



Tri-Valley Middle School

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Mission Statement

The mission of Tri-Valley Middle School is to provide an educational environment and program that effectively respond to the intellectual, physical, ethical, and social-emotional needs of early adolescent learners.

Welcome

The entire staff welcomes you to Tri-Valley Middle School. It is our hope that this will be a valuable year of educational growth for every student.

At TVMS, we are striving for educational excellence in a positive atmosphere that encourages active participation, goal-setting and responsibility. We invite you to become involved with our school to assure student successes.

This handbook contains general information, policies and procedures which will help you understand the operation of our school. If you have questions, please do not hesitate to ask them. We encourage all students and parents to read this booklet carefully and to use it as a reference guide throughout the year.

Have a successful and enjoyable school year!

Log on to www.tvschools.org for complete information regarding policies, programs, transportation, food services, and athletic events.



Tri-Valley Local School District Administration

36 E Muskingum Ave, Dresden, Ohio 43821 ● 740-754-1442

Mark Neal, Superintendent

Ryan Smith, Treasurer

Craig Strohacker, Director of Operations

James Campbell, Assistant Superintendent

Chris Irvin, Director of Technology

Todd Woodard, Director of Special Education

Board of Education

Mr. Scott Ford, President

Mrs. Betsy Brocklehurst, Member

Mr. Luke Davis, Vice President

Dr. Andrea Collet, Member

Mr. Steve Barr, Member

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DISTRICT POLICIES FOLLOW

Attendance Policy – Grades 7-12

Philosophy:

Regular daily class attendance and punctuality are necessary in order for the learning process to be effective. Frequent absences disrupt the instructional process, which requires a continuity of classroom learning experiences, pupil interaction, and study in order to reach the goal of maximum educational benefits for each student. Studies show that students who miss school frequently experience great difficulty in achieving the maximum benefits of instruction. We are aware that there are occasions when a student cannot be present and thus may miss an essential learning experience. However, our concern is with each student's total participation, which is reflected in the attendance procedures, which follow:

Rationale:

- A. The laws in Ohio require daily attendance of all students until age 18 (or 16 if approved to withdraw and work full-time). Rev. Code 3321.04
Every parent, guardian, or other person having charge of any child of compulsory school age who is not employed on an age and schooling certificate must send such child to a school which conforms to the minimum standards prescribed by the state board of education for the full time the school attended is in session. Such attendance must begin within the first week of the date at which the child begins to reside in the district or within one week after his withdrawal date from employment.
- A. 38 or more hours in one month (excessive absences)
 - B. 65 or more hours in the year (excessive absences)
 - C. 30 or more consecutive hours (habitual truancy)
 - D. 42 or more hours in one month (habitual truancy)
 - E. 72 or more hours in the year (habitual truancy)
- HB 410**
- B. Daily attendance and punctuality are essential to success in school and are necessary habits for later success in life. Daily attendance affords a student the opportunity to reap benefits from the educational environment provided by the Tri-Valley Local Schools. Excessive absences and tardiness cannot be accepted.
- C. Excessive absence from school shall be a factor when assessing a student's yearly performance for grading purposes.

Parent's Role in Their Child's Education

The attendance of all children of compulsory school age (6-18 years) is required every day that school is in session. The laws of the State of Ohio place the responsibility for school attendance squarely upon the parents. Failure of parents to require a child to attend school regularly may result in court action.

Within the framework of the Ohio Revised Code 3321.04 and the State Board of Education Regulation 3301-51-13, students will be given excused absences for:

- A. Personal illness.
- B. Serious illness or death of a family member.
- C. Funeral.
- D. Medical and dental appointments that cannot be arranged during non-school hours.
- E. Unusual or emergency situations at home.
- F. Religious holidays and activities.
- G. Authorized school-sponsored activities.
- H. Approved college visits.
- I. Acts of God.
- J. Quarantine.
- K. Out-of-state travel, not to exceed 24 hours per school year that the student's school is open for instruction, for participation in an enrichment activity approved by the Board of Education or an extracurricular activity, defined as a student activity program operated by the District but not included in a graded course of study.

L. At the Superintendent's discretion, a visit with a parent or legal guardian who is an active duty member of the Army, Navy, Air Force, Marine Corps, Coast Guard, or Commissioned Corps of the National Oceanic and Atmospheric Administration and Public Health Service and who has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat support posting.

Absences from school for reasons other than those listed above will be considered unexcused. Students may not receive credit for make-up work during an unexcused absence.

****ONCE A STUDENT HAS MISSED 30 HOURS IN A SEMESTER (formerly 5 days), THE ABOVE REASONS WILL BE CONSIDERED UNEXCUSED WITHOUT A PHYSICIAN'S NOTE.**

Absence Time Schedule

Middle School

- 7:35- 7:50 Students should arrive to school
- Late Arrival ("Tardy"): Students are expected to arrive to school on time every day. Students who arrive after the tardy bell (7:51) without a legitimate excuse will be receive a partial unexcused absence for the time missed.
- Any time missed will be recorded by the actual time missed, thus every minute counts towards a student's attendance record and will be recorded in hours not days. (i.e. not .5 day increments).

Absence

When a student is absent with parental consent for one of the approved reasons within the framework of the Ohio Revised Code 3321.04 and *Tri-Valley Board of Education Policy*, work missed during the absence may be made up within the specified time limit. Parents must submit a written statement regarding the absence or contact the school by phone. (I.E. personal illness or doctor or dental appointments.)

Unexcused Absence

When a student is absent and his/her excuse does not fall within the framework of the Ohio Revised Code 3321.04 and the *Tri-Valley Board of Education Policy*, and the student fails to submit a written statement from his/her parents within 5 school days, work shall not be made up.

Excessive unexcused absences from school in any grading period may result in a failing grade for that grading period.

Suspension Absences

Any student who has been suspended out of school will have the opportunity to make up any and all work that is missed during the student's first suspension. Any student suspended out of school more than one time during the current school year will only have the opportunity to make-up major test or projects given/taken during the student's suspension, but they will receive an "F" for work such as quizzes, homework, etc.

Truancy

Truancy is defined as the willful absence of a student from class or school without the prior knowledge of the school or parents/guardians. School time missed will be made up either through detention, suspension, Saturday school, or Diversion Weekend; however, class work missed during this period will not be graded for credit.

The Superintendent is authorized to establish an educational program for parents of truant students, which is designed to encourage parents to ensure that their children attend school regularly.

Excessive Absence

When a student is continually absent with the parent's knowledge and/or permission, the school may consider the parent's excuses to be questionable or unacceptable. A doctor's verification may be requested if the questionable absence is illness related.

In evaluating all absences, consideration will be given to the student's absence because of serious illness, hospitalization, or being under a doctor's care for extended periods of time.

General Absence Procedures

In every case of a foreseen absence, an attempt should be made to have the absence excused in advance.

Parents/guardians are to call the district TEC 754-4050 by 8:45 a.m. to report student absences (*Ohio Revised Code 3321.03 & 3321.09*). Between 8:45 a.m. and 9:57 a.m. the attendance office will attempt to contact a parent or guardian via the automatic calling system to clear the absence. Per HB 66, parents shall receive notification within 120 minutes of the start of the school day. In the event that the school does not receive a phone call regarding a student absence, the student must submit a written note from a parent or guardian to the attendance office upon returning to school.

On the first day of return, the student will bring a signed note from the parent to the office, indicating the reason for the absence or tardy.

If the school receives a parent call (or note) within the first 30 hours of absence during a semester, the absence will be excused. Once a student has exhausted his/her 30 hours of absence in a semester, the office will issue an unexcused absence to the student unless the reason for absence is allowable under the ORC, or is accompanied by a doctor's note. Should the student return without a signed note, and no telephone contact was made between the school and the parent, the student will be issued an unexcused absence, will be considered truant, and may be subject to disciplinary or juvenile court action.

Partial Absences (Late Arrival and Early Dismissal)

It is necessary that a student be in attendance throughout the school day in order to benefit fully from the educational program of the district. The Board of Education recognizes, however, that from time to time compelling circumstances will require that a student be late to school or be dismissed before the end of the school day.

As agent responsible for the education of the students of this district, the Board of Education shall require that the school be notified for approval in advance of such absences by request of the student's parent or guardian, which shall state the reason for the tardiness or early dismissal.

Justifiable reasons may include:

1. medical or dental appointments which cannot be scheduled outside of school hours;
2. medical disability;
3. emergency at home;
4. funeral;
5. such good cause as may be acceptable to the building principal.

No student in grades K through 12 shall be permitted to leave the school before the close of the school day without prior approval and without a parent or guardian signing the student out through the office.

A record shall be kept indicating the legal custodian of each student. Such custodian shall be responsible for informing the building principal of any change in the student's custodian.

If one parent has been awarded custody of the student, the parent in custody as defined in statute (*R.C. 3313.67.2*) shall inform the school of any limitations in the rights of the non-custodial parent. Without such notice, the school will presume that the student may be released into the care of either parent.

R.C. 3313.20.5, 3313.64

Late Arrivals (Tardiness):

Any absence that occurs after the 7:51 A.M. bell will be categorized as a Late Arrival (~~formerly known as a~~ "Tardy"). **ALL LATE ARRIVALS** will be considered unexcused, with the exception of those student's that have a doctor's medical excuse OR with a parent note/phone call if the late arrival occurs within the first 30 hours a student

is permitted to miss per semester. Students with excessive Late Arrivals will be addressed on an individual basis by building administration.

Each student will be permitted **Three Unexcused Late Arrivals** per semester without penalty.

Any student who arrives late without a legitimate excuse will be subject to a progression through the districts discipline policy.

1 st Offense	Recorded
2 nd Offense	Verbal Warning
3 rd Offense	Written Warning
4-5 Offense	1 Hour Detention
6-7 Offense	1 Hour Detention (K-6) / 2 Hour Detention (7-12)
8+ Offense	Saturday School

Tardy to Class (periods 2-8) - Any student late to class without legitimate excuse will receive an unexcused tardy from the teacher. Upon the 3rd unexcused tardy per quarter, the student will be required to serve a detention from the teacher. Beyond three tardies, the student will be referred to the office.

Partial PM Absence (Early Dismissal)

Written notes from parents must be brought to the office prior to the beginning of school on the day of the early dismissal. When the student leaves a parent/guardian must sign the student out in the office and also sign the student in when he/she returns. If a student leaves early for a medical appointment, the parent is responsible for providing proper documentation to the school to excuse the absence. (If a student leaves early from school (with a parent note) within the first 30 hours of a semester, it will not be considered unexcused.) Students with excessive partial absences will be addressed on an individual basis by building administration.

Pre-Planned Absences

Any time a student knows that he/she will be missing school for at least 1/2 day or more he/she should bring a signed note from a parent explaining the reason for the anticipated absence to turn into the office. **Notes for Pre-Planned Absences must be received at least two school days prior to the planned absence.**

Reasons for pre-planned absences include:

1. Vacation (up to 30 hours permitted per school year with a pre-planned absence.)
2. Medical appointment
3. College Visit (up to 3 days) – students are required to provide documentation to the office from the college visit to verify the visit.

Students are responsible to make up work missed during the planned absence.

