

BOARD OF EDUCATION

POLICIES

SECTION J

STUDENTS

JA STUDENT POLICY GOALS

Students are the first concern of the Indian Creek Local School District, and must receive the primary attention of the Board and all staff members. To fulfill its obligation to students, the Board will strive to formulate policy and consider other matters related to students. A similar commitment is expected of all staff members. In pursuing this primary goal, it is imperative that the good of the individual student be kept paramount. Each student shall be considered and treated with respect as an individual. One of the major tasks of the educational program shall be to assist each student in becoming self-sufficient in utilization of decision-making processes and techniques, eventually becoming responsible for determining his or her own learning purposes and the means for achieving them. Staff members shall work together to establish an environment conducive to the very best learning achievement for each student through meeting the following goals regarding students:

- A. To provide an appropriate learning program for each student according to his or her specific background, capabilities, learning styles, interests, and aspirations.
- B. To protect and observe the legal rights of students.
- C. To enhance the self-image of each student through helping him or her feel respected and worthy, and through a learning environment which provides positive encouragement through frequent success.
- D. To provide an environment of reality in which students can learn personal and civic responsibility for their actions through meaningful experiences as school citizens.
- E. To deal with students in matters of discipline in a just and constructive manner.
- F. To provide in every possible way for the safety, health, and welfare of students.
- G. To promote faithful attendance and good work.

Re-Adopted by Revision: January 15, 2004

JB EQUAL EDUCATIONAL OPPORTUNITY

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

Adopted: June 21, 1990

Re-adopted by Revision: January 15, 2004

Revised: July 25, 2008

**JBA TITLE I COMPARABILITY COMPLIANCE PROCEDURES EVERY STUDENT
SUCCESS ACT, SECTION 1120A(C)
Indian Creek Local School District**

1. **Comparability Compliance:** It is the responsibility of the Title I Coordinator to ensure that LEA remains in compliance with the comparability requirement set forth in **ESSA**. To be eligible to receive Title I funds, the LEA must use state and local funds to provide services in Title I schools that are **at least** comparable to services provided in non-Title I schools. If the LEA serves all of its schools with Title I funds within a particular grade span, the LEA must use state and local funds to provide services that are **substantially** comparable in each school.
2. **Deadlines:** The District office shall perform the comparability calculations annually*. It is essential that the calculations be made as close to the beginning of the school year as possible, but in no event later than December 1 to allow for any necessary reallocation of resources with minimum disruption to students should any school be found not to be receiving comparable services. When submitting the comparability report to ODE, which is required biennially, the LEA will follow ODE deadline for reporting.
3. **Determining schools to be included:** The District office will determine which public schools, including community schools that are a part of the LEA, are to be included in making comparability calculations. Refer to ODE Comparability Directions for further details.
4. **Actual Data:** The District office must use actual and reliable data from schools to make the calculation. Enrollment and Staff FTE data used to compute comparability should be collected as soon as possible once the school year commences. Supporting documentation to make calculations will include staff schedules, instructional staff FTE documentation, building schedules, and enrollment data.
5. **Method:** Comparability will be established using ODE Forms for student/instructional staff ratio.
6. **Reallocation:** If the calculation indicates that a school is not receiving comparable services, notify the Title I Coordinator immediately. The LEA will then take immediate steps to reallocate resources as early in the school year as possible and with minimum disruption to the learning environment. Appropriate steps may include, but need not be limited to, reallocation of materials or supplies, or reassignment of personnel. The LEA may also wish to contact their ODE Federal Programs consultant at (614-466-4161) for further assistance.
7. **Records:** The District office must ensure that all comparability reports, records and source documentation demonstrating the methods and results of the LEA's comparability analysis are retained for three years for audit purposes. A LEA **organizational chart** must also be included as part of the records. In Addition, the LEA will maintain up-to-date records of having established and implemented an agency-wide salary schedule, a policy to ensure equivalence among schools in teachers, administrators, and other staff, and a policy to ensure equivalence among schools in the provision of curriculum materials and instructional supplies.
8. **Designate an office to take complaints:** The Title I Coordinator will be responsible for handling complaints that a school is not receiving comparable services.

*See next page for timeline

Adopted: February 17, 2011

Updated: November 18, 2021

Comparability Timeline

January-April

- Engage in District-level budget (state and local funds) discussions concerning staff assignment, and distribution of equipment and materials for the purpose of ensuring compliance with Title I comparability requirements for the upcoming school year.
- Identify District Title I schools and non-Title I schools.

May-July

- Conduct meetings with appropriate District representatives to discuss the requirements for completing the annual comparability calculations.
- Establish participants' roles and responsibilities.
- Establish specific timeline for completion of the calculations.

August-September

- Obtain preliminary information from appropriate District staff.
- Decide which calculation methodology to use.
- Identify date and collection methodologies for gathering data needed to complete calculations. Refer to ODE Comparability directions, procedures, forms, and guidance.
- Ensure the CCIP Consolidated Application Title I Building Eligibility page is up-to-date in terms of names of schools and grade spans.

September- October

- Collect data.
- Meet with appropriate staff and calculate comparability.
- Make corrections to Title I schools shown not to be comparable.

October-November

- Reconvene appropriate District staff to address any outstanding issues.
- File an official copy of the completed comparability report(s) with the designated District office (usually the Treasurer's Office) for audit purposes and submit documented compliance report every two years to ODE by the established deadline.
- Maintain all required documentation supporting the comparability calculations and any corrections made to ensure that all Title I schools are comparable. Any report used for documentation should be signed and dated by the person issuing the report

JCAA INTRADISTRICT OPEN ENROLLMENT

The Board permits students to apply for attendance at their school of choice based upon criteria established by the school administration. The specific criteria are consistent with State law and include application procedures, including deadlines for application and notification to students and principals of alternative schools, when a student's application is accepted or rejected (if applicable). Only students wishing to attend a school other than their assigned school need apply.

Procedures for admitting applicants to other schools include but are not limited to:

1. establishing capacity limits by grade level, school building and educational program;
2. requiring that students enrolled in a school building or living in the attendance area of the school building established by the Board be given preference over applicants and
3. ensuring that an appropriate racial balance is maintained in the schools.

The District annually notifies the Ohio Department of Education (ODE) of the number of students within the District attending another building under this policy. The District notifies ODE of any change to this policy within 30 days of adoption. The District maintains records verifying adherence to this policy and that complaints regarding this policy are addressed. These records are provided to ODE upon request.

Compliance with this policy is reported to ODE by November 30 annually through the consolidated school mandate report.

If the District reports noncompliance, the Superintendent/designee must provide a written explanation to the Board within 30 days explaining this noncompliance and a written plan of action for accurately and efficiently addressing the problem.

The Board may, in accordance with the District's intradistrict open enrollment procedures, permit a student to permanently transfer to a school other than the student's assigned school so that the student need not apply annually.

Legal References:

ORC 3313.64
ORC 3313.65
ORC 3313.984
ORC 3313.97
OAC 3301-48-01

Cross References

IE, Organization of Facilities for Instruction
IGBJ, Title I Programs
IGDJ, Interscholastic Athletics
JECC, Assignment of Students to Schools

Adopted: December 16, 1992; Re-adopted by Revision: January 15, 2004

Revised: June 22, 1994; December 26, 1996; March 19, 1998; November 15, 2018, December 21, 2023

Date Received: _____

INDIAN CREEK LOCAL SCHOOLS
OFFICE OF THE SUPERINTENDENT
100 Park Drive
WINTERSVILLE, Ohio 43953
(740) 264-3502

INTRA-DISTRICT OPEN ENROLLMENT APPLICATION FORM
(MUST BE FILED IN DUPLICATE)

School Year Applying for: _____ Special Program Needs (Please circle one) **YES or NO**

Student's Full Name: _____

Date of Birth _____ Age _____ Grade Level for school year applying for _____

Name of Parent(s)/Guardian: _____

Address: _____
Street Name & Number or P.O. Box City Zip

Parent/Guardian Phone Number _____

School of Residence (Please circle one) CROSS CREEK ELEMENTARY HILLS

School Now Attending (Please circle one) CROSS CREEK ELEMENTARY HILLS

School Requesting (Please circle one) CROSS CREEK ELEMENTARY HILLS

Reason for Request: _____

Parent(s)/Guardian Signature: _____ Date: _____

Principal Signature: _____ Approved _____ Not Approved _____ Date _____

Superintendent Signature: _____ Approved _____ Not Approved _____ Date _____

SEE ATTACHED PAGE OF GUIDELINES FOR INTRA-DISTRICT OPEN ENROLLMENT
(Save for reference)

Form Revised 6/10/2021

Guidelines for Indian Creek Local Schools Intra-District Open Enrollment

1. Transportation for students attending the school of their choice, when that school is out of their attendance area, shall be the responsibility of the parent or guardian of the student. Bus transportation may be possible in certain circumstances as determined by established bus routes, the type of bus, load size, etc.
2. Students will not be considered for participation in the intra-district open enrollment plan if the student has been suspended or expelled for ten consecutive days in the current term or the immediately preceding term.
3. Students will not be accepted for intra-district open enrollment if the appropriate racial balance is not maintained.
1. Intra-district open enrollment is for one year only. All students must reapply each year or may be returned to the school within their District attendance area.
2. Applications will be accepted between February 1 and August 31 of each year.
3. Parents who have applied early will be notified by May 30th; later applicants will be notified by September 15th.
7. Approval will not be granted if class size exceeds 22 students.

JCAB INTER-DISTRICT OPEN ENROLLMENT

The Board permits any student from any other district in the state to apply and enroll in the District schools free of any tuition obligation, provided that all procedures as outlined in the administrative regulations are met. Requirements include:

1. application procedures, including deadlines for application and notification to students of acceptance or rejection and the superintendents of other districts whenever another district's student's application is approved;
2. procedures for admission;
3. District capacity limits by grade level, school building and educational program are determined;
4. resident students and previously enrolled District students have preference over first-time applicants;
5. no requirements of academic, athletic, artistic or any other skill or proficiency;
4. no limitations on admitting students with disabilities, unless services required in an Individualized Education Program are not available in the District;
5. no requirement that the student be proficient in the English language;
6. no rejection of any applying student because the student has been subject to disciplinary proceedings, except an applicant who has been suspended or expelled by another district for 10 consecutive days or more in the term for which admission is sought or in the term immediately preceding the term for which admission is sought and
7. procedures to ensure maintenance of an appropriate racial balance in the District's schools.

The District cannot refuse to accept the credits earned by students who have participated in interdistrict open enrollment. The Board will not adopt a policy that discourages resident students from participating in interdistrict open enrollment.

The District notifies the Ohio Department of Education (ODE) of any change to this policy within 30 days of adoption. The District maintains records verifying adherence to this policy and that complaints regarding this policy are addressed. These records are provided to ODE upon request.

Compliance with this policy is reported to the ODE by November 30 annually through the consolidated school mandate report


If the District reports noncompliance the Superintendent/designee must provide a written explanation to the Board within 30 days explaining this noncompliance and a written plan of action for accurately and efficiently addressing the problem.

LEGAL REFS.: ORC 3313.64; 3313.9+8; 3313.983
Chapter 3327
OAC 3301-48-02

CROSS REF.: IGDJ, Interscholastic Athletics

Adopted: December 16, 1992

Revised: February 29, 1996; March 19, 1998; November 19, 1998; July 20, 2000; January 15, 2004;
December 19, 2013; November 15, 2018.

