGS OR ALCOHOL.**

#### **First Violation**

1. A student who is in violation will be prohibited from participation in extracurricular activities for one (1) school year from the date of violation.
2. If the student who is in violation agrees to follow the drug/alcohol assistance program, or attend a school approved drug/alcohol evaluation and treatment program not funded by the Westerville City School District, the penalty will be reduced to twenty percent (20% of the maximum allowable contests as defined by OHSAA) from the current or next occurring extracurricular activity or season as determined by the principal or his/her designee or athletic/activities director. For example, if the violation occurs the last week of a season or activity the penalty will continue throughout the existing season and into the next season or activity. The student may participate but not compete/perform with the team or group during the suspension. The principal or his/her designee will determine approval or disapproval of the student's plan for an assistance program.
3. If the student agrees to follow the drug/alcohol assistance program, he/she must submit to the athletic/activities director or principal or his/her designee evidence of:
  - A. Successful participation, as determined by the principal or his/her designee/ athletic/activities director, of the drug/alcohol assistance program or participation of a school-approved drug/alcohol rehabilitation or counseling program;
  - B. An ongoing commitment of non-drug/alcohol use.
4. In case of a self-referral the banquet, recognition and/or award consequence will be waived if the student has attended or made plans to attend the assistance program.
5. A student who is in violation may not be allowed to serve in any leadership positions for the current or next occurring extracurricular activity or season as determined by the principal. He/she may not be permitted to attend an awards banquet/ceremony. The participant may not receive any awards, letters, or recognition for his/her participation in the current season or next season, if not currently participating in an extracurricular activity.

#### **Second Violation**

1. A student who is in violation of Rule 1 on a second occasion or in combination for a second time will be prohibited from participation in extracurricular activities for one (1) calendar year from the date of violation.
2. If the student agrees to follow the drug/alcohol assistance program or attend a school approved drug/alcohol evaluation and treatment program not funded by the Westerville City School District, the penalty will be reduced to fifty percent (50% of the maximum allowable contests as defined by OHSAA) from the current or next occurring extracurricular activity or season. After the penalty period, the student may petition, to the principal, for a hearing to return to participation. The student will not participate nor travel with the team or group during the period of the suspension.
3. The student must meet with the review committee and a member (or members) of the student assistance team, providing evidence of:
  - A. Successful completion (or continued participation) in a school-approved drug/alcohol rehabilitation or counseling program;

B. An ongoing commitment of non-drug/alcohol use.

4. The review committee will recommend approval or disapproval of the petition, which may include further requirements (such as participation with a peer support or another approved drug and alcohol aftercare agency or counseling program).
5. A student who is in violation will not be allowed to serve in any leadership positions for one year. He/she will not be permitted to attend an awards banquet/ceremony, nor will the student receive any awards, letters or recognition for his/her participation in the current season or next season if not currently participating in an extracurricular activity.

### Third Violation

1. The Superintendent or designee may enforce a permanent suspension from participation in extracurricular activities for the remainder of a student's academic career. The Superintendent's and/or designee's decision is final.

## **RULE II. NO TRANSMISSION, ATTEMPTED TRANSMISSION OR SALE OF DRUGS OR ALCOHOL.**

### First Violation

1. The student who is in violation will be prohibited from participation in all extracurricular activities for one (1) calendar year from the date of violation.
2. If the student who is in violation agrees to follow the drug/alcohol assistance program or attend a school approved drug/alcohol evaluation and treatment program not funded by the Westerville City School District, the penalty will be reduced to fifty percent (50% of the maximum allowable contests as defined by OHSAA) from the current or next occurring extracurricular activity or season. After the penalty period, the student may petition, to the principal or his/her designee and athletic/activities director, for a hearing to return to participation. The student will not participate nor travel with the team or group during the period of the suspension.
3. The student must meet with the review committee and a member (or members) of the assistance team, providing evidence of:
  - A. successful completion (or continued participation) in a school approved drug rehabilitation or counseling program;
  - B. an ongoing commitment of non-drug use.
4. The review committee will recommend approval or disapproval of the petition, which may include further requirements (such as participation with a peer support or other approved drug and alcohol aftercare agency or counseling program).
5. In case of a self-referral, the banquet, recognition and award consequence will be waived if the student has attended or made plans to attend the assistance program.
6. A student who is in violation will not be allowed to serve in any leadership positions for one year. He/she will not be permitted to attend an awards banquet/ceremony, nor will the student receive any awards, letters, or recognition for his/her participation in an extracurricular activity.

### Second Violation

1. The Superintendent or designee may enforce a permanent suspension from participation in extracurricular activities for the remainder of a student's academic life. The Superintendent's and/or designee's decision is final.

### **RULE III. NO USE, PURCHASE OR POSSESSION OF TOBACCO IN ANY FORM.**

#### First Violation

1. A student who is in violation will be prohibited from participation in extracurricular activities for twenty percent (20% of the maximum allowable contests as defined by OHSAA) of all the events from the date of the violation.
2. The penalty will be held in abeyance if:
  - A. The student agrees to participate in a tobacco education program approved by the school principal or his/her designee. Refusal or failure to complete the program will result in application of the full penalty. The student may participate, compete/perform and travel with the team or group during the suspension.

#### Second Violation

1. The penalty shall be forty percent (40% of the maximum allowable contests as defined by OHSAA) prohibition of participation, reduced to twenty percent (20% of the maximum allowable contests as defined by OHSAA) if the student followed the above reduction requirements. The student may participate and travel, but not compete or perform with the team or group during the suspension.

#### Third or more Violations

The Superintendent or designee may prohibit the student from participation in fifty percent (50% of the maximum allowable contests as defined by OHSAA) of the current and/or next occurring extracurricular activity. After the penalty period, the student may practice/participate and travel with the team or group during the suspension

**Extracurricular Code of Conduct**  
**Rules and Penalty Matrix**

	1ST VIOLATION	1ST VIOLATION WITH AP	2ND VIOLATION	2ND VIOLATION WITH AP	3RD VIOLATION
<b>RULE I</b>	RC	P	RC	P	RC
No use, abuse, purchase or possession of drugs or alcohol.	1 Year (12 months) suspension from all extracurricular activities.	Reduction to 20% (of the maximum allowable contests as defined by OHSAA) of current or following season.	1 Year (12 months) suspension from all extracurricular activities.	Reduction of 50% (of the maximum allowable contests as defined by OHSAA) of current or following season.	Possible suspension for remainder of academic life.
<b>RULE II</b>	RC	P	RC		
No transmission, attempted transmission or sale of drugs or alcohol.	1 Year (12 months) suspension from all extracurricular activities.	Reduction of 50% (of the maximum allowable contests as defined by OHSAA) of current or following season.	Possible suspension for remainder of academic life.		
<b>RULE III</b>	RC	P	RC	P	RC
No use, possession or transmission of tobacco in any form.	20% (of the maximum allowable contests as defined by OHSAA) reduction of season from all extracurricular activities.	Reduction of season in abeyance.	40% (of the maximum allowable contests as defined by OHSAA) reduction of season.	20% (of the maximum allowable contests as defined by OHSAA) reduction of season.	Reduction of 50% (of the maximum allowable contests as defined by OHSAA) of current or following season.

RC = Determined by the Review Committee      P = Determined by the Principal  
AP = Assistance Program

A student who is in violation may not be allowed to serve in any leadership positions for one year. He/she may not be permitted to attend an awards banquet/ceremony, nor may the student receive awards, letters, or recognition for his/her participation in the current season or next season if not currently participating in an extracurricular activity.