Illness While in School

Students who become ill at school should report to the office for assistance. Students are not to leave school at any time during the school day without a parent/guardian signing the student out through the office.

Make Up Work

If an absence is excused the student is allowed to complete and receive credit for work or assignments missed during the absence. Generally a student will have an amount of time equal to the number of days of absence to make up work missed (this does not apply to prearranged absences). Teacher discretion may be used to extend this time if appropriate. It is the student's responsibility to find out what schoolwork was missed and to make the necessary arrangements to complete it with each individual teacher.

Suspension Absences

Out of school: A student who has been suspended from school will have the opportunity to make up any major test or project, but will receive an "F" for work such as quizzes, homework, etc.

In school: A student who has received in school suspension/detention will be allowed to take tests, quizzes, and do classwork in the in school suspension/detention room. In-school time does NOT count against a student's attendance.

Guidelines to Improving Attendance

In the event that a child of compulsory school age is absent with or without legitimate excuse from the school the child is supposed to attend for thirty-eight (38) or more hours in one school month, or sixty-five (65) or more hours in a school year, the attendance officer of that school shall notify the child's parent, guardian, or custodian of the child's absences, in writing, within seven (7) days after the date after the absence that triggered the notice requirement. At the time notice is given, the school also may take any appropriate action as an intervention strategy, as provided in this Policy.

Students who are absent in excess of the following hours for the year will be subject to administrative action:

1. 30 or more consecutive hours (habitual truancy)
2. 42 or more hours in one month (habitual truancy)
3. 72 or more hours in the year (habitual truancy)

HB 410

Such action will include a conference with parents, students, and principal/assistant principal. A third letter will be sent to the parents explaining this.

The penalty for excessive absences (more than 38 hours per month or 65 hours per year) could result in the following:

1. *conference with administrators*
2. *referral to Juvenile Court program including Diversion Weekend.*
3. *loss of academic credit for the year (the student may repeat the year)*
4. *referral to Saturday School.*
5. *referral to After-school Make-up time.*

Whenever any student under the age of eighteen (18) has the following number of unexcused absence from school during any school year,

1. 30 or more consecutive hours (habitual truancy)
2. 42 or more hours in one month (habitual truancy)
3. 72 or more hours in the year (habitual truancy)

HB 410

The Board authorizes the Superintendent to inform the student and his/her parents of the truancy record and the District's intent to notify the Judge of the Juvenile Court of the student's excessive truancy.

It should be stressed that when a child is not attending school, there is a reason and every effort will be made to discover this reason and deal with it in a positive and constructive manner; however, in cases where a child's attendance does not improve, the attendance officer will file a formal complaint with the court system.

Improving Your Child's Attendance

Personal Illness: If a student is ill, the school desires for the child to remain at home for his/her own good as well as for the welfare of the entire school population; however, please make sure your child is ill and not just "not feeling well" before permitting him/her to stay home.

Medical and Dental Appointments: Such appointments are for the purpose of maintaining good health and will be considered necessary; however, the school should be informed of such an appointment at the session of the school

immediately preceding the anticipated absence. Parents should attempt whenever possible to schedule these appointments on Saturday or before/after school hours.

Vacations: Vacations and extended trips are valuable educational experiences; however, absence for vacations and trips is discouraged during the school year. When trips are unavoidable, parents should contact the school to make arrangements before the absence. Students are permitted no more than 30 vacation hours during the school year.

R.C. 3321.01 et seq., 3321.13(B)(2), 3321.19, 3321.38
A.C. 3301-35-03(G), 3301-51-13

Absences for Religious Instruction

The Board of Education desires to cooperate with those parents who wish to provide for religious instruction for their children but also recognizes its responsibility to enforce the attendance requirements of the State.

Upon the signed request of a student's parent, the Board will allow exceptions to the student's continuous attendance at school for religious instruction outside the school building by an authorized church or religious organization for no more than 120 minutes per week. For attendance purposes, the student shall be considered to be in attendance at school during such religious instruction.

A student must be properly registered and a copy of such registration must be filed with the principal.

The principal shall arrange the time for release for religious instruction or education. She/he will also assure the appropriate continuance of the instructional program in the public school during such release times.

No solicitation for attendance at religious instruction shall be permitted on district premises. No staff member shall encourage or discourage participation in any religious instructional program.
(Attorney General's Opinion 88-001)

District Mandated Absences

On occasion students are required to stay home from school due circumstances addressed in Board Policy. Students who are sent home due to building decision, will be permitted no more than one day (6 hours) absence to address the circumstances surrounding the mandated absence. If the issue persists more than one day after being sent home, such absences will be considered unexcused without a doctor's note, if students have exhausted their 30 hours of call-off absences.

If you have any questions regarding the Tri-Valley Schools Attendance Policy, please contact the District Office and ask for the District Attendance Officer.

TVMS General Information and Policies

Bus Passes - If a student is going home on a different bus, a note must be sent from home containing the following information a) student's name, b) bus he/she will be riding that day, c) address where he/she is going, d) student they are riding home with (if applicable). The student will be issued a bus pass (if there is room on the bus) and must present it to the bus driver. Bus passes will not be given without a written note from the parent. Bus passes must be turned in before homeroom.

Care of School Property - Classroom furniture, materials, and textbooks are expensive and your child will be instructed in the proper care and use of school equipment. The Tri-Valley Board of Education provides textbooks for each student, and the student is responsible for the care while they are in his/her possession.

Students are expected to take care of all school property and there is to be no willful destruction of property, however minor, such as writing in books or on tables or walls. Students will be held responsible for any damage to school property.

Any item owned by the school district, such as books, materials, and equipment that is borrowed by a student, must be returned to the school. Students are responsible and will be expected to pay a fine or fee for anything lost or damaged beyond normal wear.

Child Custody - Parents have an obligation to inform the school any time the custody of a child changes.

A copy of court order pertaining to a child's custody is required. If appropriate, parents should review the custody situation with the child's teacher at the beginning of each school year. A record shall be kept indicating the legal custodian of each student. Such custodian is responsible for informing the office of any change in the student's situation.

If one parent has been awarded custody of the student, the parent in custody (R.C. 3313.64) shall inform the school of any limitations in the rights of the non-custodial parent. Without such notice, the school will presume that the student may be released into the care of either parent.

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

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

Parents and eligible students may refuse to allow the Board to disclose any or all of such "directory information" upon written notification to the Board within seven (7) days after receipt of the Superintendent's annual public notice.

In accordance with Federal and State law, the Board shall release the names, addresses, 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, and telephone listing not be released without prior consent of the parent(s)/eligible student. The recruiting officer is to sign a form indicating that "any information received by the recruiting officer shall be used solely for the purpose of informing students about military service and shall not be released to any person other than individuals within the recruiting services of the Armed Forces." The Superintendent is authorized to charge mailing fees for providing this information to a recruiting officer.

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

The Board may disclose "directory information," 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.

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

Eligibility - Students who participate in interscholastic sports and cheerleading are required to meet academic eligibility requirements as directed by the Ohio High School Athletic Association (OHSAA) and school policy. Passing grades must be maintained in at least 75 % of the subjects in which the student is enrolled with eligibility determined on a quarterly basis.

Criteria for eligibility for participation in other student groups and activities may also be determined and implemented.

Emergency Care - It is important that the school be informed of how parents may be reached in case of an emergency. Please be sure there is an emergency care card for your child on file in the office. Inform the office of any changes in phone numbers or in the names of the people you wish the school to call in case of emergency.

Fees- The following courses require lab fees for the year. Please have your student fill out the appropriate forms for each fee and turn the payment into the office before reporting to home base.

General Technology Fee-- \$25.00 for all students

Science Fees-- \$7.00 for all students

Art Fees-- \$25.00 for 8th grade students

\$15.00 for 7th grade students

Note: Ohio public schools are required to waive the school instructional fee for children who qualify for free meal benefits. Please refer to #5 on the Free/Reduced Lunch Form for more information.

Fire and Disaster Drills - Fire and tornado/disaster drills are held on a regular basis to instruct and prepare students for such emergency situations. Specific instructions for both types of drills are posted and reviewed in every room. Students are to cooperate fully in recognizing alarms, following designated procedures and exit or shelter routes, and in minimizing noise and confusion.

Food Service - A nutritional and balanced breakfast and lunch are prepared and served each day. Under our "closed" lunch policy, meals may be purchased or brought to school, but all students are required to eat in the cafeteria during their assigned lunch periods. Students will be able to pay by cash on a daily basis or pay in advance using the Cafe Terminal System. Applications for the free and reduced-price lunch program are available in the school office.

Fund Raising - All fund raising projects and activities by organizations or classes must be approved by the principal, superintendent, and district treasurer and conducted in accordance with state law and district policy. Student participation in such activities is subject to parent approval. The sale of items for personal profit or by organizations not affiliated with the school is not permitted.

Gymnasium - Students should help assist in the care of the gym floor. Only tennis shoes or stocking feet are permitted on the floor. Students are to follow safety practices at all times and may only be in the gym when a staff member or coach is there to supervise.

When students change clothes for gym class it is strongly suggested they check all valuables in with the teacher and keep clothing and other items in locked lockers

Homework - Assignments to be prepared by the student outside the school or independently while in attendance at school are considered important extensions of the instructional program. Homework is assigned to students on a regular basis to develop responsibility, provide practice and remediation in the mastery of skills, and reinforce the learning experience of school. Parent cooperation and assistance are vital in helping students to successfully meet homework expectations.

Illness/Injury - A student who becomes ill or injured should report to the school nurse/office immediately. Basic first aid may be administered by school personnel. If illness or injury is of a serious nature or prohibits regular participation in school, a parent or designee and/or medical personnel will be contacted by office personnel. Parents are responsible for providing detailed information to the school regarding notification and treatment procedures. In cases of severe allergies, parents are required to provide the appropriate medication and a doctor's statement about procedures for administering the medication correctly.

Immunization - All students are required to be immunized against Polio, Measles, Mumps, Rubella, Diphtheria, Pertussis, and Tetanus in accordance with state statutes, unless specifically exempt for medical, philosophical, or other reasons. After fourteen (14) days without evidence of proper immunization, a student will be excluded from school attendance.

Library - The school library/media center is located on the second floor. Students are provided regular opportunities to utilize the facilities and resources and are required to follow the established library rules and procedures. Fines are issued for books, magazines, and other materials which are overdue, damaged, or lost.

Lockers - A locker is assigned to each student for storage of school materials and personal items. A lock furnished by the student may be placed on the locker, and a copy of the combination or spare key should be given to the student's homebase teacher or to the office staff. Lockers are school property and subject to inspection at the discretion of the school administration.

Lost and Found - "Lost and Found" boxes for books and clothing items are located in the clinic. Valuables such as purses, wallets, and jewelry are kept in the main office. Students and parents are urged to check these areas regularly for articles that have been lost or misplaced.