	For Office Use Only	SCHOOL YEAR _____	For Office Use Only
Residence IRN#	BL-047787	EL-047795	HH-045245 SC-044826 TC-044917
Date Application Received:	_____	Open Enrollment First Attendance Date:	_____

**Indian Creek Local School District
OFFICE OF THE SUPERINTENDENT
100 PARK DRIVE
WINTERSVILLE, OHIO 43953
(740) 264-3502**

INTER-DISTRICT OPEN ENROLLMENT APPLICATION FORM
PLEASE PRINT, except where signature is required - Leave No Section Blank

Grade Level: _____ Year of Application: _____ Special Program Needs (Please circle one) **YES** or **NO**
Student's Name: _____ DOB: _____ Age: _____
Last First Middle Initial

Is the student Hispanic/Latino? Yes _____ No _____

Which of the following racial groups applies to the student? Check all that apply.

American Indian or Alaskan Native _____ Asian _____ Black or African American _____
 Native Hawaiian or other Pacific Islander _____ White _____

Parent(s)/Guardian Name: _____ **Phone:** _____
Address: _____
Street/PO Box City State Zip

District Student **Resides** in: _____ School **now** attending: _____
School Requesting: Cross Creek Elementary _____ Hills Elementary _____ ICHS _____ ICMS _____

Reason(s) you wish your child to attend Indian Creek _____

Parent(s)/Guardian Signature: _____ **Date** _____
Principal's Signature: _____ APPROVED _____ NOT APPROVED _____ Date: _____
Superintendent's Signature: _____ APPROVED _____ NOT APPROVED _____ Date: _____

**** Please return completed form to Principal's office. Do not send to the Superintendent's Office****

See attached page for guidelines for Inter-District Open Enrollment

Form revised: June 2021

Guidelines for Indian Creek Local School District Inter-District Open Enrollment

1. Transportation for students attending the school of their choice, when that school is out of their residence area, shall be the responsibility of the parent or guardian of the student unless the student can be picked up or dropped off at a stop on the regular transportation schedule.
2. Students will not be considered for participation in the inter-district open enrollment plan if the student has been suspended or expelled for ten consecutive days in the current term or the immediately preceding term.
3. Students will not be accepted for inter-district open enrollment if the appropriate racial balance is not maintained.
4. **Inter-district open enrollment is for one year only. All students must reapply each year or may be returned to their school district of residence.**
5. Indian Creek accepts no responsibility for the transportation of students to other districts.
6. Applications will be accepted at any time.
7. All applications will be acted upon in a timely manner.
8. Concerning athletic eligibility: Refer to Bylaw 4-7 of the Ohio High School Athletic Association Rules.
9. Inter-district open enrollment at Indian Creek is open to students from any school district in Ohio.

JEA COMPULSORY SCHOOL ATTENDANCE

A child between six (6) and eighteen (18) years of age is "of compulsory school age" for the purpose of O.R.C. §§3321.01 to 3321.13, inclusive. All children of compulsory school age whose parents, as defined in O.R.C. §3313.64, reside in the Indian Creek Local School District shall be compelled to attend the schools of this District or another school that conforms to the minimum standards prescribed by the State Board of Education, or otherwise be instructed in accordance with law until one (1) of the following occurs:

1. The person receives a diploma or certificate of high school equivalence granted by the Board of Education or other governing authority, successfully completes the curriculum of any high school, or successfully completes the individualized education program (IEP) developed for him/her by any high school pursuant to O.R.C. §3323.08.
2. The person receives an age and schooling certificate (work permit) and is enrolled in an educational program meeting the requirements of State law.
3. The person is excused from school under standards adopted by the State Board of Education pursuant to State law.

Adopted: January 15, 2004

Revised: August 18, 2016

JEB ENTRANCE AGE
(Mandatory Kindergarten)

Any pupil entering kindergarten must be five (5) years of age on or before August 1st of the year in which he/she is expected to enter.

Any pupil entering the first grade must be six (6) years of age on or before August 1st and must have successfully completed kindergarten.

To enter kindergarten or first grade pupils:

1. Must have the necessary immunizations that are mandated by the Ohio State Board of Health and which are in effect at that time (O.R.C. §3313.671);
2. Must present a birth certificate or other comparable certificate (O.R.C. §3313.672);
3. Must present a certified copy of any child custody order or decree, or a certified copy of any order modifying a child custody order or decree that has been previously submitted to the school (O.R.C. §3313.672); and
4. Must notify the building principal if the pupil is under the care of a shelter for victims of domestic violence (O.R.C. §3313.672).

The Superintendent shall also ensure that each child entering the District's kindergarten or first grade program for the first time has been properly screened for any medical or health problems as well as those related to hearing, vision, speech, and communications. The cost for such screening shall be paid by the Board.

Early entrance to kindergarten may be permitted if the following requirements are met:

1. The child's fifth birthday must fall between August 2nd and December 31st of the year requested for early entrance;
2. The child's mental age should be between 14 to 16 months above his chronological age as determined by standardized tests;
3. The child's total I.Q. should be at least 125 on a deviation scale as determined by standardized testing completed by Jefferson County Educational Service Center school psychologists.
4. The child should possess and demonstrate social and emotional characteristics that will permit conformity with the pattern of behavior commonly expected of children in kindergarten; and
5. Admission of the child must be recommended by both the school psychologist and building principal.

Adopted: May 18, 1990

Revised: January 15, 2004; November 18, 2004; September 26, 2006 September 20, 2012

JEBA EARLY ENTRANCE TO KINDERGARTEN

State law establishes minimum age requirements for admission to kindergarten. A child who does not meet the age requirement for admittance to kindergarten or first grade, but who will be five or six years old, respectively, prior to January 1 of the school year in which admission is requested, shall be evaluated for early admittance in accordance with District policy upon referral by the child's parent or guardian, an educator employed by the District, a preschool educator who knows the child or a pediatrician or psychologist who knows the child. Following an evaluation in accordance with such a referral, the Board decides whether to admit the child upon referral by the child's parent or guardian, an educator employed by the District, a preschool educator who knows the child or a pediatrician or psychologist who knows the child.

If a child, for whom admission to kindergarten or first grade is requested, will not be five or six years of age, respectively, prior to January 1 of the school year in which admission is requested, the child is admitted only in accordance with the District's acceleration policy adopted under State law.

Adopted: September 26, 2006

Revised: September 20, 2012; November 21, 2013

JEBB SCHOOL ADMISSION

The District provides free education to District residents between the ages of five through 21 who do not possess a diploma. Students who do not legally qualify as residents may be required to pay tuition as established by law and Board policy.

A student is considered a resident of the District if he/she resides with a parent, a grandparent with either power of attorney or caretaker authorization affidavit or a person or government agency with legal custody whose place of residence is within the boundaries of the District. Parents may be required to present legal proofs of residence.

New entrants at all grade levels are required to present at the time of enrollment a birth certificate or other document as evidence of birth, a certified copy of any child custody order or decree, proof of having received or being in the process of receiving required immunizations and copies of those records pertaining to him/her which are maintained by the school most recently attended.

In addition, student released from the Department of Youth Services (DYS) just prior to requesting admission to the District, may not be admitted until the Superintendent has received all required documents provided by DHS. Forwarded documents are:

1. An updated copy of the student's transcript;
2. A report of the student's behavior in school while in DHS custody;
3. The student's current individualized education program (IEP), if developed, and
4. A summary of the institutional record of the student's behavior.

DYS has 14 days to send the documents to the Superintendent.

Adopted: October 20, 2011

JEC INITIAL ADMISSION OF STUDENTS

School Admission

The District provides free education to District residents between the ages of five through 21 who do not possess a diploma. Students who do not legally qualify as residents may be required to pay tuition as established by law and Board policy.

A student is considered a resident of the District if he/she resides with a parent, a grandparent with either power of attorney or caretaker authorization affidavit or a person or government agency with legal custody whose place of residence is within the boundaries of the District. Parents, and grandparents with either power of attorney or caretaker authorization affidavit, may be required to present legal proofs of residence.

New entrants at all grade levels are required to present at the time of enrollment a birth certificate or other document as evidence of birth, a certified copy of any child custody order or decree, proof of having received or being in the process of receiving required immunizations and copies of those records pertaining to him/her, which are maintained by the school most recently attended. A protected child, as defined by State law, may not be denied admission to the school solely because the child does not present a birth certificate or comparable document upon registration. A protected child or parent, guardian or custodian of the child must present this documentation within 90 days after the child's initial entry into the school. The District immediately enrolls homeless students and foster students and assists in obtaining the necessary enrollment documents.

In addition, students released from the Department of Youth Services (DYS), just prior to requesting admission to the District, may not be admitted until the Superintendent has received all required documents provided by DHS. Forwarded documents are:

1. an updated copy of the student's transcript;
2. a report of the student's behavior in school while in DHS custody;
3. the student's current Individualized Education Program, if developed, and
4. a summary of the institutional record of the student's behavior.

DYS has 14 days to send the documents to the Superintendent.

Interstate Compact on Educational Opportunity for Military Children

The District complies with all provisions of State law for the enrollment, admission, placement and graduation for children of military families.

LEGAL REFS.:

ORC 2151.33
 ORC 2152.18(D)(4)
 ORC 3109.52 through 3109.61
 ORC 3109.65 through 3109.76
 ORC 3109.78
 ORC 3109.79
 ORC 3109.80
 ORC 3313.48
 ORC 3313.64
 ORC 3313.67
 ORC 3313.671
 ORC 3313.672
 ORC 3317.08
 ORC 3321.01
 OAC 3301-35-04(F)

CROSS REFS.: AFI, Evaluation of Educational Resources

Leg Refs: ORC 2151.33; 2152.18(D)(4); 3109.52 through 3109.61; 3109.65 through 3109.76; 3109.78; 3109.79; 3109.80; 3313.48; 3313.64; 3313.67; 3313.671; 3313.672; 3317.08; 3321.01; OAC 3301-35-04(F)

IGBA, Programs for Students with Disabilities
JECAA, Admission of Homeless Students
JECB, Admission of Nonresident Students
JEE, Student Attendance Accounting (Missing and Absent Children)
JHCA, Physical Examinations of Students
JHCB, Immunizations
JO, Student Records

Adopted: August 20, 1987; Re-adopted by Revision: January 15, 2004

Revised: February 17, 2005; February 19, 2015; November 17, 2016; November 18, 2021

JECA CHILD CUSTODY ORDERS OR DECREES

Whenever a child custody order or decree, including a temporary order of child custody, is issued resulting from an action of divorce, alimony, annulment, or dissolution of marriage, and the order or decree pertains to a child who is a pupil in the Indian Creek Local Schools, the residential parent of the child shall notify the school of those custody arrangements by providing the building principal or designee with a certified copy of the custody order or decree. Whenever there is a modification of any child custody order or decree that has been submitted to a school, the residential parent shall provide the building principal or designee with a certified copy of the order or decree that makes the modification.

Whenever a power of attorney is executed under ORC 3109.51 to 3109.62 that pertains to a child who is a pupil in the Indian Creek Local School, the attorney in fact shall notify the school of the power of attorney by providing the building principal or designee with a copy of the power of attorney.

Whenever a caretaker authorization affidavit is executed under ORC 3109.64 to 3109.73 that pertains to a child who is a pupil in the Indian Creek Local Schools, the grandparent who executed the affidavit shall notify the school of the affidavit by providing the building principal or designee with a copy of the affidavit.

Adopted: January 15, 2000; Re-adopted by Revision: January 15, 2004
Revised: February 17, 2005

Legal Reference:

ORC 3313.672, 3109.51 to 3109.62, 3109.64 to 3109.73

JECAA ENROLLMENT OF HOME EDUCATION STUDENTS

Enrollment:

The Indian Creek Local School District shall enroll or re-enroll students who have been home educated without discrimination or prejudice. However, students who have been home educated shall be enrolled only on a full-time basis.

Grade Placement for Grades K-8:

Based on a review of the most recent annual academic assessment report and other home-education records and evaluation information, the Superintendent will place the student in the grade level requested in accordance with O.R.C. §3319.01. If the student experiences any academic problems, school personnel shall request a parental meeting to review placement and any other options.

Grade Placement for Grades 9-12:

1. Based on a review of the most recent annual academic assessment report and other home-education records and evaluation information, the Superintendent will tentatively place the student in the grade level requested in accordance with O.R.C. §3319.01, pending final determination of credits earned.
2. Permanent grade placement will be determined by the Superintendent in accordance with O.R.C. §3319.01, upon review of transcripts, final determination of course credits earned, and/or the results of any nationally normed, standardized achievement tests taken by the student, and a conference with the student and/or parent(s).

Approval of Credits:

1. Credit will be granted for any course appearing on a transcript from a correspondence school recognized and accepted by the School District.
2. In the absence of an official transcript, credit will be granted upon the student's passing the final exam from the previous school year for each specific course.

The School District will be responsible for providing, administering, and scoring the exam(s).

Weighted Credit:

Weighted credit is granted only for courses completed at Indian Creek High School.

Graduation:

1. A student must be enrolled in a chartered school for the entire senior year.
2. To be eligible for graduation, the student must meet the conditions of this policy, as outlined above, and meet all other graduation requirements of the Indian Creek Local School District and the State of Ohio.

Extra Curricular Activities:

To participate in school sponsored extracurricular and co-curricular activities, a student must be enrolled full time in the Indian Creek Local School District and comply with all applicable rules and regulations of the School District and/or the Ohio High School Athletic Association.

Adopted: November 15, 2004; Re-adopted by Revision: January 15, 2004

JECAB ADMISSION OF HOMELESS STUDENTS

The Board believes that all school-aged students, including homeless students and unaccompanied youth, have a basic right to equal educational opportunities. Accordingly, the District must enroll each homeless student or unaccompanied youth in the District in the school determined to be in the student's best interest. Enrollment is defined by the McKinney-Vento Homeless Assistance Act as attending classes and participating fully in school activities.

A homeless student is defined as an individual who lacks fixed, regular and adequate nighttime residence including:

1. sharing the housing with other people due to loss of housing, economic hardship or a similar reason;
2. living in a motel, hotel, trailer park or campground due to the lack of alternative adequate accommodations;
3. living in emergency or transitional shelters;
4. abandonment in hospitals;
5. a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings;
6. living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings and
7. migratory students living in circumstances described above and
8. an unaccompanied youth who is homeless and not in the physical custody of a parent or guardian.

In compliance with the McKinney-Vento Homeless Assistance Act, the District must make school placement determinations on the basis of the best interest of the student. The District presumes that keeping the homeless child or youth in the school of origin is in the child or youth's best interest, unless doing so is contrary to the request of the student's parent or guardian, or the unaccompanied youth. When considering the school of best interest, the District considers student centered factors related to the homeless child or youth's best interest including factors related to the impact of mobility on achievement, education, health and safety of the child or youth and gives priority to the homeless child or youth's parent or guardian or the unaccompanied youth.

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

The Board ensures that:

1. it reviews and revises Board policies and regulations to eliminate barriers to the identification, enrollment, retention and success in school of homeless students, including barriers to enrollment and retention due to outstanding fees or fines, or absences;
2. the District does not segregate homeless children or youth into separate schools or separate programs within a school based on the student's status as homeless;
3. it appoints a District liaison, able to carry out their duties, who ensures that homeless students are identified and enroll and succeed in school and ensures the liaison is trained in compliance with law;
4. it provides training opportunities for staff on identifying and serving homeless students;
5. homeless children or youth are immediately enrolled even if the child or youth is unable to produce records normally required for enrollment such as previous academic records, records of immunizations and other required health records, proof of residency or other documentation, or if the student has missed application or enrollment deadlines during any period of homelessness;
6. homeless children or youth are provided with education, nutrition and transportation services that are at least comparable to the services provided to non-homeless students and
7. homeless students and unaccompanied youth meeting the relevant eligibility criteria do not face barriers to accessing academic and extracurricular activities including: magnet school; summer school; career and technical education; advanced placement; online learning and charter school programs.

The liaison carries out all duties required by law, ensures compliance with the sub-grant and coordinates services for homeless students with local social service agencies and programs, including those funded under the Runaway and Homeless Youth Act.

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

Information about a homeless child or youth's living situation is part of the student education record and is not considered directory information

The District complies with the Ohio Department of Education's Plan and State and Federal laws for the education of homeless students.

Adopted: May 24, 2007

Revised: October 20, 2011; November 17, 2016; February 22, 2018

JECAB-R ODE MODEL LOCAL DISPUTE RESOLUTION PROCEDURE
ADMISSION OF HOMELESS STUDENTS
 (Dispute Resolution Process)

If a dispute arises over eligibility, school selection or enrollment, the District will immediately enroll the child/unaccompanied youth in the school in which he/she is seeking enrollment, pending resolution of the dispute, including all appeals. Enrollment is defined by the McKinney-Vento Homeless Assistance Act as attending classes and participating fully in school activities.

1. District staff will refer the student, parent or guardian to the District liaison who will initiate the dispute resolution process as quickly as possible. The District liaison will make sure that the District follows the dispute resolution process. The liaison also must ensure that unaccompanied youth receive the same rights to appeal a district's eligibility, school selection or enrollment decision as parents and guardians. The role of the District liaison is to assist the student, parent or guardian through the duration of the dispute resolution process. The process will be open and transparent among those involved.
2. Upon determination of eligibility, enrollment or school selection, the District will provide a written explanation of any decisions made to parents, guardians or unaccompanied youth. The written explanation will be easy to understand and free of jargon. When appropriate, the District will translate the decision into the recipient's dominant language. At a minimum, the written explanation of how the District reached its decision regarding eligibility, school selection or enrollment will include:
 - A. A description of the action that the District proposed or refused;
 - B. An explanation of why the District proposed or refused the action;
 - C. A description of any other options the District considered;
 - D. The reasons why the District rejected any other options;
 - E. A description of any other factors relevant to the District's decision and information related to the eligibility or best interest determination. This includes the facts, witnesses and evidence relied upon and their sources;
 - F. Appropriate timelines to ensure any relevant deadlines are met;
 - G. Contact information for the District liaison and state homeless education coordinator and a brief description of their roles and
 - H. Notice to the recipient of their right to file an appeal, including step-by-step instructions of how to file an appeal.
3. The student, parent or guardian has the right to appeal any district determination of eligibility, school selection or enrollment. The District liaison will guide the student, parent or guardian through the entire dispute resolution process. The liaison will assist in both the local and state-level appeals process, if necessary. This includes recording evidence that will be used to write an appeal if a parent, guardian or unaccompanied youth cannot do so by himself or herself and providing access to school materials, such as copiers and fax machines.
4. Following an appeal at the local level, if the student, parent or guardian still disagrees with the determination, they may appeal to the Ohio Department of Education (ODE). The District liaison will forward all written documentation and related documents to the ODE state coordinator for homeless education. Upon receipt of any requested documentation, the state coordinator for homeless education will investigate the dispute and request applicable documentation. ODE will make a decision within 15 school days from the receipt of all necessary materials and will provide the final decision to the District Superintendent, building principal, local liaison, and parent, guardian or unaccompanied youth. All parties must immediately adhere to the final determination.

(ODE has also developed forms that may be used for purpose of managing the dispute resolution process. Information and resources are available on ODE's homeless students web page.

Adopted: February 18, 2010; Revised: November 17, 2016; February 22, 2018

JECB ADMISSION OF NONRESIDENT STUDENTS

In order to be eligible for a free public education in the District's schools, a student must be the child of a resident of the District or reside with a grandparent with either power of attorney or caretaker authorization affidavit. If legal or permanent custody or legal guardianship of the student has been granted by a court to a resident of the District or a government agency within the District, the student is entitled to attend District schools and tuition is paid in compliance with State law.

In compliance with State law and Board policy, nonresident students are exempt from paying tuition when:

1. An adult resident of the District submits a sworn statement that he/she has begun legal custody proceedings for the student (maximum 60 days permitted);
2. The student is at least 18 but not yet 22 years of age and resides in the District, lives apart from his/her parent(s), supports himself/herself by his/her own labor and does not possess a high school diploma;
3. The student is under 18 years of age, resides in the District and is married, regardless of the residence of the parent(s);
4. The student has a medical condition, which may require emergency attention and his/her parent is employed in the District;
(The parent(s) of such child must submit to the Board a statement from the child's physician certifying that the child's medical condition may require emergency medical attention.)
5. The student resides with a person other than his/her parent(s) and such student has a parent serving outside Ohio in the U.S. Armed Services;
(The student's parent(s) must file an affidavit with the Superintendent stating (1) that the parent is serving outside the state in the U.S. Armed Services, (2) that the parent(s) intends to reside in the District upon returning to the state, and (3) the name and address of the person with whom the student is living while the parent is outside the state. This tuition exemption may be granted only for a period of up to 12 months.)
6. The student resides with a parent who is planning to either have a home built or has purchased a home in the District and is waiting for the closing date of the mortgage loan;
(The student's parent(s) must provide the Superintendent with a sworn statement revealing the location of the house and the parent(s)' intention to reside there.)
7. The student's parent is a full-time employee of the District;
(Any such policy shall take effect on the first day of the school year and the effective date of any amendment or repeal may not be prior to the first day of the subsequent school year. The policy shall be uniformly applied to all such children and shall provide for the admission of any such student upon request of the parent(s). No student may be admitted under this policy after the first day of classes of any school year.)
8. The student resides with his/her parent(s) under the care of a shelter for victims of domestic violence;
9. The student is not a resident of the District, does not require special education and resides with his/her grandparent(s), provided that the Board and the board of education of the district in which the student's parent(s) reside enter into a written agreement showing good cause for the student to be admitted to the District;
(The grandparent(s) are required to sign all consent forms required by the District, even if the student would remain in the legal custody of the parent(s).)
10. The student is under the age of 22 and his/her parent(s) moved from the District, but within the county, after the first full week of October, for the remainder of the school year;
11. The student is under the age of 22 and his/her parent(s) moved from the District following the commencement of classes during the student's senior year, for the remainder of the school year and for one additional semester;

12. The student is under the age of 22 and resides in a new school district because of the death of a parent;
(The student is entitled to finish the current school year in the District upon approval of the Board.)
13. The student is under the age of 22 and the superintendent of the district in which the student is entitled to attend (the student's district of origin) enters into a contract with the Superintendent of this District (the district into which the student wishes to enroll) consenting to the attendance of the student in this District or
(The Superintendent of this District specifies that the purpose of such attendance is to protect the student's physical or mental well-being or to deal with other extenuating circumstances deemed appropriate by the Superintendent.)
14. The student whose parent is a full-time employee of an educational service center may be admitted tuition free to the schools of the district where the parent's job is primarily located, pursuant to the admission policy of that district.