Medication (prescribed) - Students who must take prescribed medications during the school day, must comply with the following guidelines:

- A. 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.
- B. The appropriate form must be filed with the school office/principal before the student will be allowed to begin taking any medication during school hours or to use an inhaler to self-administer asthma medication. Such forms must be filed annually and as necessary for any change in the medication. Forms are found at the Tri-Valley District website under "Forms" or from the building secretary.
- C. All medications must be registered with the Principal's Office and must be delivered to school in the original containers in which they were dispensed by the prescribing physician or licensed pharmacist, labeled with the date, the student's name and the exact dosage to be administered.
- D. **NO MEDICATIONS CAN BE SENT WITH STUDENTS.**

Medication (non-prescribed/ over the counter) - No staff member will dispense nonprescribed, over-the-counter (OTC) medication to any student without prior parent authorization. Parents may authorize administration of a non-prescribed medication on forms that are available from the school office. Physician authorization is not required in such cases.

Non-Discrimination - The Tri-Valley Schools are committed to nondiscrimination in all policies and actions governing student behavior and all aspects of the educational program and extracurricular activities. Therefore, all students will receive equal treatment, service, and opportunities regardless of race, color, creed, handicap, religion, gender, ancestry, national origin, place of residence, or social/economic background or status.

Parent/Community Involvement - Active parent/community involvement is a key factor to overall school effectiveness, and the development of a positive and cooperative school-community relationship is an ongoing goal at the middle school. The TVMS Boosters provide a structure and means for active participation in the education of students at our school. Parents and community members are encouraged to become involved in the Boosters and its activities and projects. Tri-Valley Middle School also has an active volunteer program under the direction of a parent and a teacher volunteer coordinator. Volunteers work in the building performing various tasks from copying to tutoring.

Parent-Teacher Conferences - An opportunity for parents and teachers to discuss student progress is given each fall after the completion of the first grading period and on a limited schedule in the spring. Detailed information about parent-teacher conferences is sent home during October. Parents may also request appointments for conferences with a teacher or the principal during the school year by calling or sending a note to the appropriate school office.

Pediculosis Captitis (Head Lice) -A student found to be infested with lice or nits will be sent home. Appropriate measures will then be necessary to completely eliminate them. Parents will be provided with educational material and instruction regarding head lice, the exclusion policy and procedures for treatment and return to school. These policies are for the protection of all members of the school community and are endorsed by the County Health Department. *A student may return to school as soon as the hair is found to be “nit free.” Documentation of this assurance is necessary before a student may return to class. Parents are asked to bring their children to be checked prior to the start of the school day. Children are not permitted to ride the bus or be dropped off without being found free of lice and nits with a parent present.*

Prohibited Articles - Any object that in the judgment of the administration and staff disrupts or interferes with the educational process or endangers the health, welfare, or safety of students or staff is prohibited. This includes, but is not limited to, gambling and gambling related items, radios or any kind, tape/CD players, cell phones, pagers, MP3 players, ipods, and other electronic devices. If items are found in use during school hours, they will be confiscated. Any device that is confiscated may be subject to inspection, with the expectation of no privacy of data within the device.

Proper Notification - Parents are asked to notify the school in advance whenever a student is to do something which is different from his/her normal school day routine. Examples of such cases are late arrival or early dismissal due to a scheduled appointment or an emergency, being picked up at school by a parent or designee, going home on a different bus. Except in emergency situations, notification should be in writing and signed and dated by a parent/guardian. A parent or designee is required to sign a register in the office in cases of late arrival or early dismissal of a student. A parent or designee is required to sign a register in the office in cases of late arrival or early dismissal of a student. In the case of early dismissal, we are requesting the parent/guardian or parent/ guardian’s designee on the emergency contact list to provide identification (driver’s license) to the secretary to release from school. Law requires that a parent/guardian notify the school on the day of a student absence unless notification has been given in accordance with school procedures for excused absence.

It is also very important that the school be informed of how parents may be reached in case of an emergency. An accurate Emergency Care Card must be on file in the office for each student. Parents are asked to promptly notify the office of any changes of student address, telephone number, or other pertinent information utilized by school officials.

In child custody situations, the parent/guardian in custody of a student is to inform the school of any special circumstances pertaining to the right of noncustodial and/or nonresidential parent(s). Without such notice or legal documentation, the school is obligated to release a student into the care of either parent.

School Closing - Schools may be closed due to emergencies or severe weather conditions. During the school year, announcements of delays, early dismissals, and school closings will be carried on the Tri-Valley website and/or directly to your phone.

Website: www.tvschools.org

For E Communication Notifications: go to www.tvschools.org home page. Under the Quick Links header, click OneCall Now-School Notifications. proceed with correct contact information.

School Hours - 7:50 a.m. - 2:19 p.m

Safety and Security

- **All visitors must report to the office** when they arrive at school.
- **All visitors are given and required to wear a building pass while they are in the building.**
- Staff are expected to question people in the building whom they do not recognize and who are not wearing a building pass, and to question people who are “hanging around” in the building after hours.

- Students and staff are expected to immediately report to a teacher or administrator any suspicious behavior or situation that makes them uncomfortable.
- As many needed outside doors as possible are locked during the school day.
- Portions of the building that will not be needed after the regular school days are closed off.

Student Activities - Students may become involved in various groups and activities, such as academic and athletic competitions, performances and exhibits, fund raising drives, assemblies, dances, service and charity projects, and special observances and celebrations. Interscholastic volleyball, football, basketball, wrestling, and track are offered, in addition to the club sports of soccer, golf, cross country and basketball. Other student activities include cheerleading, choir, band, library/office aides, yearbook staff, newspaper staff, student council, and TVMS Honor Society, as well as any new clubs, organizations, and special events that may be established during the year.

Student Dances - Middle school dances will be held periodically throughout the year and are open only to Tri-Valley Middle School students. Middle school students are not permitted to attend dances at Tri-Valley High School. Clothing acceptable under the Tri-Valley Dress Code shall be worn to dances. Once a student enters the building to attend the dance, they must stay inside until the dance is over or until a parent comes to pick them up.

Student Insurance - Applications and claim forms for student accident insurance may be obtained from the school office. All participants in athletics must have accident insurance, either through the school or other family coverage. A claim for school insurance must be filed within 60 days of an accident.

Student Progress - A formal grade report is issued to each student four (4) times during the school year. The report should be reviewed and signed by a parent/guardian and returned to the school as soon as possible. An interim report is issued midway through each grading period and should also be signed by a parent and returned to school.

Lists of honor students are determined after each grading period, based upon achievement in academic subjects. An “All A’s” list will be published in the district newsletter. A student who receives a grade of “D” or below is not eligible for academic honors.

Students’ grades are reported in accordance with an established grading scale and marking system as follows:

Grade	Percent	Achievement
A	90-100	Excellent
B	80-89	Good
C	70-79	Acceptable
D	60-69	Below Average
F	Below 60	Unacceptable

Student Records - Student records are confidential and protected by law. Only school personnel and a student’s natural parents or legal guardians have access to the records. Under Ohio law, “Directory Information” on a student is not protected and may be released to anyone who requests it except a profit-making organization. However, federal law provides parents with the right to request that directory information not be released. Directory information includes student name, address, telephone number, age, etc. A request pertaining to such release of directory information should be made in writing to the principal on an annual basis.

Grade reports for students with unpaid student fees, fines, or other financial obligations to the school will be withheld until payment or appropriate arrangements are made.

Telephone - Except in emergency situations, students are not permitted to make or receive personal calls on the school telephones. All phone use must be approved by the office personnel. Arrangements for after school activities should be made at home before school. Students are not to utilize cell phones for personal use during school hours. A student’s wifi device must be concealed and used for academic purposes only with teacher/staff permission each period.

Tri-Valley Middle School Honor Society - admission is based on the following criteria

- 3.75 cumulative grade point average for the first three grading periods
- Participation in 3 service projects
- Participation in 2 co-curricular and/or extra-curricular activities
- Students that receive Saturday School, In-School Suspension or Out-of-School
 - Suspension will be denied
- Required to write a Leadership Essay

Tri-Valley Middle School Student Discipline Program - Students attend Tri-Valley Local Schools under the direction of laws for the State of Ohio, with full benefits of constitutional protection of their rights as citizens. In order to effectively provide a proper learning climate for each student, a formalized discipline program has been adopted. Published in the conformity with Ohio law, the program includes provisions for students' conduct and attendance and other school related situations.

The discipline program emphasizes "positive reinforcement" of appropriate student attitude, effort, behavior, and achievement, but is intolerant of conduct which is disruptive to the educational process. Corrective and disciplinary action will be taken in cases of student violation of school rules, policies, and procedures. It is to each child's benefit that faculty and staff, administration, and parents work closely together regarding student performance and conduct. Mutual support and cooperation are vital to the successful operation of the school, and for the occurrence of effective student learning.

Since all acts of misconduct cannot be specifically stated, it must be understood that a pupil may be disciplined for any act which disrupts the educational atmosphere or infringes upon the rights of students, faculty/staff members, or administrators.

For further information refer to the Tri-Valley Local School District Code of Student Conduct and Transportation Policies & Bus Route Schedule. These documents are provided to all district residents prior to the start of school and can be located on the Tri-Valley Website under the Parent & Students tab.

Visitors - To ensure non-disruption of instructional activities and security of the students, visitors (parents and/or guests) are required by law to register in the school office. Students will not be released directly from their classrooms. Students may not have personal visitors on school property during the school day.

Volunteers - We encourage parents and grandparents to volunteer at our school. There are both daytime and evening opportunities. Please contact our office and TVMS Boosters, if you have extra time to help. Training and support will be provided at the beginning of each school year. Thank you for giving the precious gift of *TIME* to those who need your help!

DISTRICT POLICIES FOLLOW

(6.11, 6.18, 6.24, 6.28, 9.09, 9.10, 9.29)

STUDENT DISMISSAL PRECAUTIONS AND TARDINESS

No staff member shall excuse any student from school prior to the end of the school day, or into any person's custody, without the direct prior approval and knowledge of the building principal.

The building principal shall not excuse a student before the end of the school day without a request for the early dismissal by the student's parents or the request of the student if he/she is eighteen (18) or older. Telephone requests for early dismissal of a student shall be honored only if the caller can be positively identified as the student's parent or guardian.

Additional precautions shall be taken by the administration which are appropriate to the age of students, and as needs arise.

Student absences and tardiness shall be determined in accordance with the timeframes established in each District school's student handbook.

STUDENT DISCIPLINE
(Expulsion, Suspension, Emergency Removal, Permanent Exclusion, and Alternate Discipline)

During the time of suspension, expulsion, or removal, the student (if he/she is 18 years of age or older) and/or the parents, guardians, or custodian are responsible for the conduct of the individual. While suspended, expelled, or removed from school, students are not permitted to attend or participate in curricular or extracurricular activities, or be on school property for any reason unless a prior appointment has been made with school officials. If a student is removed only from a particular class or activity, the student may not attend the class or participate in the activity for the duration of the removal.

A suspension or expulsion shall result in the student's total removal from the education program. Credit will not be given for work missed due to out-of-school suspension. For an in-school suspension, credit will be given for all classroom assignments that can be completed during the in-school suspension, or as homework if the student collects the assignments.

Teachers, school bus drivers, and other employees of this Board of Education having authority over students may take such action as may be necessary to control the disorderly conduct of students in all situations and in all places where such students are within the jurisdiction of this Board and when such conduct interferes with the educational program of the schools or threatens the health and safety of others.

Discipline on Board vehicles shall be the responsibility of the driver on regular bus runs. When Board vehicles are used for field trips and other Board activities, the teacher, coach, advisor, or other Board employee shall be responsible for student discipline.

A student who is suspended or expelled from the Joint Vocational School District may be temporarily denied admission for the remaining period of the suspension or expulsion after being offered the opportunity for a hearing.

The District may deny credit for post-secondary courses, any portion of which were taken during the period of an expulsion imposed by the Superintendent or Board.

A. Definitions

1. Suspension is defined as the denial to a student for a period of at least one but not more than ten school days of permission to attend school and to take part in any school function.
2. Expulsion is defined as the denial to a student of permission to attend school and to take part in any school function, for a period exceeding ten school days but not

exceeding the greater of 80 school days, or one year in certain circumstances, or the number of school days remaining in the semester or term in which the incident that gives rise to the expulsion takes place, unless the expulsion is extended pursuant to O.R.C. §3313.66(F).

3. Emergency Removal is defined as the denial of permission to be on school premises or at curricular activities to a student whose presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process taking place either within a classroom or elsewhere on the school premises.
4. Disciplinary Removal is an action less severe than suspension, expulsion, or emergency removal and defined as the denial to a student of permission to attend the classes in which he/she is enrolled, or participate in an extracurricular activity in which he/she has been involved, for a period of less than one school day.
5. Permanent Exclusion means the prohibition of a student forever from attending any public school in this state that is operated by a city, local, exempted village, or joint vocational school district.
6. In-School Suspension means a suspension served in a supervised learning environment within a school setting in the District.

B. Expulsion

1. The Superintendent is the only school administrator who may expel a student.
2. Whenever an incident occurs that may lead to an expulsion, the principal may suspend a student prior to the expulsion hearing.
3. The Superintendent shall give the student and his/her parent, guardian, or custodian written notice of the intention to expel the student and provide the student and his/her parent, guardian, custodian, or representative an opportunity to appear before the Superintendent or designee to challenge the reasons for the intended expulsion or otherwise explain his/her actions. The notice must include:
 - a. The reason(s) for the intended expulsion.
 - b. Notification of the right of the student and the parent, guardian, custodian or representative to appear on request before the Superintendent or designee to challenge the reason(s) for the intended expulsion or to otherwise explain the student's action. This hearing cannot be compelled

by the administrator. The Superintendent or designee may utilize the service of counsel if deemed appropriate.

- c. The date, time and place to appear must not be earlier than three nor later than five school days after the notice is given unless the Superintendent grants an extension of time. Whenever a student has attained 18 years of age, the right accorded to the parent of the student shall thereafter only be required of and accorded to the student. If a student refuses to sign the form for the notice to parents or guardian his/her refusal will be noted in the presence of a witness.
 - d. If the proposed expulsion is based on a violation listed in O.R.C. §3313.662(A) and the student is 16 years of age or older, the notice shall include a statement that the Superintendent may seek the permanent exclusion of the student if he/she is convicted or adjudicated a delinquent child for that violation.
4. The Superintendent or designee may grant an extension of time if requested on behalf of the student. If granted, the Superintendent must notify all parties of the new date, time, and place of the hearing.
 5. The Superintendent or designee shall conduct the hearing at the appointed time and place. The purpose of the hearing is for both sides to give their side of the story.
 6. The student may waive his/her right to a hearing. This waiver is to be in writing and signed by both student and parents. Additionally, the student can waive the hearing by not appearing or by his/her representative not appearing at the scheduled hearing.
 7. If the Superintendent decides to expel, within one school day of the decision to expel, the Superintendent must notify the parent, guardian, or custodian of the student and the Treasurer of the Board of the action to expel in writing. If at the time an expulsion is imposed there are fewer school days remaining in the school year in which the incident that gives rise to the expulsion takes place than the number of days the student is to be expelled, the Superintendent may apply any remaining part or all of the period of the expulsion to the following school year. The notice of expulsion must include:
 - a. The reason(s) for the expulsion.
 - b. Notification of the right of the student, parent, guardian, or custodian to appeal to the Board or its designee within 14 days after the date of the

- expulsion notice by sending notice by mail to the Board or its designee. The notice shall indicate that the notice of intent to appeal must be postmarked no later than 14 days after the date of the notice of expulsion.
- c. The right of representation at the appeal.
 - d. The right to be granted a hearing before the Board or its designee and request the hearing be held in executive session.
 - e. Notification that the expulsion may be subject to extension pursuant to O.R.C. §3313.66(F) if the student is 16 years of age or older.
 - f. Notification that the Superintendent may seek the student's permanent exclusion if the expulsion is based on a violation listed in O.R.C. §3313.662(A) that was committed when the child was 16 years of age or older, if the child is convicted or adjudicated a delinquent child for that violation.
 - g. If the Superintendent expels a student for more than 20 school days or for any period of time if the expulsion will extend into the following semester or school year, the notice of expulsion shall also include the names, addresses, and phone numbers of any public or private agencies that may offer services or programs that work toward improving those aspects of the student's attitudes and behavior that contributed to the incident that gave rise to the student's expulsion.
8. An appeal of the expulsion must be made within 14 days of receipt of the notice of expulsion.
 9. A student or his/her parent, guardian, or custodian may appeal the expulsion to the Board or its designee. The student or the parent, guardian, or custodian may be represented in all such appeal proceedings and shall be granted a hearing before the Board or its designee, which may be in executive session upon the request of the student, parent, guardian, custodian or representative.
 10. A verbatim record shall be made of the hearing.
 11. The Board or its designee can act only after a hearing, if requested, has been held. The Board or its designee may affirm, reverse, vacate, or modify the expulsion.
 12. The action of the Board or its designee on the expulsion must be in a public meeting.

13. The Treasurer or the Board's designee shall promptly notify the student, parent, guardian, custodian, or representative in writing of the decision.
14. The decision of the Board or its designee may be further appealed to the Court of Common Pleas under O.R.C. Chapter 2506.
15. The Superintendent, at his/her discretion, may require/allow a student to perform community (including the District) services in conjunction with or in place of an expulsion. This may also be required/allowed to extend beyond the end of the school year in lieu of applying the expulsion into the following school year. This provision does not apply to students expelled for bringing a firearm to a school operated by the Board or onto property owned or controlled by the Board.
16. The Superintendent shall initiate expulsion proceedings with respect to any student who has committed an act warranting expulsion under the Code of Student Conduct even if the student withdraws from the schools for any reason after the incident that gave rise to the hearing but prior to the hearing or decision to expel. If, following the hearing, the student would have been expelled had he/she still been enrolled in the school, the Superintendent shall impose the expulsion for the same length of time as a student who has not withdrawn from school.

C. Suspension

1. The Superintendent, principal, assistant principal, or Superintendent's designee are the only school administrators who may suspend a student.
2. Whenever an incident occurs that may lead to a suspension, an administrator shall investigate the nature of the alleged offense.
3. Prior to suspension or a hearing, the Superintendent or principal must give the student written notice of the intention to suspend. This notice must include the reason(s) for the intended suspension, and if the proposed suspension is based on a violation listed in O.R.C. §3313.662(A) and the student is 16 years of age or older, the notice may include a statement that the Superintendent may seek to permanently exclude the student if he/she is convicted or adjudicated a delinquent child for the violation.
 - a. The student shall be provided an opportunity to appear at an informal hearing before the Superintendent, principal, assistant principal, or Superintendent's designee to challenge the reason(s) for the intended suspension or to otherwise explain his/her actions. This hearing may take place immediately upon notification of the intention to suspend.

- b. Whenever a student has attained 18 years of age the rights accorded to the parents of the student shall thereafter only be required of and accorded to the student. If a student refuses to sign the form for the notice to parents or guardian, the refusal will be noted in the presence of a witness.
 - c. The principal is not required to permit the presence of counsel or follow any prescribed judicial rules in conducting the hearing.
4. If the administrator decides to suspend, within one school day of the decision to suspend, the Superintendent, principal, assistant principal, or Superintendent's designee must notify the parent, guardian, or custodian of the student of the action to suspend in writing. If at the time an out of school suspension is imposed there are fewer than ten school days remaining in the school year in which the incident that gives rise to the suspension takes place, the Superintendent shall not apply any remaining part or all of the period of the suspension to the following school year. The Superintendent may instead require the 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 the student's community service or alternative consequence during the first full week day of summer break. The District, in its discretion, may develop an appropriate list of alternative consequences. In the event that a student fails to complete community service or the assigned alternative consequence, the District may determine the next course of action, which shall not include requiring the student to serve the remaining time of the out-of-school suspension at the beginning of the following school year.

A notice of suspension must include:

- a. The reason(s) for the suspension.
- b. The duration of the suspension.
- c. Notification of the right of the student, parent, guardian, or custodian to appeal to the Board or its designee within five (5) days after the suspension notice by sending notice by mail to the Board or its designee. The notice shall indicate that the notice of intent to appeal must be postmarked no later than five (5) days after the date of the notice of suspension.
- d. The right of representation at the appeal.

- e. The right to be granted a hearing before the Board or its designee and request the hearing be held in executive session.
 - f. Notification that the Superintendent may seek the student's permanent exclusion if the suspension is based on a violation listed in O.R.C. §3313.662(A) that was committed when the child was 16 years of age or older, if the child is convicted or adjudicated a delinquent child for that violation.
5. A verbatim record of the appeal hearing shall be made.
 6. The Board or its designee can act only after a hearing, if requested, has been held. The Board or its designee may affirm, reverse, vacate, or modify the suspension.
 7. The action of the Board or its designee on the suspension must be in a public meeting.
 8. The Treasurer or the Board's designee shall promptly notify the student, parent, guardian, custodian, or representative in writing of the decision.
 9. The decision of the Board or its designee may be further appealed to the Court of Common Pleas under O.R.C. Chapter 2506.
 10. The Superintendent, at his/her discretion, may require/allow a student to perform community (including the District) services in conjunction with or in place of a suspension. This may also be required/allowed to extend beyond the end of the school year in lieu of applying the suspension into the following school year.
 11. Parameters for Completing and Grading Assignments Missed Due to Suspension
 - a. A student who has been suspended from school shall have the opportunity to do both of the following:
 - i. Complete any classroom assignments missed because of the suspension; and
 - ii. Receive at least partial credit for a completed assignment.
 - b. A student's grade may be reduced on account of the student's suspension. However, a student shall not receive a failing grade on a completed assignment solely on account of the student's suspension.

D. Emergency Removal

1. By Teacher

- a. If a student's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process taking place either within a classroom or elsewhere on the school premises, a teacher may remove a student from curricular activities under his/her supervision, but not from the premises.
- b. During school hours the student must be sent to the office.
- c. If a teacher makes an emergency removal, the reasons(s) for the removal must be submitted to the principal or assistant principal in writing as soon after the removal as practicable.
- d. If the emergency removal exceeds one school day then a due process hearing must be held on the next school day after removal is ordered.
 - i. Written notice of the hearing and of the reason(s) for the removal shall be given to the student as soon as practicable prior to the hearing.
 - ii. The individual who ordered, caused, or requested the removal to be made shall be present at the hearing.
 - iii. The hearing and notice requirements shall be conducted in accordance with suspension procedures if it is probable that the student may be subject to suspension. If it is probable that the student may be subject to expulsion, the hearing and notice requirements will be in accordance with expulsion procedures.
- e. If the Superintendent or principal reinstates a student prior to the hearing, the teacher, upon request, will receive written reasons for the action. The teacher cannot refuse to reinstate a student even though reasons are not given.
- f. In an emergency removal, a student can be kept from class until the matter of his/her misconduct is disposed of either by reinstatement, suspension, or expulsion.