The Board does not waive the payment of tuition, except:

1. When agreements have been established with other boards of education to serve their students in career-technical or special education classes on a cooperative basis, as permitted by law;
2. When foreign exchange students, sponsored under an approved exchange program, reside in the District temporarily or
3. For adult residents or support staff employees of the District who meet the criteria established by the Board.

In all cases, specific Board permission to waive tuition must be obtained for each individual case.

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

Tuition Students

Applications from non-residents to attend the school on a tuition basis may be considered if space is available. The amount of tuition is set annually by the State, based on a per-student cost determined in compliance with State law. Non-resident students must provide all records required of resident students in compliance with State law.

Adopted: August 13, 1981

Revised: May 18, 1990; January 15, 2004; February 17 2005; June 20, 2013

JECB-F AGREEMENT

This agreement is made and entered into on this ____ day of _____, 20____ by and between the Board of Education of the Indian Creek School District and the Board of Education of the _____ School District.

WHEREAS, _____ is under the age of twenty-two years and is in the custody of his/her parent(s), _____, who reside(s) within the _____ School District and;

WHEREAS, _____ is currently residing with his/her grandparent(s), _____, within the Indian Creek Local School District; and

WHEREAS, _____ does not require special education;

NOW, THEREFORE, the Board of Education of the Indian Creek Local School District and Board of Education of the _____ School District agree that good cause exists for the attendance of _____ in the schools of the Indian Creek Local School District for the following reasons:

and the parties hereby consent to the attendance of _____ in the Indian Creek Local School District without tuition pursuant to Ohio Revised Code 3313.64 (F) (11).

Date Signature, Parent/Guardian

Date Signature, Grandparent(s)

Date Treasurer
Indian Creek Local School District

Date Board President
Indian Creek Local School District

Date Treasurer
_____ School District

Date Board President
_____ School District

SUPERINTENDENT'S AGREEMENT FOR FREE ATTENDANCE
O.R.C. §3313.64(F) (12)

Name of Child: _____

WHEREAS the above child is under the age of 22 and is currently entitled to attend the schools of the _____ School District under division (B), (C), or (E) of ORC 3313.64; and

WHEREAS the Superintendent of the above District has contacted the Superintendent of the _____ School District for purposes of seeking the free attendance of the above-named child in the _____ School District; and

WHEREAS both of the undersigned Superintendents of such Districts are in agreement that the attendance of the above-named child in the _____ School District is necessary to protect the student's physical or mental well-being and/or to deal with other extenuating circumstances which the undersigned Superintendents have deemed appropriate;

IT IS HEREBY AGREED by the undersigned Superintendents that the above-named child shall be permitted to attend school in the _____ School District without payment of tuition for the following period or term:

Period or Term of Enrollment: _____

AND IT IS FURTHER AGREED that this Agreement shall become effective as of the date of signing by the second Superintendent below.

Superintendent

Superintendent

School District

School District

Date above signed: _____

Date above signed: _____

POWER OF ATTORNEY

I, the undersigned, residing at _____ in the county of _____, state of _____, hereby appoint the child's grandparent, _____, residing at _____ in the county of _____, in the State of Ohio, with whom the child of whom I am the parent, guardian, or custodian is residing, my attorney in fact to exercise any and all of my rights and responsibilities regarding the care, physical custody, and control of the child, _____, born _____, having social security # _____ (optional), except my authority to consent to marriage or adoption of the child, _____, and to perform all acts necessary in the execution of the rights and responsibilities hereby granted, as fully as I might do if personally present. The rights I am transferring under this power of attorney include the ability to enroll the child in school, to obtain from the school district educational and behavioral information about the child, to consent to all school-related matters regarding the child, and to consent to medical, psychological, or dental treatment for the child. This transfer does not affect my rights in any future proceedings concerning the custody of the child or the allocation of the parental rights and responsibilities for the care of the child and does not give the attorney in fact legal custody of the child. This transfer does not terminate my right to have regular contact with the child.

I hereby certify that I am transferring the rights and responsibilities designated in this power of attorney because one of the following circumstances exists:

1. I am: (a) Seriously ill, incarcerated or about to be incarcerated; (b) Temporarily unable to provide financial support or parental guidance to the child; (c) Temporarily unable to provide adequate care and supervision of the child because of my physical or mental condition; (d) Homeless or without a residence because the current residence is destroyed or otherwise uninhabitable; or (e) In or about to enter a residential treatment program for substance abuse;
2. I am a parent of the child, the child's other parent is deceased, and I have authority to execute the power of attorney; or
3. I have a well-founded belief that the power of attorney is in the child's best interest.

I understand that this document does not authorize a child support enforcement agency to redirect child support payments to the grandparent designated as attorney in fact. I further understand that to have an existing child support order modified or a new child support order, issued administrative or judicial proceedings must be initiated.

If there is a court order naming me the residential parent and legal custodian of the child who is the subject of this power of attorney and I am the sole parent signing this document, I hereby certify that one of the following is the case:

1. I have made reasonable efforts to locate and provide notice of the creation of this power of attorney to the other parent and have been unable to locate that parent;
2. The other parent is prohibited from receiving a notice of relocation; or
3. The parent rights of the other parent have been terminated by order of a juvenile court.

This POWER OF ATTORNEY is valid until the occurrence of whichever of the following events occurs first: (a) One year elapses following the date this POWER OF ATTORNEY is notarized; (b) I revoke this POWER OF ATTORNEY in writing; (c) The child ceases to reside with the grandparent designated as attorney in fact; (d) This POWER OF ATTORNEY is terminated by court order; (e) The death of the child who is the subject of the power of attorney; or (f) The death of the grandparent designated as the attorney in fact.

WARNING: DO NOT EXECUTE THIS POWER OF ATTORNEY IF ANY STATEMENT MADE IN THIS INSTRUMENT IS UNTRUE, FALSIFICATION IS A CRIME UNDER SECTION 2921.13 OF THE REVISED CODE, PUNISHABLE BY THE SANCTIONS UNDER CHAPTER 2929. OF THE REVISED CODE, INCLUDING A TERM OF IMPRISONMENT OF UP TO 6 MONTHS, A FINE OF UP TO \$1,000, OR BOTH.

Witness my hands this _____ day of _____, _____.

Parent/Custodian/Guardian’s Signature

Parent’s Signature

Grandparent Designated as Attorney in Fact

State of Ohio)
) ss:
County of _____)

Subscribed, sworn to, and acknowledged before me this _____ day of _____, _____.

Notary Public

Notices:

1. A power of attorney may be executed only if one of the following circumstances exists: (1) The parent, guardian, or custodian of the child is: (a) seriously ill, incarcerated or about to be incarcerated; (b) Temporarily unable to provide financial support or parent guidance to the child; (c) Temporarily unable to provide adequate care and supervision of the child because of the parent's, guardian's, or custodian's physical or mental condition; (d) Homeless or without a residence because the current residence is destroyed or otherwise uninhabitable; or (e) In or about to enter a residential treatment program for substance abuse; (2) One of the child's parents is deceased and the other parent, with authority to do so, seeks to execute a power of attorney; or (3) The parent, guardian, or custodian has a well-founded belief that the power of attorney is in the child's best interest.
2. The signatures of the parent, guardian, or custodian of the child and the grandparent designated as the attorney in fact must be notarized by an Ohio notary public.
3. A parent, guardian, or custodian who creates a power of attorney must notify the parent of the child who is not the residential parent and legal custodian of the child unless one of the following circumstances applies: (a) the parent is prohibited from receiving a notice of relocation in accordance with Section 3109.051 of the Revised Code of the creation of the power of attorney; (b) the parent's parental rights have been terminated by order of a juvenile court pursuant to Chapter 2151. of the Revised Code; (c) the parent cannot be located with reasonable efforts; (d) both parents are executing the power of attorney. The notice must be sent by certified mail not later than five days after the power of attorney is created and must state the name and address of the person designated as the attorney in fact.
4. A parent, guardian, or custodian who creates a power of attorney must file it with the juvenile court of the county in which the attorney in fact resides, or any other court that has jurisdiction over the child under a previously filed motion or proceeding. The power of attorney must be filed not later than five days after the date it is created and be accompanied by a receipt showing that the notice of creation of the power of attorney was sent to the parent who is not the residential parent and legal custodian by certified mail.
5. A parent, guardian, or custodian who creates a second or subsequent power or attorney regarding a child who is the subject of a prior power of attorney must file the power of attorney with the juvenile court of the county in which the attorney in fact resides or any other court that has jurisdiction over the child under a previously filed motion or proceeding. On filing, the court will schedule a hearing to determine whether the power of attorney is in the child's best interest.
6. This power of attorney does not affect the rights of the child's parents, guardian, or custodian regarding any future proceedings concerning the custody of the child or the allocation of the parental rights and responsibilities for the care of the child and does not give the attorney in fact legal custody of the child.
7. A person or entity that relies on this power of attorney, in good faith, has no obligation to make any further inquiry or investigation.
8. This power of attorney terminates on the occurrence of whichever of the following occurs first; (1) one year elapses following the date the power of attorney is notarized; (2) the power of attorney is revoked in writing by the person who created it; (3) the child ceases to live with the grandparent who is the attorney in fact; (4) the power of attorney is terminated by court order; (5) the death of the child who is the subject of the power of attorney; or (6) the death of the grandparent designated as the attorney in fact.

If this power of attorney terminated other than by the death of the attorney in fact, the grandparent who served as the attorney in fact shall notify, in writing, all of the following:

- a. Any schools, health care providers, or health insurance coverage provider with which the child has been involved through the grandparent;
- b. Any other person or entity that has on ongoing relationship with the child or grandparent such that the other person or entity would reasonable rely on the power of attorney unless notified of the termination;
- c. The court in which the power of attorney was filed after its creation; and
- d. The parent who is not the residential parent and legal custodian of the child who is required to be given notice of its creation. The grandparent shall make the notification not later than one week after the date the power of attorney terminates.

Additional information:

To the grandparent designated as attorney in fact:

1. If the child stops living with you, you are required to notify, in writing, any school, health care provider, or health care insurance provider to which you have given this power of attorney. You are also required to notify, in writing, any other person or entity that has on ongoing relationship with you or the child such that the person or entity would reasonable rely on the power of attorney unless notified. The notification must be made not later than one week after the child stops living with you.
2. You must include with the power of attorney the following information:
 - a. The child's present address, the addresses of the places where the child has lived within the last five years, and the name and present address of each person with whom the child has lived during that period;
 - b. Whether you have participated as a party, a witness, or in any other capacity in any other litigation, in this state or any other state, that concerned the allocation, between the parents of the same child, of parental rights and responsibilities for the care of the child and the designation of the residential parent and legal custodian of the child or that otherwise concerned the custody of the same child;
 - c. Whether you have information of any parenting proceeding concerning the child pending in a court of this or any other state;
 - d. Whether you know of any person who has physical custody of the child or claims to be a parent of the child who is designated the residential parent and legal custodian of the child or to have parenting time rights with respect to the child or to be a person other than a parent of the child who has custody or visitation rights with respect to the child;
 - e. Whether you previously have been convicted of or pleaded guilty to any criminal offense involving any act that resulted in a child being an abused child or a neglected child or previously have been determined, in a case in which a child has been adjudicated an abused child or a neglected child, to be the perpetrator of the abusive or neglectful act that was the basis of the adjudication.

To school officials:

1. Except as provided in section 3313.649 of the Revised Code, this power of attorney, properly completed and notarized, authorizes the child in question to attend school in the district in which the grandparent designated as attorney in fact resides and that grandparent is authorized to provide consent in all school-related matters and to obtain from the school district educational and behavioral information about the child. This power of attorney does not preclude the parent, guardian, or custodian of the child from having access to all school records pertinent to the child.
2. The school district may require additional reasonable evidence that the grandparent lives in the school district.
3. A school district or school official that reasonably and in good faith relies on this power of attorney has no obligation to make any further inquiry or investigation.

To health care providers:

1. A person or entity that acts in good faith reliance on a power of attorney to provide medical, psychological, or dental treatment, without actual knowledge of facts contrary to those stated in the power of attorney, is not subject to criminal liability or to civil liability to any person or entity, and is not subject to professional disciplinary action, solely for such reliance if the power of attorney is completed and the

signatures of the parent, guardian, or custodian of the child and the grandparent designated as attorney in fact are notarized.

2. The decision of a grandparent designated as attorney in fact, based on a power of attorney, shall be honored by a health care facility or practitioner, school district, or school official.

CARETAKER AUTHORIZATION AFFIDAVIT

Use of this affidavit is authorized by sections 3109.65 to 3109.73 of the Ohio Revised Code. Completion of items 1-7 and the signing and notarization of this affidavit is sufficient to authorize the grandparent signing to exercise care, physical custody, and control of the child who is its subject, including authority to enroll the child in school, to discuss with the school district the child's educational progress, to consent to all school-related matters regarding the child, and to consent to medical, psychological, or dental treatment for the child.

The child named below lives in my home, I am 18 years of age or older, and I am the child's grandparent.

- 1. Name of child: _____
- 2. Child's date and year of birth: _____
- 3. Child's social security number (optional): _____
- 4. My name: _____
- 5. My home address: _____
- 6. My date and year of birth: _____
- 7. My Ohio driver's license number or identification card number: _____
- 8. Despite having made reasonable attempts, I am either:
 - a. Unable to locate or contact the child parents, or the child's guardian or custodian; or
 - b. I am unable to locate or contact one of the child's parents and I am not required to contact the other parent because there is a custody order regarding the child and one of the following is the case:
 - (i) The parent has been prohibited from receiving notice of a relocation; or
 - (ii) The parental rights of the parent have been terminated.
- 9. I hereby certify that this affidavit is not being executed for the purpose of enrolling the child in a school or school district so that the child may participate in the academic or interscholastic athletic programs provided by that school or district.

I understand that this document does not authorize a child support enforcement agency to redirect child support payments. I further understand that to have an existing child support order modified or a new child support order issued administrative or judicial proceeding must be initiated.

WARNING; DO NOT SIGN THIS FORM IF ANY OF THE ABOVE STATEMENTS ARE INCORRECT. FALSIFICATION IS A CRIME UNDER SECTION 2921.13 OF THE REVISED CODE, PUNISHABLE BY THE SANCTIONS UNDER CHAPTER 2929. OF THE REVISED CODE, INCLUDING A TERM OF IMPROSONMENT OF UP TO 6 MONTHS, A FINE OF UP TO \$1,000, OR BOTH.

I declare that the foregoing is true and correct:

Signed: _____ Date: _____
(Grandparent)

State of Ohio)
)
County of _____) ss:

Subscribed, sworn to, and acknowledged before me this _____ day of _____

Notary Public

Notices:

1. The grandparent's signature must be notarized by an Ohio notary public.
2. The grandparent who executed this affidavit must file it with the juvenile court of the county in which the grandparent resides or any other court that has jurisdiction over the child under a previously filed motion or proceeding not later than five days after the date it is executed.
3. A grandparent who executes a second or subsequent caretaker authorization affidavit regarding a child who is the subject of a prior caretaker authorization affidavit must file the affidavit with the juvenile court of the county in which the grandparent resides or any other court that has jurisdiction over the child under a previously filed motion or proceeding. On filing, the court will schedule a hearing to determine whether the caretaker authorization affidavit is in the child's best interest.
4. This affidavit does not affect the rights of the child's parents, guardian, or custodian regarding the care, physical custody, and control of the child, and does not give the grandparent legal custody of the child.
5. A person or entity that relies on this affidavit, in good faith, has no obligation to make any further inquiry or investigation.
6. This affidavit terminates on the occurrence of whichever of the following occurs first: (1) one year elapses following the date the affidavit is notarized; (2) the child ceases to live with the grandparent who signs this form; (3) the parent, guardian, or custodian of the child acts to negate, reverse, or otherwise disapprove an action or decision of the grandparent who signed this affidavit; or (4) the affidavit is terminated by court order; (5) the death of the child who is the subject of the affidavit; or (6) the death of the grandparent who executed the affidavit.

A parent, guardian, or custodian may negate, reverse, or disapprove a grandparent's action or decision only by delivering written notice of negation, reversal, or disapproval to the grandparent and the person acting on the grandparent's action or decision in reliance on this affidavit.

If this affidavit terminates other than by the death of the grandparent, the grandparent who signed this affidavit shall notify, in writing, all of the following:

- a. Any schools, health care providers, or health insurance coverage provider with which the child has been involved through the grandparent;
- b. Any other person or entity that has an ongoing relationship with the child or grandparent such that the person or entity would reasonable rely on the affidavit unless notified of the termination;
- c. The court in which the affidavit was filed after its creation.

The grandparent shall make the notifications not later than one week after the date the affidavit terminates.

7. The decision of a grandparent to consent to or to refuse medical treatment or school enrollment for a child is superseded by a contrary decision of a parent, custodian, or guardian of the child, unless the decision of the parent, guardian, or custodian would jeopardize the life, health, or safety of the child.

Additional information:

To caretakers:

1. If the child stops living with you, you are required to notify, in writing, any school, health care provider, or health care insurance provider to which you have given this affidavit. You are also required to notify, in writing, any other person or entity that has an ongoing relationship with you or the child such that the person or entity would reasonable rely on the affidavit unless notified. The notifications must be made not later than one week after the child stops living with you.
2. If you do not have the information requested in item 7 (Ohio driver's license or identification card), provide another form of identification such as your social security number or Medicaid number.
3. You must include with the caretaker authorization the following information:
 - a. The child's present address, the addresses of the places where the child has lived within the last five years, and the name and present address of each person with whom the child has lived during that period;
 - b. Whether you have participated as a party, a witness, or in any other capacity in any other litigation, in this state or any other state, that concerned the allocation, between the parents of the same child, of

parental rights and responsibilities for the care of the child and the designation of the residential parent and legal custodian of the child or that otherwise concerned the custody of the same child;

c. Whether you have information of any parenting proceeding concerning the child pending in a court of this or any other state;

d. Whether you know of any person who has physical custody of the child or claims to be a parent of the child who is designated the residential parent and legal custodian of the child or to have parenting time rights with respect to the child or to be a person other than a parent of the child who has custody or visitation rights with respect to the child.

e. Whether you previously have been convicted of or pleaded guilty to any criminal offense involving any act that resulted in a child being an abused child or a neglected child or previously have been determined, in a case in which a child has been adjudicated an abused child or a neglected child, to be the perpetrator of the abusive or neglectful act that was the basis of the adjudication.

To school official:

1. This affidavit, properly completed and notarized, authorizes the child in question to attend school in the district in which the grandparent who signed this affidavit resides and the grandparent is authorized to provide consent in all school-related matters and to discuss with the school district the child's educational progress. This affidavit does not preclude the parent, guardian, or custodian of the child from having access to all school records pertinent to the child.

2. The school district may require additional reasonable evidence that the grandparent lives at the address provided in item 5.

3. A school district or school official that reasonably and in good faith relies on this affidavit has no obligation to make any further inquiry or investigation.

4. The act of a parent, guardian, or custodian of the child to negate, reverse, or otherwise disapprove an action or decision of the grandparent who signed this affidavit constitutes termination of this affidavit. A parent, guardian, or custodian may negate, reverse, or disapprove a grandparent's action or decision only by delivering written notice of negation, reversal, or disapproval to the grandparent and the person acting on the grandparent's action or decision in reliance on this affidavit.

To health care providers:

1. A person or entity that acts in good faith reliance on a CARETAKER AUTHORIZATION AFFIDAVIT to provide medical, psychological, or dental treatment, without actual knowledge of facts contrary to those stated in the affidavit, is not subject to criminal liability or to civil liability to any person or entity, and is not subject to professional disciplinary action, solely for such reliance if the applicable portion of the form are completed and the grandparent's signature is notarized.

2. The decision of a grandparent, based on a CARETAKER AUTHORIZATION AFFIDAVIT, shall be honored by a health care facility or practitioner, school district, or school official unless the health care facility or practitioner or educational facility or official has actual knowledge that a parent, guardian, or custodian of a child has made a contravening decision to consent to or to refuse medical treatment for the child.

3. The act of a parent, guardian, or custodian of the child to negate, reverse, or otherwise disapprove an action or decision of the grandparent who signed this affidavit constitutes termination of this affidavit. A parent, guardian, or custodian may negate, reverse, or disapprove a grandparent's action or decision only by delivering written notice of negation, reversal, or disapproval to the grandparent and the person acting on the grandparent's action or decision in reliance on this affidavit.

JECBB FOREIGN EXCHANGE STUDENTS

The Board of Education recognizes the positive cultural benefits to the students, staff, and the community in meeting students from other countries and in having foreign students as members of the student body of this District.

The Board will permit from recognized and approved student exchange programs the admission of exchange students who are residing in this District.

The recognition of programs for these exchange students as well as the limitations as to the number of students from these programs shall be determined by the Superintendent. The District shall use the following guidelines established by the National Association of Secondary School Principals in selecting and enrolling all foreign exchange students:

1. The sponsoring organization shall be responsible for the selection of students.
2. Selection is limited to secondary school students or recent graduates between the ages of sixteen (16) and nineteen (19) who have sufficient knowledge of English to enable them to function in an English-speaking environment without the use of an interpreter.
3. The sponsoring organization shall be responsible for the selection of each host family and shall document, prior to enrollment, that a host family has been established.
4. Agreements between the sponsoring organization, the student's parents, and the student, must clearly delineate the sponsoring organization's rules as well as costs and refund policies and must be submitted at the time of enrollment. The District shall provide copies of the Student Handbook that shall be a part of such agreements.
5. The principal shall send written acceptance of the student to the sponsoring organization and the student by the date agreed upon by the sponsor and the District.
6. Students may participate in inter-scholastic athletics in accordance with the rules of the OHSAA.
7. The sponsor shall provide evidence of proper immunization (see AG 5320) and medical insurance coverage for the student.
8. The principal shall designate a member of the faculty or school administration as the student's advisor during his/her stay at the school. The advisor shall serve as the liaison between the school and host family, school and sponsor, student and student body, and the school and community.

Adopted: April 25, 2006

JECBC ADMISSION OF STUDENTS FROM NONCHARTERED SCHOOLS

Students wishing admission into the Indian Creek Local School District directly from enrollment in non-chartered schools may be required to take specific examinations. The purpose of these examinations is to determine the proper grade placement for these students.