2. By Administrator

- a. If a student's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process taking place either within a classroom or elsewhere on the school premises, the Superintendent or a principal may remove a student from the school premises.
- b. If it is intended that the student be removed for more than one school day, a due process hearing must be held on the next school day after the removal is ordered.
 - i. Written notice of the hearing and of the reason(s) for the removal shall be given to the student as soon as practicable prior to the hearing.
 - ii. The individual who ordered, caused, or requested the removal to be made shall be present at the hearing.
 - iii. The hearing and notice requirements shall be conducted in accordance with suspension procedures if it is probable that the student may be subject to suspension. If it is probable that the student may be subject to expulsion, the hearing and notice requirements will be in accordance with expulsion procedures.
- c. In an emergency removal a student can be kept from class or off school premises until the matter of the student's misconduct is disposed of either by reinstatement, suspension, or expulsion.
- d. Less than One (1) School Day Removal

In all cases of normal disciplinary procedures where a student is removed from a curricular or extracurricular activity or school premises for less than one school day and is not subject to suspension or expulsion, the due process requirements of this policy do not apply.

E. Students in Grades Pre-Kindergarten Through Three

1. Emergency Removal

- a. A student in any of grades pre-kindergarten through three may be removed only for the remainder of the school day and shall be permitted to return to curricular and extracurricular activities on the school day following the

day in which the student was removed. If returned to curricular and extracurricular activities the following school day, a hearing regarding the removal need not occur.

- b. A suspension or expulsion proceeding shall not be initiated against a student in any of grades pre-kindergarten through three who was removed from a curricular or extracurricular activity, unless the student has committed an act described in O.R.C. §3313.668(B)(1)(a) or (b).

2. Out-of-School Suspension and Expulsion

The District shall not implement an out-of-school suspension or expulsion of a student in any of grades pre-kindergarten through three, except in accordance with the following:

- a. The District may issue an out-of-school suspension or expulsion to a student who has engaged in any of the behaviors described in O.R.C. §3313.66(B)(2) to (5).
- b. The District may issue an out-of-school suspension not to exceed ten days or an expulsion to a student who has not engaged in any of the behaviors described in O.R.C. §3313.66(B)(2) to (5) only as necessary to protect the immediate health and safety of the student, the student's fellow classmates, the classroom staff and teachers, or other school employees.
- c. Whenever possible, the principal shall consult with a mental health professional under contract with the District prior to suspending or expelling a student in any of grades pre-kindergarten through three. If the events leading up to suspension or expulsion indicate a need for additional mental health services, the student's principal or the District's mental health professional shall, in any manner that does not result in a financial burden to the District, assist the student's parent or guardian with locating providers or obtaining those services, including referral to an independent mental health professional.
- d. A student who is suspended or expelled shall be afforded the same notice and hearing, procedural, and educational opportunities as prescribed for a suspension or expulsion of District students in grades four through twelve.
- e. Students in grades pre-kindergarten through three may be issued in-school suspensions, provided the in-school suspension is served in a supervised learning environment.

F. Permanent Exclusion

1. A student may be permanently excluded from attending any of the public schools of this state if the student is convicted of or adjudicated a delinquent child for committing, when he/she was 16 years of age or older, an act that would be a criminal offense if committed by an adult and if the act is any of the following:
 - a. O.R.C. §2923.122 which includes a person knowingly conveying or attempting to convey or possessing any deadly weapon or dangerous ordnance or any object which is indistinguishable from a firearm whether or not the object is capable of being fired and represents the object to be a firearm into a school safety zone;
 - b. O.R.C. §2923.12 or of a substantially similar municipal ordinance which makes it unlawful for a person to knowingly carry or have, conceal on his/her person or conceal ready-at-hand, any deadly weapon or dangerous ordnance on property owned or controlled by, or at an activity held under the auspices of a board of education;
 - c. O.R.C. §2925.03 which makes it illegal to traffic in drugs if the trafficking was committed on property owned by or controlled by, or at an activity held under the auspices of a board of education;
 - d. O.R.C. §2925.11 which makes it illegal to obtain, possess, or use a controlled substance, other than a minor drug possession offense, if on property owned or controlled by, or at an activity held under the auspices of a board of education;
 - e. A violation of the following sections if the violation was committed on property owned or controlled by or at an activity held under the auspices of a board of education, if the victim at the time of the commission of the act was an employee of that board of education:
 - 1) O.R.C. §2903.01, aggravated murder;
 - 2) O.R.C. §2903.02, murder;
 - 3) O.R.C. §2903.03, voluntary manslaughter;
 - 4) O.R.C. §2903.04, involuntary manslaughter;
 - 5) O.R.C. §2903.11, felonious assault;

- 6) O.R.C. §2903.12, aggravated assault;
 - 7) O.R.C. §2907.02, rape;
 - 8) O.R.C. §2907.05, gross sexual imposition; or
 - 9) former O.R.C. §2907.12, felonious sexual penetration.
- f. Complicity in any violation set forth in the section on reasons for permanent exclusion that was alleged to have been committed in the manner described above, regardless of whether the act of complicity was committed on property owned or controlled by, or at an activity held under the auspices of a board of education.
2. If the Superintendent obtains or receives proof that a student has been convicted of committing a violation listed in the section on reasons for permanent exclusion when he/she was 16 years of age or older or was adjudicated a delinquent child for the commission, when he/she was 16 years of age or older, of a violation listed in the section on reasons for permanent exclusion, the Superintendent may issue to the Board a request that the student be permanently excluded from public school attendance in accordance with O.R.C. §3313.662.

G. Disabled Students

It shall be the policy of this Board that a child with a disability shall be disciplined only in accordance with state and federal law.

H. Corporal Punishment

The use of corporal punishment as a means of discipline is prohibited in the District. This policy shall not prohibit the use of force or restraint in accordance with O.R.C. §3319.41(C).

I. Posting

A copy of this policy, together with the Code of Student Conduct, shall be posted in a central location in each school in the District and made available to students upon request.

J. Student Handbooks

Disciplinary procedures and codes of conduct may be developed by building administrators, appear in their respective handbooks, and be approved by the Board.

K. Student Seeking Admission From Another Ohio District

After a hearing, the Superintendent may temporarily deny admittance to a student seeking to enroll in the District if the student has been expelled or suspended from another Ohio district and the period of the expulsion or suspension has not expired. A student who is temporarily denied admission shall be admitted once the period of the suspension or expulsion has expired.

L. Student Seeking Admission From an Out-of-State School District

After a hearing, the Superintendent may also temporarily deny admittance to a student seeking to enroll in the District if the student has been expelled or otherwise removed for disciplinary reasons from a public school in another state and the period of the expulsion or removal has not expired. A student who is temporarily denied admission shall be admitted upon either:

1. The expiration of the expulsion or removal period imposed by the out-of-state district; or
2. The expiration of a period of time established by the Superintendent that begins with the date of expulsion or removal from the out-of-state school, but that is no greater than the period of the expulsion that the student would have received had the student committed the offense while the student was enrolled in this District.

M. Community Service in Conjunction With or in Place of a Suspension or Expulsion

The Superintendent may require a student to perform community service in conjunction with or in place of a suspension or expulsion imposed pursuant to this Board Policy and O.R.C. §3313.66, except for an expulsion imposed pursuant to O.R.C. §3313.66(B)(2) for bringing a firearm to school or any other property owned or controlled by the Board. The community service requirement may be imposed by the Superintendent under the following guidelines:

1. The organization operating the community service program must be approved by the Board for student participation.
2. The community service requirement may be imposed beyond the end of the school year in lieu of applying an expulsion into the following school year.

N. In-School Suspension

If a student is issued an in-school suspension, the student shall be permitted to complete any classroom assignments missed because of the in-school suspension. Furthermore, the Superintendent or principal shall ensure the student is serving the in-school suspension in a supervised learning environment.

LEGAL REFS: O.R.C. §§3313.66; 3313.661; 3313.613; 3313.668

Adopted: October 9, 2019

STUDENT DRESS CODE

Students' dress should be appropriate to the educational activities and the school environment and should be governed by good sense, good taste, and cleanliness. Much responsibility is placed upon parents for student appearance.

The Board of Education prohibits student dress or grooming practices which:

1. Present a hazard to the health or safety of the student himself/herself or to others in the school;
2. Materially interfere with schoolwork, create disorder, or disrupt the educational program;
3. Cause excessive wear or damage to school property;
4. Prevent the student from achieving his or her own educational objectives because of blocked vision or restricted movement.

Clothing is prohibited that bears statements, slogans, images, illustrations or insignia that are indecent, offensive, obscene, profane, lewd, vulgar; or that harasses, threatens, intimidates, demeans, suggests or promotes violence against an individual or group of individuals because of their sex, color, race, religion, disability, or national origin, or otherwise constitutes sexual or other forms of harassment prohibited by Board policy or the Student Handbook; or that advertises, promotes or depicts alcoholic beverages, tobacco products or illegal drugs.

Gang-related paraphernalia (gang symbols, jewelry, emblems) or signs in communication (written or oral) are not permitted.

The following specific limitations shall be observed:

1. No blouses or shirts that expose the midriff, or that have an inappropriate neckline.
2. Shorts if in good taste may be worn at the discretion of the student. Spandex/bicycle and short-short shorts are NOT permitted.
3. Length of shorts, skirts, and dresses will be determined by student's height. Students will need to leave shorts, skirts and dresses long enough to extend past their arm length while standing straight and arms extended toward their knee.
4. No shirts with inappropriate or obscene images or writing (e.g., gang related, advertisements for alcohol, tobacco or sexual reference).

5. No hats or bandanas.
6. No underwear shirts and sleeveless shirts/blouses (tank tops, halter tops).
7. No bare feet.
8. No see-through shirts without an undershirt.
9. Holes in jeans/pants are not permitted above mid-thigh. Frays/stress points are permitted as long as no skin is visible. The decision of the Administrator is final.
10. No sagging or excessively baggy pants. Pajama bottoms are not permitted.
11. No coats worn in classroom.
12. No flip flops or unsafe shoes.
13. Tattoos, slogans, insignia, buttons and other paraphernalia may not be worn or displayed if their message may be reasonably anticipated to substantially or materially disrupt or interfere with the educational process. In the case of exposed areas, the building principal may require the student to cover a tattoo with a bandage, or by some other means, while at school.
14. No visible body piercing, or any facial or tongue piercing will be permitted with the exception of the ears.

Final interpretations of appropriate dress and grooming reside with the building principal and/or his or her designees. The building administrator may make modifications to this code if special events or activities are planned. Nothing herein is intended to interfere with a student's ability to exercise his or her religious rights. Students may apply for an exemption from this policy if it interferes with a sincerely held religious belief.