The Superintendent or his designee shall be responsible for the selection or development of the examination. Grade placement shall be determined by the Superintendent after evaluating the examination results. The Superintendent shall, for the purpose of placement, consider transcripts, grades and other pertinent data from the school attended, if any, and any examination results. Changes in placement may be made by the Superintendent as a result of recommendations from the building Intervention Assessment Team.

Students from non-chartered high schools, at initial enrollment in grades nine through twelve, will have no established grade-point-average (GPA) or class rank at Indian Creek High School. Students submitting letter grades issued from a non-chartered school will be assigned a pass/fail grade for the courses. GPA will be established by grades received at Indian Creek High School. The student will not be included in the class rank unless at least three (3) academic years (grades 10-11-12) are completed at Indian Creek High School. A letter of explanation will be attached to the transcript.

The student's credits from non-chartered high schools will be established in accordance with rules in the O.A.C. 3301-35-08.

A full-time student is required to be enrolled in courses that earn a minimum of five (5) units of credit per year. Only full-time students will be accepted for enrollment. Graduation requirements as established by Board Policy 7.41 apply in all cases.

Adopted: April 24, 1997

Revised: January 15, 2004

JECBD STUDENTS TRANSFERRING FROM STATE-APPROVED, NONPUBLIC SCHOOLS

In recognizing its responsibility to uphold the minimum educational standards of the State of Ohio, the Board of Education establishes the following policy and criteria regarding the acceptance of credits from State-approved, nonpublic schools.

For credit or course-work to be accepted for courses taken in a State-approved, nonpublic school:

1. The course must have been taught by a certified teacher;
2. The course must have met at least 120 hours per year for instruction if a regular academic course, or the total hours per year as set forth in the State Minimum Standards, if other than a regular academic course;
3. Course content must have been comparable to District-established courses of study.

All students entering from a state-approved, nonpublic school may be given an individual achievement test, which will be used as an aid in placing these students.

Recognition of credits or course-work from a State-approved, nonpublic school shall be granted when the above-stated criteria are satisfied.

Adopted: January 15, 2004

JECC ASSIGNMENT OF STUDENTS TO SCHOOLS

Pupils entering the Indian Creek schools will be assigned to the building that services the attendance area in which they live. The boundaries of these attendance areas may be adjusted from year to year for new classes in order to keep class size as nearly equal as possible.

Transfers

It is the objective of the Board of Education to minimize transfers between schools for health, childcare, and other personal reasons. The many program specialties and options in which students can be regularly enrolled should limit the need for school transfers.

Transfers must be requested through the office of the Superintendent of Schools. The Superintendent will determine whether a request is justifiable. Requests will be considered for the following reasons only:

1. When the physical health of a child is in danger, as certified by a physician. (Example: a child with a cardiac condition needs to attend a school where there are no stairs to climb.) Any student transferring for reasons of physical health may be assigned to any school within the School District in which there is room for him at the appropriate grade level.
2. When employment of both parents or the child's only parent makes supervision of the child outside the home necessary. (Example: a child of elementary school age is cared for by relatives, a certified day care center, or a licensed day care home in another school attendance area.)
Such transfers will be continually monitored by the office of the superintendent.
3. When a change of address occurs during a school semester. In such instances, a permit to remain will be granted for the rest of the semester.
4. When a student has had school discipline problems and is in need of a different educational setting, as determined by school authorities.
5. When a student wants to avail himself or herself of a program not offered in the school within the attendance area.

All transfers, regardless of reason, depend on the availability of space in the receiving school. All transfers are temporary and may be rescinded when the conditions for which the transfer was granted no longer pertain, or for other good and sufficient reason. For reasons of consistency, the Superintendent of Schools will be the final authority in the issuance of transfers. Periodic reports of transfers will be made through the Superintendent to the Board.

All transfer approvals are for the benefit of students and parents. Due to costs, the Board of Education shall not provide transportation for these students unless the transfer student can get on and off a school bus along its Board approved scheduled route.

Adopted: August 13, 1981; Re-adopted by Revision: January 15, 2004

Revised: December 17, 1987

JECE STUDENT WITHDRAWAL FROM SCHOOL (LOSS OF DRIVING PRIVILEGES)**Student Withdrawal From School (Loss of Driving Privileges)**

When the Superintendent receives information that a student of compulsory school age has withdrawn from school, the Superintendent must, within two weeks after the withdrawal, notify the registrar of motor vehicles and the county juvenile judge of the student's withdrawal from full-time enrollment or withdrawal from an approved program to obtain a diploma or its equivalent.

Notification to the registrar of motor vehicles is not necessary if a student has withdrawn from school because of a change of residence or to receive home education pursuant to State Law; or the student is holding an age and schooling certificate (work permit), is regularly employed and enrolled part-time in and attending an approved program to obtain a diploma or its equivalent.

Notification to the registrar of motor vehicles must be given in a manner required by the registrar and notice to the county juvenile judge must be given in writing.

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

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

Legal References

Family Educational Rights and Privacy Act; 20 USC 1232g
ORC 3319.321
ORC 3321.042
ORC 3321.13
ORC 3331.01
ORC 3331.02
ORC 3331.04
ORC 3331.06 through 3331.09
ORC 4510.32

Cross References

JED, Student Absences and Excuses
JEDA, Truancy
JEG, Exclusions and Exemptions from School Attendance
JK, Employment of Students

Adopted: December 20, 1990; Re-adopted by Revision: January 15, 2004; December 21, 2023

JED STUDENT ABSENCES AND EXCUSES

Regular attendance by all students is very important. In many cases, irregular attendance is the major reason for poor schoolwork; therefore, all students are urged to make appointments, do personal errands, etc., outside of school hours.

Reasons for which students may be medically excused include, but are not limited to:

1. Personal illness of the student;
2. Illness in the student's family necessitating the presence of the child;
3. Quarantine for contagious disease or
4. Emergency or other set of circumstances in which the judgement of the Superintendent constitutes a good and sufficient for absence from school, which may include but not be limited to absences due to documented medical, behavioral or dental appointments.

Reasons for which students may be nonmedically excused include, but are not limited to :

1. Needed at home to perform necessary work directly and exclusively or parents or legal guardians for a limited period of time when approved in advance by the Superintendent (applies to students over 14 years of age only when all statutory obligations have been met for such excusal);
2. Death in the family (applies to absences of up to 18 school hours unless a reasonable cause may be shown for a longer absence);
3. Observance of religious holidays consistent with truly held religious beliefs of the student or the student's family;
4. Traveling out of state to attend a Board-approved enrichment activity or extracurricular activity (applies to absences of up to 24 school hours);
5. College visitation;
6. Pre-enlistment reporting to military enlistment processing station;
7. Absences of a student of a military family for purposes of visiting their parent, legal guardian or custodian who is an active-duty member of the uniformed services that has been called to duty for, in on leave from, or immediately returned from deployment to a combat zone or combat support posting;
8. Absences due to a student's placement in foster care or change in foster care placement or any court proceedings related to their foster care status;
9. Absences due to a student being homeless or
10. As determined by the Superintendent.

Students may be excused from school for up to three religious expression days per year in accordance with State law.

The District makes an attempt to contact the parent, guardian or other person having care of a student who has not notified the school of the student's absence that day regarding that student's absence without legitimate excuse within 120 minutes of the start of the school day. The Board authorizes the Superintendent to determine and use the appropriate notification procedure and methods consistent with State law.

Student make up work for religious expression days is managed in accordance with State law and Board policy for such absences.

Each student who is absent for reasons other than religious expression days must immediately, upon return to school, make arrangements with his/her teacher(s) to make up work missed. Students who are absent from school for reasons not permitted by State law may, or may not, be permitted to make up work. Each case is considered on its merits by the principal and the respective teacher(s). Students are requested to bring a note to school after each absence explaining the reason for the absence or tardiness.

The Board does not believe that students should be excused from school for vacations or other nonemergency trips. The responsibility for such absences resides with the parent(s), and they must not expect any work missed by their child to be retaught by the teacher. If the school is notified in advance of such a trip, reasonable efforts are made to prepare a general list of assignment for the student to do while he/she is absent.

The Board authorizes the Superintendent to establish a hearing and notification procedure for the purpose of denying a student's driving privileges if that student of compulsory school age has been absent without legitimate excuse for more than 60 consecutive hours during a school month or a total of at least 90 hours during a school year.

Legal References

ORC 3313.609
 ORC 3313.66
 ORC 3321.01
 ORC 3321.03
 ORC 3321.04
 ORC 3321.13
 ORC 3321.14
 ORC 3321.141
 ORC 3321.19
 ORC 3321.38
 ORC 4510.32
 OAC 3301-69-02

Cross References

IGAC - Teaching About Religion
 IKB - Homework
 JEDB - Student Dismissal Precautions
 JEE - Student Attendance Accounting (Missing and Absent Children)
 JHC - Student Health Services and Requirements
 JHCC - Communicable Diseases

Adopted: June 16, 1983; Re-adopted by Revision: January 15, 2004

Revised: January 19, 1984; June 21, 1984; July 11, 1985; July 1, 1988; June 20, 1991; April 24, 1997; January 20, 1999; May 16, 2002; June 26, 2003; November 17, 2005; October 19, 2017; February 22, 2018; November 15, 2018; December 21, 2023; October 17, 2024.

JED-R STUDENT ABSENCES AND EXCUSES - REGULATIONS

Regular attendance by all students is very important. In many cases, irregular attendance is the major reason for poor schoolwork; therefore, all students are urged to make appointments, do personal errands, etc., outside of school hours.

Reasons for which students may be excused include; but are not limited to:

1. personal illness of the student;
2. illness in the student's family necessitating the presence of the child;
3. needed at home to perform necessary work directly and exclusively for parents or legal guardians for limited period of time when approved by the Superintendent (applies to students over 14 years of age only);
4. death in the family (applies to absences of up to 18 school hours unless a reasonable cause may be shown for a longer absence);
5. quarantine for contagious disease;
6. observance of religious holidays consistent with a student's truly held religious belief;
7. traveling out of state to attend a Board-approved enrichment extracurricular activity (applies to absences of up to 24 school hours);
8. college visitation;
9. absences due to a student's placement in foster care or change in foster care placement or any court proceedings related to their foster care status;
10. absences due to a student being homeless or
11. as determined by the Superintendent.

Each student who is absent must immediately, upon return to school, make arrangements with his/her teacher(s) to make up work missed. Students who are absent from school for reasons not permitted by State law may, or may not, be permitted to make up work. Each case is considered on its merits by the principal and the respective teacher(s). Students who are absent due to an in-school or out-of-school suspension are permitted to make up missed

classroom assignments. Students are requested to bring a note to school after each absence explaining the reason for the absence or tardiness.

The Board does not believe that students should be excused from school for vacations or other nonemergency trips. The responsibility for such absences resides with the parent(s), and they must not expect any work missed by their child to be retaught by the teacher. If the school is notified in advance of such a trip, reasonable efforts are made to prepare a general list of assignments for the student to do while he/she is absent.

The Board authorizes the Superintendent to establish a hearing and notification procedure for the purpose of denying a student's driving privileges if that student of compulsory school age has been absent without legitimate excuse for more than 60 consecutive hours during a school month or a total of at least 90 hours during a school year.

LEGAL REFS.: ORC 3313.609; **3313.66**
 332L01; 3321.03; 3321.04; 3321.13; 3321.14; 3321.19; 3321.38
 4510.32
 OAC 3301-69-02

CROSS REFS: IGAC, Teaching About Religion
 IKB, Homework
 JEDB, Student Dismissal Precautions
 JHC, Student Health Services and Requirements
 JHCC, Communicable Diseases.

Adopted: October 19, 2017
 Revised: November 15, 2018

REQUEST FOR VACATION EXEMPTION

DATE: _____

Home Phone: _____

STUDENT'S NAME: _____ Grade: _____

The above named student has submitted a letter from his/her guardian giving the school notice that said son/daughter will be away from school on the dates listed below:

These days _____, will be marked as excused and _____ will be permitted to make up the missed work. It is the student's responsibility to contact each teacher in advance of the dates listed above. If this is not done, the student will receive an "F" for the days missed.

TEACHER NOTIFICATION (please initial)

- | | |
|----------|----------|
| 1. _____ | 5. _____ |
| 2. _____ | 6. _____ |
| 3. _____ | 7. _____ |
| 4. _____ | 8. _____ |

STUDENT ATTENDANCE: _____

STUDENT GRADE: _____

PARENT CONFERENCE DATE: _____

Principal's Signature

NOTE: Days missed for vacation may not extend the absence limit per term or for the year. Restitution of time may be required due to these absences.

Parent's/Guardian's Signature

JEDA TRUANCY

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

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

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

On the request of the Superintendent, or when it comes to the attention of the school attendance officer or other appropriate officer of the District, the designated officer must investigate any case of supposed truancy within the District and must warn the child, if found truant, and notify the child's parent in writing of the legal consequences of being a "habitual" truant. The written notice may be delivered by regular mail with a certificate of mailing, or other form of delivery with proof of delivery, including electronic delivery and electronic proof of delivery.

A "habitual truant" is any child of compulsory school age who is absent without a legitimate excuse for 30 or more consecutive hours, 42 or more hours in one month or 72 or more hours in a school year.

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

Regarding "habitual truants," the Board must take as an intervention strategy any appropriate action contained in Board policy.

The Board directs the administration to develop intervention strategies that include all of the following actions if applicable:

1. Providing a truancy intervention plan meeting State law requirements for any student who is excessively absent from school.
2. Providing counseling for a habitual truant.
3. Requesting or requiring a parent having control of a habitual truant to attend parental involvement programs.
4. Requesting or requiring a parent of a habitual truant to attend truancy prevention mediation programs.
5. Notification to the registrar of motor vehicles or
6. Taking appropriate legal action.

The attendance officer provides notice to the parent of a student who is absent without excuse for 38 or more hours in none school month or 65 or more hours in a school year within seven days after the date of the absence triggering the notice. The number of hours for which a student is absent on an approved religious expression day is not considered in the calculations. At the time of notice, the District may take any appropriate action as outlined in this policy as an intervention strategy.

Absence Intervention Plan

When a student's absences surpass the threshold for a habitual truant, the principal or the Superintendent assigns the student to an absence intervention team within 10 days of the triggering event. The absence intervention team must be developed within seven school days of the triggering event and is based on the needs of the individual student. The team must include a representative from the student's school or District, a representative from the student's school or District who know the student and the student's parent or their designee, and also may include a school psychologist, counselor, social worker or representative of an agency designed to assist students and their families in reducing absences. During the seven days while developing the team, the Superintendent or principal makes at least three meaningful, good faith attempts to secure participation of the student's parent. If the student's parent is unresponsive the District investigates whether the failure to respond triggers mandatory reporting to the appropriate children's services agency and instructs the absence team to develop the intervention plan without the parent.

Within 14 school days after a student is assigned to a team, the team develops a student specific intervention plan to work to reduce or eliminate further absences. The plan includes, at minimum a statement the District will file a complaint in juvenile court not later than 61 days after the date the plan is implemented if the student refuses to participate or fails to make satisfactory progress. The District makes reasonable efforts to provide the student's parent with written notice of the plan within seven days of development.

The absence intervention plan for a student may include contacting the juvenile court to have a student informally enrolled in an alternative to adjudication. The Board directs the Superintendent to develop written procedures regarding the use of and selection process for offering these alternatives to ensure fairness.

If the student becomes habitually truant within 21 school days prior to the last day of instruction of a school year, the District may either assign a school official to work with the student's parent to develop an intervention plan during the summer and implement the plan no later than seven days prior to the first day of instruction of the next school year, or reconvene the absence intervention process of the first day of instruction of the next school year.

Filing a Complaint with Juvenile Court

The attendance officer must file a complaint against the student in juvenile court on the 61st day after implementation of the absence intervention plan when:

1. The student's absences have surpassed the threshold for a habitual truant;
2. The District has made meaningful attempts to re-engage the student through the absence intervention plan, other intervention strategies and any offered alternatives to adjudication and

3. The student has refused to participate in or failed to make satisfactory progress on the plan or any offered intervention strategies or alternatives to adjudication as determined by the absence intervention team.

If the 61st day after intervention falls on a day during the summer months, the District may extend the implementation of the plan and delay the filing of the complaint for an additional 30 days after the first day of instruction the next school year.

Unless the absence intervention team determines the student has made substantial progress on their absence intervention plan, the attendance officer must file a complaint against the student in juvenile court if the student is absent without legitimate excuse for 30 or more consecutive hours or 42 or more hours during a school month at any time during the implementation phase of the intervention plan or other intervention strategy.

Legal References

ORC 3313.663
ORC 3313.668
ORC 3321.03 through 3321.04
ORC 3321.07 through 3321.09
ORC 3321.19
ORC 3321.191
ORC 3321.22
ORC 3321.38
OAC 3301-47-01

Cross References

JED, Student Absences and Excuses
JEG, Exclusions and Exemptions From School Attendance
JK, Employment of Students

Adopted: December 20, 1990; Re-adopted by Revision: January 15, 2004

Revised: October 19, 2017; December 21, 2023, October 17, 2024

JEDAA HABITUAL TRUANCY INTERVENTION STRATEGIES

The Indian Creek Local Board of Education, after consulting with the Jefferson County Juvenile Court, parents, guardians, or other persons having care of the students attending school in the District, and appropriate state and local agencies, has established this policy in order to provide guidance to employees in addressing and ameliorating the attendance practice of any student who is a habitual truant. As used in this policy, "habitual truant" means any child of compulsory school age who is absent without legitimate excuse from the school the child is supposed to attend for five (5) or more consecutive school days, seven (7) or more school days in one (1) school month, or twelve (12) or more school days in a school year.

The Superintendent or designee is authorized and directed to take all appropriate action to ensure that all children of compulsory school age residing within the Indian Creek Local School District attend school on a regular basis. The Superintendent or designee may utilize the following intervention strategies to deal with a habitual truant:

- A. Assignment to an alternative school, if one has been established by the Board.
- B. Providing a truancy intervention program.
- C. Providing counseling.
- D. Requesting or requiring a parent, guardian, or other person having care of a habitual truant to attend parental education programs.
- E. Requesting or requiring a parent, guardian, or other person having care of a habitual truant to attend truancy prevention mediation programs.
- F. Notifying the registrar of motor vehicles for driver's license suspension or denial.
- G. Filing a complaint in court against the student and/or the student's parent, guardian, or other person having care of the student.

Nothing in this policy shall be construed to limit the authority of the Superintendent or designee to develop or utilize other strategies to respond to student truancy.

Adopted: August 17, 2000; Re-adopted by Revision: January 15, 2004

JEDB STUDENT DISMISSAL PRECAUTIONS

Permission for a student to leave school when school is in session requires approval by the principal or a person specifically designated by him/her to exercise that authority. In evaluating requests for this permission, the principal or designee will give primary consideration to the best interest of the student and/or public welfare. Requests are not approved without a parent's permission. When a request originates from a person other than the parent(s), the principal or designee will contact the parent(s) to obtain permission. An exception may be made in the case of the student who is 18 years of age or older, who may make requests on his/her own behalf.

A record shall be maintained of the names of the students permitted to leave school during the hours when school is in session, the time of departure, the reason for the student's leaving school, the fact that a parent or guardian does have knowledge of the student's leaving school, and the time of return, if the student returns while school is still in session.

Early Dismissal

The administrator in charge of the building may permit students to be dismissed early under the following circumstances:

1. Early dismissal will be available primarily but not exclusively to regular fourth year students (seniors).
2. Only educationally related activities (i.e., employment, higher education, community service work) and/or special family, personal, or health problems are approved reasons for early dismissal.
3. All requests for early dismissal, whether they be seniors or underclassmen, must be approved by the principal or assistant principal.
4. Fifth year students and married students are expected to leave school immediately following the completion of courses that are needed for graduation.
5. All students except fifth year students, married students, or students with special circumstances should carry a minimum of four (4) units of credit to qualify for early dismissal.
6. Only Work Program and other specially approved cases are to be excused prior to the end of the school day.
7. A Request for Early Dismissal form is to be picked up in the principal's office, properly signed by the parent and student and placed on file in the principal's office following approval.
8. If permission is granted, students are to leave at the stated time and not return until after 3:00 p.m. if they are involved in school activities.
9. Violation of guidelines or misuse of the early dismissal privileges shall result in removal of these privileges from the student.
10. Not passing State assessment tests, poor academic performance, or failure to abide by school policies and regulations may also result in removal of early dismissal privileges.

Adopted: May 21, 1998

Revised: January 15, 2004; December 17, 2007

JEE STUDENT ATTENDANCE ACCOUNTING

MISSING AND ABSENT CHILDREN

The Board of Education believes in the importance of trying to decrease the number of missing children. Therefore, efforts will be made to identify possible missing children and notify the proper adults or agencies.

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

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

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

The primary responsibility for supervision of a student rests with his/her parent(s) or guardian(s). The School District staff will provide the assistance it can to parents and guardians with this responsibility.

Parent(s)/guardian(s) must notify the school on the day a student is absent unless previous notification has been given in accordance with school procedure for excused absences. The principal or his designee is also required to notify a student's parents, custodial parent, guardian, legal custodian or other person responsible for him/her when the student is absent from school. The parent or other responsible person shall be notified by telephone on the day of an absence that the student is absent. Parents or other responsible persons shall provide the school with their current home and/or work telephone numbers and home addresses, as well as emergency telephone numbers.

The Board shall designate the Superintendent to develop informational programs for students, parents, and community member's relative to missing children issues and matters.

Adopted: March 21, 1985; Re-adopted by Revision: January 15, 2004

Revised: September 19, 1985; September 19, 2010; February 19, 2015

NOTE: House Bill 367 (2014) defines a "protected child" as a child placed in a foster home as defined by Ohio Revised Code Section (RC) 5103.02 or in a residential facility defined as a group home for children, a children's crisis care facility, children's residential center, residential parenting facility that provides 24-hour childcare, county children's home or district children's home. The definition and accompanying prohibition on denying a protected child admission based solely on inability to present a birth certificate upon enrollment is found in RC 3313.672

Legal Reference:

O.R.C. §§109.65, 2901.30, 3313.205, 3313.672, 3313.96, 3319.321, 3319.322; 3321.12, 3705.05

JEFB RELEASED TIME FOR RELIGIOUS INSTRUCTION

The Board permits students to be released from school for religious instruction consistent with law. Absence during the school day for religious instruction is permitted, provided:

1. The student's parents or guardians submit a written request to the building principal;
2. The private entity providing instruction maintains attendance records and makes them available to the District and
3. The student is not absent from core curriculum subject courses.