High school or middle school students who violate this policy shall be subjected to the following disciplinary actions: A warning will be issued and the student's parents/guardian shall be notified that they have to come pick the child up or bring alternative clothing for him/her to wear. If the offensive clothing is a shirt, the student will be requested to turn the shirt inside out for the remainder of the school day. If the student should miss any class time because of dress code violations or is sent home to change, his or her absence will be considered unexcused. Repeated violations may result in other student discipline pursuant to the student code of conduct, including but not limited to, detention, suspension, and/or expulsion.

Elementary students failing to comply with the dress code will be dealt with in accordance with these guidelines. If clothing has been deemed unsuitable, students will be asked to change into clothing supplied by the building administrator. If suitable clothing is unavailable, a parent contact may be made which would require the parents to bring appropriate dress code attire to school. Students who habitually violate the elementary dress code guidelines may be subject to after school detention and or suspension.

LEGAL REFS: O.R.C. §3313.665

Adopted: June 28, 2021

INTERROGATIONS AND SEARCHES

Searches of School Property Assigned to a Student

Students shall have no expectation of privacy in any in-school storage supplied by the Board of Education and in those areas and instances set forth in this policy.

The lockers supplied by the Board and used by the students are the property of the Board. Therefore, the lockers and the contents of all lockers are subject to random search at any time without regard to whether there is a reasonable suspicion that any locker or its contents contains evidence of a violation of a criminal statute or a school rule.

No personal lock may be used if the school issues locks or a built-in lock is provided, unless approved by the principal or his/her designee. If a personal lock is used, the student is required to provide the combination and/or key to the building principal or his/her designee.

The Board directs that the following notice be posted in a conspicuous place in each school building that has lockers:

“The lockers supplied in this school and used by the students are the property of the Board of Education. Therefore, the student lockers are subject to a random search at any time without regard to whether there is a reasonable suspicion that any locker or its contents contains evidence of a violation of a criminal statute or a school rule.”

Principals shall conduct a routine inspection of lockers at least annually.

Notwithstanding any other provisions of this policy, the principal of any school or his/her designee may search at any time the locker of any student and the contents of any locker of any student in the school if the principal reasonably believes that the locker or its contents contains evidence of a violation of a criminal statute or school rule, or if an emergency situation exists or appears to exist that immediately threatens the health or safety of any person, or threatens to damage or destroy any property under the control of the Board and if a search of lockers and the contents of the lockers is reasonably necessary to avert that threat or apparent threat.

Searches of a Student's Person, Personal Property, or Vehicle by School Personnel

School authorities may search the person or property, including vehicles of a student, with or without the student's consent, whenever they have reasonable grounds to suspect that the search is required to discover evidence of a violation of law or of school rules. The extent of the search will be governed by the nature of the alleged infraction, the objective of the search, and the age and sex

of the student. A search of a student's person or intimate personal belongings shall be conducted by a person of the student's gender in the presence of another staff member of the same gender.

A request for the search of a student or a student's possessions will be directed to the building principal or designee. Unless circumstances do not permit such a search, searches should be conducted in the presence of the student and another staff member.

The principal or designee shall be responsible for the prompt recording in writing of each student search, including the reasons for the search; information received that established the need for the search; the persons present when the search was conducted; any substances or objects found; and the disposition made of them. A written copy shall immediately be forwarded to the Superintendent. The building principal shall be responsible for the custody, control, and disposition of any illegal or dangerous substance or object taken from a student.

Searches of Student Property by Police

A law enforcement agency is generally required to produce a warrant prior to conducting any search of the person or property of a student kept on school premises. However, when the police have probable cause to believe that a student is in possession of unlawful or dangerous items, a search may be conducted without a previously issued warrant.

Use of Canines for Detection of Evidence of Violation of Laws or District Rules

Since random searches have a positive impact on reducing drugs, weapons, and other criminal activity in the schools, it is the policy of the Board to permit building administrators to search any locker and its contents as the administrator believes necessary by the use of properly trained canines to detect evidence of the violation of laws or District rules. Canine detection must be conducted in collaboration with law enforcement authorities, and the canines may be used to sniff lockers, automobiles, other places on District premises, and students themselves for the presence of such evidence, according to the guidelines set forth below.

Lockers, Automobiles, and other Places

Properly trained canines may be used at any time to sniff lockers, automobiles, and other places on District premises for evidence of the violation of laws or District rules. If a canine indicates the presence of evidence of the violation of laws or District rules in a locker, automobile, or other place on District premises, that locker, automobile, or other place, as well as its contents, may be searched for such evidence. A notice shall be posted in a conspicuous place which states:

“Motor vehicles driven by students to school and parked on school property are subject to random search by dogs trained to detect the presence of drugs. These searches may be conducted without regard to whether there is a reasonable suspicion that any motor

vehicle or its contents contains evidence of a violation of a criminal statute or a school rule.”

Students

If there is a reasonable basis for suspecting that a particular student has committed, or is committing, a violation of a law or District rule, a properly trained canine may be used to detect evidence of that violation by sniffing that student. If a canine indicates the presence of evidence of the violation of laws or District rules on the student’s person, the student may be searched for evidence of the suspected violation. Any such search must be reasonably related to the objectives of the search and must not be excessively intrusive in light of the age and sex of the student, as well as the nature of the suspected violation.

The foregoing policy shall be included in the student handbook that is given to each student and posted in every building.

Before a student will be permitted to use District provided parking facilities, the student will be required to complete a form requesting permission to use the facilities. The form shall also require the student to consent to the search of the automobile with or without reasonable suspicion, as a condition of using the parking facilities.

Interrogations by Law Enforcement Agencies

- A. The questioning of students by law enforcement agencies is limited to situations where parental consent has been obtained or attempted, or the school official has made an independent determination that reasonable grounds exist for conducting an interrogation during school hours with or without notifying the parent or guardian.
- B. Interrogations shall be conducted in private. It shall be the responsibility of the law enforcement officer questioning the student to determine whether the student is in police custody, which would require that the student be advised of his/her *Miranda* rights.
- C. If a parent request, or parental contact has not been made, a school official will request to be present when an interrogation takes place within the school.
- D. When the law enforcement agency feels it is necessary to remove a child from school, parental consent should first be obtained or a warrant, court order, or other legal document should be produced, which would give them authority to remove the child without parental consent. If the circumstances make it possible to make this notification to the parents, the principal or his/her designee should do so.

- E. The Police Department should always be notified by the school principal whenever a student is involved in any type of criminal activity. When the principal learns of this involvement, he should notify the juvenile officer or detective bureau of the Police Department. The school should not attempt to handle matters which are properly in the realm of the Police Department.

LEGAL REFS: O.R.C. §3313.20

Adopted: October 11, 2017

HARASSMENT AND VIOLENCE

Harassment and violence by students or staff in the school environment can substantially interfere with their ability to learn, perform, work, and feel safe. Therefore, any conduct, communication, activity, or practice that occurs at any time, in any school, during transit to or from school, or during any school sponsored activity or event that constitutes harassment or violence involving either students or staff shall be strictly prohibited. Any such conduct, communication, activity, or practice should be immediately reported to the building principal or other appropriate administrator. All reports shall be investigated as soon as possible in accordance with the policies applicable to the harassment which is the subject of the complaint.

This policy shall be included in all student and staff handbooks.

Conduct Not Covered By This Policy:

This policy does not apply to instances of sexual discrimination or sexual harassment. All student complaints of sexual harassment or discrimination should be made in accordance with the Board's Title IX grievance procedure.

This policy does not apply to instances of student harassment based on racial/ethnic/national origin/religion. All student complaints of harassment based on racial/ethnic/national origin/religion should be made in accordance with the Board's racial/ethnic/national origin/religion policy covering students.

This policy does not apply to instances of student harassment based on disability discrimination or harassment. All student complaints of harassment based on disability discrimination or harassment should be made in accordance with the Board's 504/ADA policy covering students.

This policy does not apply to instances of staff harassment based on racial/ethnic/national origin/disability/sex/religion. All staff complaints of harassment based on racial/ethnic/national origin/sex/disability/religion should be made in accordance with the Board's racial/ethnic/national origin/sex/disability/religion harassment and discrimination policy covering employees or the Board's Title IX grievance procedure covering employees.

Adopted: April 11, 2024

COMPLAINTS OF SEXUAL HARASSMENT

Sexually offensive speech and conduct are wholly inappropriate to the operation of the District and will not be tolerated. This policy or a version which provides students adequate notice of the prohibition against sexual harassment, the conduct that constitutes sexual harassment, and the complaint procedure for reporting sexual harassment shall be included in the student handbooks.

It shall be a violation of this policy for any member of the District staff to harass a student through conduct or communications of a sexual nature as defined below or to have romantic or sexual relations with a student. Retaliation in any form against those persons alleging that sexual harassment has occurred or participating in the investigation of the complaint is also prohibited. It shall also be a violation of this policy for students or third parties (i.e., visiting speaker, or visiting athletic team) to harass other students through conduct or communications of a sexual nature as defined below.

Any teacher, counselor or administrator who receives a report, verbally or in writing, from any person regarding sexual harassment of a student or employee must forward that report to the building principal or Title IX Coordinator within one school day or within a reasonable period of time if there is a good cause for the delay. Any building principal receiving a report of sexual harassment shall promptly notify the Title IX Coordinator.

The District's designated and authorized Title IX Coordinators are:

Mr. James Campbell
Assistant Superintendent
740-754-1442
xcampbell@tvschools.org
36 E. Muskingum Ave.
Dresden, OH 43821

Mrs. Amanda Spiker
Assistant Principal
740-452-3977
aspiker@tvschools.org
3775 Creamery Rd.
Nashport, OH 43830

The designated/authorized Title IX Coordinator and his/her contact information shall be made known to all applicants for admission and employment, students, parents or legal guardians of students, employees, and all of the District's employee unions. Further, the District shall prominently display on its website the contact information for the Title IX Coordinator.

No person designated by the District to serve as a Title IX Coordinator, investigator, decision maker, or any person designated by the District to facilitate an informal resolution process, shall have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

1. Definitions

- a. Sexual harassment – conduct on the basis of sex that satisfies one or more of the following:
 - (i) A school employee conditioning education benefits on participation in unwelcome sexual conduct (*i.e., quid pro quo*); or
 - (ii) Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school’s education program or activity; or
 - (iii) Sexual assault (as defined in the Clery Act, 20 U.S.C. 1092(f)), dating violence, domestic violence, or stalking as defined in the Violence Against Women Act.
- b. Complainant – an individual who is alleged to be the victim of conduct that could constitute sexual harassment.
- c. Respondent – an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.
- d. Formal complaint – a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the school investigate the allegation of sexual harassment. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education programs or activities of the District.

2. Duty to Respond

The District will promptly respond when an allegation of sexual harassment occurs in an education program or activity. Education programs and activities include locations, events, or circumstances over which the District exercises substantial control over both the respondent and the context in which the sexual harassment occurs. This may include computer and internet networks, digital platform, and computer hardware or software owned or operated by or used in the operations of the District’s schools.

3. Supportive Measures

“Supportive measures” are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, without fee or charge, to an alleged victim or respondent, before or after the filing of a formal complaint or where no formal complaint has been filed. The purpose of supportive measures is equal access to education.

The District shall offer supportive measures to a complainant. The Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.

Supportive measures may include:

- a. Counseling;
- b. Extensions of deadlines or other course-related adjustments;
- c. Modifications of class schedules;
- d. Campus escort services;
- e. Mutual restrictions on contact between the parties;
- f. Leaves of absence;
- g. Increased security and monitoring of certain areas of campus.

4. Complaint Procedure

- a. Any student or staff member who alleges sexual harassment by any staff member or student in the District may complain directly to the Title IX Coordinator, guidance counselor, teacher, Superintendent, any other school employee whom the student or staff member trusts, or any other individual designated to receive such complaints. An individual who is complaining of sexual harassment is not required to work out the problem directly with the individual alleged to have harassed him or her.

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator.

The District will treat a person as a complainant any time it has notice that the person is alleged to be the victim of conduct that could constitute sexual harassment (regardless of whether the person themselves reported, or a third party reported the sexual harassment), and irrespective of whether the complainant ever chooses to file a formal complaint.

- b. Retaliation against those who file a complaint or participate in the investigation of the complaint is prohibited. No employee or representative of the District, nor any other person, may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in a Title IX investigation, proceeding, or hearing. Complaints alleging retaliation may be filed according to the procedures for sex discrimination.

Therefore, filing of a complaint or otherwise reporting sexual harassment will not reflect upon the student's or staff member's status nor will it affect future employment, grades, or work assignments. The person to whom the complaint was made shall, within one school day, report the complaint to the Title IX Coordinator. If the Title IX Coordinator or Superintendent is the employee alleged to have engaged in the sexual harassment, the report shall be made to the Board.

- c. The right to confidentiality, both of the complainant and of the respondent, will be respected consistent with the District's legal obligation, and with the necessity to investigate allegations of misconduct and take corrective action when this conduct has occurred. The District will keep confidential the identity of complainants, respondents, and witnesses, except as may be permitted by FERPA, or as required by law, or as necessary to carry out a Title IX proceeding.

5. Investigation

- a. The investigator should remember that the investigation requires a balancing of the respondent's rights, the complainant's right to an environment free of sexual harassment, and the Board's interest in a prompt and fair investigation. The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the District and not on the parties. The investigator shall not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.
- b. The investigator shall send written notice to both parties of the allegations set forth in the complaint upon receipt of a formal complaint. The notice must include sufficient details known at the time, including the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known. The notice must include a statement that the respondent is presumed not responsible

for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process; that the parties may have an advisor of their choice, who may be an attorney, and may inspect and review evidence; and notice of any provision in District's Code of Conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process. If a party chooses to have an advisor, he/she may be accompanied to any related meeting or proceeding by the advisor.

- c. The investigator shall meet with the complainant within a reasonable period of time from the time of making the complaint. However, the investigator is urged to meet with the complainant as soon as possible.
- d. Following the meeting with the complainant, the investigator shall conduct an adequate, reliable, and impartial investigation to determine if sexual harassment has occurred. The investigation shall include a conference with the respondent and the complainant, as well as any and all other methods which are considered necessary to determine whether harassment has occurred. Both parties must be permitted an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. The parties shall not be restricted from discussing the allegations under investigation or from gathering and presenting relevant evidence.
- e. The investigator will not access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the District obtains that party's voluntary, written consent to do so.
- f. Both parties shall be provided an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the District does not intend to rely in reaching a determination regarding responsibility, and inculpatory or exculpatory evidence, whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.
- g. The District shall provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.

6. Post-Investigation Procedures

Prior to completion of the investigative report, the school district must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 school days to submit a written response, which the investigator will consider prior to completion of the investigative report. All such evidence must be subject to the parties' inspection and review and be available at any hearing.

Upon conclusion of the investigation, the investigator shall issue a written report to the parties and their advisors that fairly summarizes the relevant evidence. After the investigative report has been sent to the parties and before reaching a determination regarding responsibility, the decision maker(s) must afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. The decision maker(s) must explain to the party proposing the questions any decision to exclude questions as not relevant. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision maker must explain to the party proposing the questions any decision to exclude a question as not relevant.

Although the facts and circumstances of a particular investigation may require an investigation to continue beyond 45 school days, it is recommended that the investigation and a report of the findings be completed within that time frame. The report shall include a determination of whether the respondent was found to have engaged in harassment, was found not to have engaged in harassment, or whether the investigation was inconclusive.

The District shall use a preponderance of the evidence standard to make such determination. This shall be the same standard used for both complaints involving students and staff members. The burden rests on the District to meet that standard for purposes of reaching a determination regarding responsibility.

The report shall be issued to the complainant, if an employee, or to the complainant's parents, if a student. A copy of the report shall also be sent to the Superintendent or his/her designee and the respondent.

7. Final Determination

- a. Following receipt of the investigator's report and recommendation, the decision maker (who cannot be the same person as the Title IX Coordinator or investigator) must issue a written decision which sets forth the decision maker's determination of responsibility or non-responsibility based on the relevant standard of evidence. The written decision shall include the following elements:
 1. Identification of the allegations potentially constituting sexual harassment.
 2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held.
 3. Findings of fact supporting the determination.
 4. Conclusions regarding the application of the school district's code of conduct to the facts.
 5. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the school district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the school district's education program or activity will be provided by the school district to the complainant.
 6. The District's procedures and permissible bases for the complainant and respondent to appeal.
- b. The decision maker must objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence.
- c. Credibility determinations shall not be made on based on a person's status as a complainant, respondent or witness.
- d. The decision maker must provide his/her written decision to the parties simultaneously within 15 school days of receipt of the investigator's report and recommendation.
- e. The Title IX Coordinator is responsible for effective implementation of any remedies set forth in the written determination.

8. Informal Resolution

The District may offer informal resolution options if a formal complaint is filed, at any time prior to reaching a determination regarding responsibility, provided both parties give voluntary, informed, written consent. The District shall not require, as a condition of enrollment or continuing enrollment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints. Any party has the right to withdraw from informal resolution and resume the grievance process with respect to the formal complaint. The investigator may not require the parties to participate in an informal resolution process. The investigator will not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student. If an informal resolution is sought by the parties, a written statement to that effect shall be signed by the parties, and the informal resolution process will conclude within 20 school days of the parties' signature.

9. Appeals

- a. The District will offer both parties the opportunity to appeal from a determination regarding responsibility, and from a dismissal of a formal complaint or any allegations therein on the following bases:
 - (i) Procedural irregularity that affected the outcome of the matter;
 - (ii) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and/or
 - (iii) The Title IX Coordinator, investigator, or decision maker had a conflict of interest or bias that affected the outcome of the matter.
- b. An appeal must be submitted in writing to the Title IX Coordinator within five school days of the issuance of the determination regarding responsibility, which includes a statement specifying the grounds for the appeal. The opposing party will be notified of the appeal and provided five school days from such notice to submit to a statement in support of the outcome.
- c. An "Appeal Decision Maker" shall be designated by the Superintendent to review the investigative report and the statements submitted by the parties as part of the appeal. The Appeal Decision Maker shall investigate whether a basis for overturning the decision regarding responsibility exists. The Appeal Decision Maker shall not be the same person as the decision maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator.

- d. The Appeal Decision Maker shall issue a written decision describing the result of the appeal and the rationale for the result, and shall provide the written decision simultaneously to both parties and their advisors within 20 school days of the Title IX Coordinator's receipt of a parties' notice of appeal of the original decision maker.

10. Dismissal of Complaints

- a. Complaints must be dismissed by the decision maker where the allegations, if true, would not meet the Title IX jurisdictional conditions:
 - (i) The actions complained of do not meet the definition of "sexual harassment";
 - (ii) The actions complained of were not against a person in the United States;
 - (iii) The actions complained of did not occur in the District's education program or activity.
- b. Complaints may be dismissed by the decision maker where:
 - (i) A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
 - (ii) The respondent is no longer enrolled or employed by the District; and/or
 - (iii) Specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the allegations contained in the formal complaint.
- c. The Title IX Coordinator will promptly send the parties simultaneous written notice of any dismissal decision, and the reason(s) therefore.
- d. Both parties shall have the right to appeal a dismissal decision by submitting written notice of appeal to the Title IX Coordinator within five school days of the issuance of the dismissal notice. The Appeal Decision Maker shall review the notice of appeal and issue a decision regarding the appeal in writing to both parties within 10 school days of the issuance of the notice of dismissal.

11. Discipline and Remedies

A substantiated charge against a student in the District shall subject that student to disciplinary action, including suspension or expulsion, consistent with the Student Discipline Code. A substantiated charge against an employee shall result in the employee being subjected to disciplinary action, up to and including termination. Making a materially false statement in bad faith in the course of an investigation under this policy may subject a student or employee to disciplinary action.

Complainants and respondents shall be treated equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent, and by following the grievance process outlined in this policy before the imposition of any disciplinary sanctions or other actions that are not supportive measures, against a respondent. All remedies provided by District shall be designed to restore or preserve equal access to the District's education program or activity. Such remedies may include the same individualized services provided as "supportive measures"; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent.

12. Training

The District will ensure that Title IX Coordinators, investigators, decision makers, and any person who facilitates an informal resolution process, receive training on the definition of sexual harassment, the scope of the District's education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. The District shall further ensure that decision makers receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant. The District shall also ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence. Any materials used to train Title IX Coordinators, investigators, decision makers, and any person who facilitates an informal resolution process, must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment.

13. Time Limits

All time limits established in this policy be temporarily delayed or extended by the Title IX Coordinator for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent

law enforcement activity; or the need for language assistance or accommodation of disabilities.

14. Consolidation of Formal Complaints

The District may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

15. Record Keeping

The District shall maintain, for a period of seven years, records of:

- a. Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the recipient's education program or activity;
- b. Any appeal and the result therefrom;
- c. Any informal resolution and the result therefrom;
- d. All materials used to train Title IX Coordinators, investigators, decision makers, and any person who facilitates an informal resolution process. The District shall make these training materials publicly available on its website; and
- e. Records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. The District must document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the education program or activity. If the District does not provide a complainant with supportive measures, then the District shall document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

LEGAL REFS: Title IX of the Education Amendments of 1972
34 C.F.R. 106

Adopted: June 28, 2021

HARASSMENT, INTIMIDATION, AND BULLYING

Introduction

Harassment, intimidation, and bullying of students in the school environment can substantially interfere with their ability to learn, perform, and feel safe. Therefore, any conduct, communication, activity, or practice that occurs at any time on school property, on a school bus, or during any school sponsored event, and at the times and/or places set forth in the Code of Student Conduct, that constitutes harassment, intimidation, or bullying involving students shall be strictly prohibited. Students who are determined to have engaged in such behavior are subject to disciplinary action, which may include suspension or expulsion from school. Further, any such conduct, communication, activity, or practice should be immediately reported to the building principal or other responsible school employee. All reports of harassment not covered by this policy shall be investigated in accordance with the policies applicable to the particular harassment.

To implement this policy and to address the existence of harassment, intimidation, or bullying in the schools, the following procedures shall be followed:

- A. Students must report acts of harassment, intimidation, or bullying to teachers, District employees, and/or school administrators;
 - B. The parents or guardians of students should file written reports of suspected harassment, intimidation, or bullying with the building principal or other appropriate administrator;
 - C. Teachers and other school staff who witness acts of harassment, intimidation, or bullying or receive student reports of harassment, intimidation, or bullying shall notify school administrators;
 - D. School administrators shall investigate and document any written or oral reports;
 - E. School administrators shall notify the custodial parent or guardian of a student who commits acts of harassment, intimidation, or bullying and the custodial parent or guardian of students against whom such acts were committed, and shall allow access to any written reports pertaining to the incident, to the extent permitted by O.R.C. §3319.321 and the Family Educational Rights and Privacy Act.
1. Definition of Harassment, Intimidation, or Bullying

In accordance with this policy, “harassment, intimidation, or bullying” means either of the following:

- A. Any intentional written, verbal, electronic, or physical act that a student has exhibited toward another particular student more than once and the behavior both:
 - 1. Causes mental or physical harm to the other student; and
 - 2. Is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student; or
- B. Violence within a dating relationship.

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

The behavior prohibited by this policy is marked by the intent to ridicule, humiliate, or intimidate the victim. In evaluating whether conduct constitutes harassment, intimidation, or bullying, special attention should be paid to the words chosen or actions taken, whether such conduct occurred in front of others or was communicated to others, how the perpetrator interacted with the victim, and the motivation, either admitted or appropriately inferred, of the perpetrator.

2. Conduct Constituting Harassment, Intimidation, or Bullying

Such conduct can take many forms and can include many different behaviors having overt intent to ridicule, humiliate or intimidate another student. Examples of such conduct include, but are not limited to:

- A. Physical violence and/or attacks.
- B. Taunts, name-calling, and put-downs.
- C. Threats and intimidation (through words and/or gestures).
- D. Extortion or stealing of money and/or possessions.
- E. Exclusion from the peer group or spreading rumors.
- F. Repetitive and hostile behavior with the intent to harm others through the use of information and communication technologies and other Web-based/online sites (also known as “cyber bullying”), such as the following:

1. Posting slurs on Web sites where students congregate on Web logs (personal online journals or diaries);
2. Sending abusive or threatening instant messages;
3. Using camera phones to take embarrassing photographs of students and posting them online;
4. Using Web sites to circulate gossip and rumors to other students;
5. Excluding others from an online group by falsely reporting them for inappropriate language to Internet service providers; and

G. Violence within a dating relationship.

3. Complaint Process

A. Formal Complaints

Students and/or their parents or guardians may file reports of conduct that they consider to be harassment, intimidation, or bullying. Such written reports shall be reasonably specific as to the actions giving rise to the suspicion of harassment, intimidation, or bullying, including person(s) involved, time and place of the conduct alleged, the number of such incidents, the target of such suspected harassment, intimidation, 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 for review and action.

Teachers and other school staff who witness acts of harassment, intimidation, or bullying, as defined above, shall promptly notify the building principal and/or his/her designee of the event observed, and shall promptly file a written incident report concerning the events witnessed.

B. Informal Complaints

Students may make informal complaints of conduct that they consider to be harassment, intimidation, or bullying by verbal report to a teacher or administrator. Such informal complaints shall be reasonably specific as to the actions giving rise to the suspicion of harassment, intimidation, or bullying, including person(s) involved, time and place of the conduct alleged, the number of such incidents, the target of such suspected harassment, intimidation, or bullying, and the names of any potential student or staff witness. A school staff

member or administrator who receives an informal complaint shall promptly reduce the complaint to writing, including the information provided. Such written report by the school staff member and/or administrator shall be promptly forwarded to the building principal for review and action.

In addition to addressing both informal and formal complaints, school personnel are encouraged to address the issue of harassment, intimidation, or bullying in other interaction with students. School personnel may find opportunities to educate students about harassment, intimidation, or bullying and help eliminate harassment, intimidation, or bullying behavior through class discussions, counseling, and reinforcement of socially appropriate behavior. School personnel should intervene promptly whenever they observe student conduct that has the purpose or effect of ridiculing, humiliating, or intimidating another student, even if such conduct does not meet the formal definition of “harassment, intimidation, or bullying.”

4. Deliberately Making False Reports

Students are prohibited from deliberately making any false report of harassment, intimidation, or bullying. Students found to have violated this prohibition are subject to the full range of disciplinary consequences, up to and including suspension and expulsion.

5. Confidentiality

The right to confidentiality, both of the complainant and of the accused, will be respected consistent with the District’s legal obligation to the complainant, alleged harasser, and witnesses, and with the necessity to investigate allegations of misconduct and take corrective action when this conduct has occurred.

6. Investigation

- A. The investigator should remember that the investigation requires a balancing of the accused’s rights, the complainant’s right to an environment free of harassment, intimidation, or bullying, and the Board of Education’s interest in a prompt and fair investigation.
- B. The investigator shall meet with the complainant within a reasonable period of time from the time of making the complaint. However, the investigator is urged to meet with the complainant as soon as possible.
- C. Following the meeting with the complainant, the investigator shall conduct an investigation to determine if harassment, intimidation, or bullying has occurred. The investigation shall include a conference with the accused and the

complainant, as well as any and all other methods which are considered necessary to determine whether harassment, intimidation, or bullying has occurred.

7. Post-Investigation Procedures

- A. Upon conclusion of the investigation, the investigator shall issue a written report. The report shall include a determination of whether the accused was found to have engaged in harassment, intimidation, or bullying, was found not to have engaged in harassment, intimidation, or bullying, or whether the investigation was inconclusive. The report shall be issued to the complainant's parents. A copy of the report shall also be sent to the Superintendent or his/her designee.
- B. A finding of no harassment, intimidation, or bullying or inconclusive evidence shall end the investigation.
- C. If harassment, intimidation, or bullying is found to have occurred, the investigator shall recommend what steps are necessary to ensure that the harassment, intimidation, or bullying is eliminated for the victim and other individuals affected by the harassment, intimidation, or bullying and to correct its effects on the complainant and others, if appropriate.

8. Retaliation is Prohibited

Retaliation against those who file a complaint or participate in the investigation of the complaint is prohibited. Therefore, filing of a complaint or otherwise reporting harassment, intimidation, or bullying will not reflect upon the student's status, nor will it affect future employment, grades, or work assignments. Further, the administrator is directed to implement strategies for protecting a victim from retaliation following a report.

9. Remedial Actions

Verified acts of harassment, intimidation, or bullying shall result in intervention by the building principal or his/her designee that is intended to assure that the prohibition against harassment, intimidation, or bullying behavior is enforced, with the goal that any such harassment, intimidation, or bullying behavior will end as a result.

Harassment, intimidation, or bullying behavior can take many forms and can vary in how serious it is, and what impact it has on the targeted individual and other students. Accordingly, there is no one prescribed response to verified acts of harassment, intimidation, or bullying. While conduct that rises to the level of "harassment, intimidation, or bullying" as defined above will generally warrant disciplinary action against the perpetrator of such harassment, intimidation, or bullying, whether and to what

extent to impose disciplinary action (detention, in and out-of-school suspension, or expulsion) is a matter for the professional discretion of the building principal.

10. Non-Disciplinary Interventions

When verified acts of harassment, intimidation, or bullying are identified early and/or when such verified acts of harassment, intimidation, or bullying do not reasonably require a disciplinary response, students may be counseled as to the definition of harassment, intimidation, or bullying, its prohibition, and their duty to avoid any conduct that could be considered harassment, intimidation, or bullying. If a complaint arises out of conflict between students or groups of students, peer mediation may be considered.

11. Disciplinary Interventions

When acts of harassment, intimidation, or bullying are verified and a disciplinary response is warranted, students are subject to the full range of disciplinary consequences. Suspension is a possible consequence for a student found responsible for harassment, intimidation, or bullying by an electronic act.

12. Strategies for Protecting Victims or Other Persons From New or Additional Acts

- A. Supervise and discipline offending students fairly and consistently;
- B. Provide adult supervision during recess, lunch time, bathroom breaks, and in the hallways during times of transition;
- C. Maintain contact with parents and guardians of all involved parties;
- D. Provide counseling for the victim if assessed that it is needed;
- E. Inform school personnel of the incident and instruct them to monitor the victim and the victim's friends or family members and the offending party for indications of harassing, intimidating, and bullying behavior. Personnel are to intervene when prohibited behaviors are witnessed;
- F. Check with the victim and the victim's friends or family members to ensure that there has been no new or additional incidents of harassment/intimidation/bullying or retaliation of the victim or other persons from the offender or other parties.
- G. If necessary to protect a person from new or additional acts of harassment, intimidation, or bullying, and from retaliation following a report, a person may make an anonymous report of an incident considered to be harassment, intimidation, bullying, or retaliation by providing written information to any staff

member or administrator. The report should include as much information as possible and shall be forwarded promptly to the building principal for review and action.

In addition to the prompt investigation of complaints of harassment, intimidation, or bullying and direct intervention when acts of harassment, intimidation, or bullying are verified, other District actions may ameliorate any potential problem with harassment, intimidation, or bullying in school or at school-sponsored activities. While no specific action is required and school needs for such interventions may vary from time to time, the following list of potential intervention strategies shall serve as a resource for administrators and school personnel:

- A. Respectful responses to harassment, intimidation, or bullying concerns raised by students, parents or school personnel;
- B. Planned professional development programs addressing bully/targeted individuals' problems;
- C. Data collection to document bully/victim problems to determine the nature and scope of the problem;
- D. Use of peers to help ameliorate the plight of victims and include them in group activities;
- E. Avoidance of sex-role stereotyping (e.g. males need to be strong and tough);
- F. Awareness and involvement on the part of all school personnel and parents with regards to bully-victim problems;
- G. An attitude that promotes communication, friendship, assertiveness skills, and character education;
- H. Modeling by staff of positive, respectful, and supportive behavior toward students;
- I. Creating a school atmosphere of team spirit and collaboration that promotes appropriate social behavior by students in support of others;
- J. Employing classroom strategies that instruct students how to work together in a collaborative and supportive atmosphere; and/or
- K. Forming harassment, intimidation, and bullying task forces, programs, and other initiatives involving volunteers, parents, law enforcement, and community members.

This policy shall appear in student handbooks, and in the publications that set forth the comprehensive rules, procedures, and standards of conduct for schools and students in the District. The policy and an explanation of the seriousness of bullying by electronic means shall be made available to students and their custodial parents or guardians. Information regarding the policy shall be incorporated into employee training materials.

Orientation sessions for students shall introduce the elements of this policy and procedure. Students will be provided annually with age-appropriate instruction on the recognition and prevention of harassment, intimidation, or bullying, including discussion of the consequences of violating this policy, and their rights and responsibilities under this and other District policies, procedures, and rules at student orientation sessions and on other appropriate occasions.

A 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 a policy adopted pursuant to this section if that person reports an incident of harassment, intimidation, or bullying promptly in good faith and in compliance with the procedures as specified in the policy.

The Administration shall annually send to each student's custodial parent or guardian a written statement describing this policy and the consequences for violating it. The Administration shall semi-annually provide the president of the Board a written summary of all reported incidents and post the summary on the District's website to the extent permitted by state and federal student privacy laws.

LEGAL REFS: O.R.C. §§3313.666; 3313.667

Adopted: November 18, 2017