The District is not responsible for transportation to and from the place of instruction. Regular classroom instruction missed as a result of a student's absence for religious instruction will not be made up and students assume responsibility for any missed schoolwork. The district neither aids, assists or enforces attendance in a religious instruction program, nor discriminates against students who participate in such program.

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

Adopted: September 18, 2014

JEG EXCLUSIONS AND EXEMPTIONS FROM SCHOOL ATTENDANCE

A student of compulsory school age residing in the District may be legally excused from fulltime enrollment by:

1. Holding an age and schooling certificate (work permit), being regularly employed and attending school on a part-time basis in a program approved by the Superintendent or his/her designee;
2. Receiving approved home instruction;
3. Attending a private or parochial school or
4. Having received a diploma from an approved high school or a certificate of high school equivalency from the Ohio Department of Education.

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

Adopted: August 20, 2009

Revised: August 18, 2016

JEGA PERMANENT EXCLUSION

The Board may seek the permanent exclusion of a student 16 years of age or older who is either convicted in criminal court or adjudicated delinquent by a juvenile court of any of the following offenses that occur on school grounds or at a school function:

1. illegal conveyance or possession of a deadly weapon or dangerous ordnance, carrying a concealed weapon, aggravated trafficking, trafficking in drugs, trafficking involving the possession of a bulk amount of a controlled substance or the sale of a controlled substance and/or
2. aggravated murder, murder, voluntary or involuntary manslaughter, felonious or aggravated assault, rape, gross sexual imposition or felonious sexual penetration, if the victim is a District employee.

In addition, complicity in any of the above acts may be the basis for permanent exclusion.

When the behavior is sexual harassment, the Title IX sexual harassment grievance process will be followed, if applicable, prior to imposing any discipline that cannot be imposed without resolution of the Title IX process.

Any building administrator witnessing, or having knowledge of, one of these acts must report the incident to the Superintendent within 24 hours, whether or not the student is over 16 years of age.

If the Superintendent receives notification that a student has been found guilty of or is adjudicated delinquent for any of the listed offenses, a determination must be made whether the student's continued attendance endangers the health and safety of other students or employees or whether the student's attendance poses a danger of disruption to the graded course of study. If the Superintendent determines that either danger exists, he/she may recommend that the Board adopt a resolution requesting the State Superintendent of Public Instruction to permanently exclude the student from attendance in any Ohio school. Written notice of the Superintendent's recommendation for permanent exclusion is provided to the student and his/her parent(s).

The Board acts upon the Superintendent's recommendation within 14 days. Among the items the Board considers is information on:

8. academic and extracurricular activity record of the student;
9. disciplinary record of the student;
10. social history of the student;

- B. response to prior discipline and sanctions;
- C. seriousness of the offense and any aggravating circumstances;
- D. any mitigating circumstances;
 - 1. evidence regarding the possible danger to other students and employees if the student remains in the District;
 - 2. evidence regarding the probable disruption of the graded course of study and
 - 3. availability of less serious sanctions that would permit the student to stay in the District without conflict with either (7) or (8).

The Board may allow for the hearing of witnesses and the presentation of additional evidence.

If the Board adopts the resolution to permanently exclude the student, the Board:

- 2. forwards the written resolution, together with the adjudication or conviction and a copy of the student's entire school record, to the State Superintendent;
 - 3. promptly designates a representative to present the District's case for permanent exclusion to the State Superintendent and
3. forwards a copy of the resolution to the student and his/her parent(s).

If the State Superintendent rejects the resolution, the student shall be readmitted to the District's schools.

No employee shall knowingly admit, or cause by inaction to be admitted, any student who has been permanently excluded.

Readmission

If the Superintendent determines that a permanently excluded student no longer represents a danger to the health and safety of other students or staff, the Superintendent may recommend that the student be readmitted.

On the recommendation of the Superintendent, the Board considers a resolution requesting the State Superintendent to revoke the permanent exclusion. If the Board adopts the resolution, it is forwarded to the State Superintendent, together with the reasons for the resolution and any relevant information.

Probationary Admission Following Permanent Exclusion

Under State law, a student permanently excluded from school may request probationary admission for a period not to exceed 90 days in any public school district.

If a student requests consideration of probationary admission into this District, the Superintendent may enter into discussions with the student and his/her parent(s) to develop a probationary admission plan designed to meet the educational needs of the child and the disciplinary requirements of the District.

If a satisfactory plan is developed, the Superintendent recommends that the Board allow the student to attend classes according to the terms of the plan. The Board acts on the recommendation within 14 days.

If a student violates the terms of the readmission plan, the Superintendent may immediately remove the student, pending action by the Board. The Board's action must take place within five days from receipt of the Superintendent's recommendation to revoke the readmission.

A student in compliance with his/her probationary readmission plan may request either an extension of the plan for an additional 90 days or for the Superintendent to recommend that the permanent exclusion be revoked.

[Adoption date:]

LEGAL REFS.: Education Amendments of 1972, Title IX; 20 USC 1681 et seq.
ORC 3313.66; 3313.661; 3313.662

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

Legal Reference:

O.R.C. §§2923.122, 3301.121, 3313.534, 3313.66, 3313.661, 3313.662, 3313.663, 3313.664, 3313.665, 3313.751, 3313.753, 3327.014.
O.A.C. 3301-35-06(I)(2)(e).

JFA STUDENT CONDUCT AND DISCIPLINARY PROCEDURES

The purpose of this policy is to provide the general guidelines and procedures governing student conduct and discipline in the Indian Creek Local School District.

Guidelines for Procedures

This policy is intended to comply with O.R.C. §§2923.122, 3313.66, 3313.661, 3313.662, 3313.664, 3313.665, 3313.753, and 3327.014 which require each board of education to adopt a policy regarding suspension, expulsion, removal, and permanent exclusion and specify the types of misconduct for which a student may be suspended, expelled, or removed. The Board of Education's primary concern is that students who wish to learn can do so in an environment conducive to learning and that every available disciplinary and prescriptive means be employed on behalf of those who seek to preserve and maintain such an environment. The sole objective of this policy is to ensure fair and equitable handling of disciplinary problems.

This policy is intended to standardize procedures to guarantee equally the rights of every student in the Indian Creek Local School District. It reflects expressed concerns on the part of the community and will be reviewed periodically by the Board of Education to ensure a document that will continuously meet the needs of the educational climate.

Philosophy

Each student has the right to attend school in an environment that is safe, free of disruptive influences, conducive to learning, and which provides ample opportunity to acquire knowledge and skills commensurate with his or her maturity, interests, and abilities. School personnel have the responsibility to develop and maintain an atmosphere that is compatible with this right.

Students vary considerably in their maturity, motivation, academic developments, social background, values, expectations, interests, intelligence, abilities, experience, and economic status. As a result, it is inevitable that problems will occur as people interact and strive to cope with the complexities of a school environment.

Rules and regulations are necessary for the development and maintenance of an orderly and safe environment. Consequently, certain behaviors are recognized as being inappropriate and unacceptable. Such behaviors, and their consequences, must be communicated to students and their parents.

Teachers are responsible for successfully coping with student behavior and are expected to make every effort to correct and handle discipline problems that occur within their range of responsibilities. In addition, teachers are expected to employ sound preventive measures as well as to avoid provoking behaviors. When such efforts fail, teachers may refer students to the administration for further disposition. The administration is then responsible for determining the necessity for, and the nature of, further disciplinary action.

When dealing with student misconduct, the school staff must be fair, consistent, and just. Furthermore, judgments must be based on sound evidence, and the individual rights of students must be taken into consideration. Students are to be given the opportunity to explain their behavior, and in cases involving a suspension or an expulsion, due process shall be accorded every student as prescribed by statutory law. Emphasis must be placed on attempting to stimulate appropriate behavior and to help the student understand that certain behaviors are unacceptable and cannot be tolerated within the school environment. The Board feels that a sound discipline policy is necessary for that training which develops self-control, character, orderliness, and efficiency.

Zero Tolerance

Students are expected to conduct themselves in such a way that they respect and consider the rights of others. Students must conform to school and District regulations and comply with directions from school personnel. The Board has zero tolerance for violent, disruptive, or inappropriate behavior, including excessive truancy, by its students. A student who fails to comply with established school or District rules or with any reasonable request made by school personnel shall be subject to discipline in accordance with

the Board's Student Conduct and Disciplinary Procedures and the Code of Student Conduct. The Superintendent or designee shall develop strategies ranging from prevention to intervention to address student misbehavior.

Procedural Standards

The following policy sets forth rules prohibiting certain types of conduct by students of the Indian Creek Local School District. Additionally, the procedure to be followed by school officials where such disciplinary actions are contemplated and/or imposed is outlined. During the time of suspension, expulsion, or removal, the student (if he/she is eighteen (18) years of age or older) and/or the parents, guardians, or custodian are responsible for the conduct of the student. 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 prior written consent has been issued by District administrator(s). 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 student who is suspended or expelled from his or her vocational program through the Jefferson County Joint Vocational School District Career Center is also to be regarded as suspended or expelled from the Indian Creek Local School District.

Definitions

Suspension is defined as the denial to a student for a period of at least one (1) but not more than ten (10) school days of permission to attend school and to take part in any school function.

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 (10) school days but not exceeding the greater of eighty (80) school days or the number of school days remaining in the semester/trimester 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).

Emergency Removal is defined as the denial 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 from curricular activities or from school premises.

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 for a period of less than one (1) school day.

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.

Expulsion

The Superintendent is the only school administrator who may expel a student. Whenever an incident occurs that may lead to an expulsion, the principal or assistant principal may suspend a student prior to the expulsion hearing. 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:

- The reason(s) for the intended expulsion.
- Notification of the right of the student and the parent, guardian, custodian or representative to appear 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.
- Notice of the date, time, and place to appear. The date, time and place to appear must not be earlier than three (3) nor later than five (5) school days after the notice is given unless the Superintendent grants an extension of time. Whenever a student has attained eighteen (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 the proposed expulsion is based upon a violation listed in O.R.C. §3313.662(A) and the pupil is sixteen (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.

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. The Superintendent or designee shall conduct the hearing at the appointed time and place.

Compliance with all provisions of the Board of Education policy have been met at this point in the expulsion process. The decision must now be made to expel or not to expel. If the decision is to expel, then within one (1) 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 Education of the action to expel in writing. If at the time an expulsion is imposed there are fewer than eighty (80) school days remaining in the school year in which the incident that gives rise to the expulsion takes place, 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:

- The reason(s) for the expulsion.
- Notification of the right of the student, parent, guardian, or custodian to appeal to the Board of Education or its designee.
- The right of representation at the appeal in all appeal proceedings.
- The right to be granted a hearing before the Board of Education or its designee and request the hearing be held in executive session.
- Notification that the expulsion may be subject to extension pursuant to O.R.C. §3313.66(F) if the student is sixteen (16) years of age or older.
- Notification that the Superintendent may seek the student's permanent exclusion if the expulsion is based upon a violation listed in O.R.C. §3313.662(A) that was committed when the child was sixteen (16) years of age or older, if the child is convicted or adjudicated a delinquent child for that violation.
- If the Superintendent expels a student for more than twenty (20) school days or for any period of time if the expulsion will extend into the following semester/trimester 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.
- 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 Indian Creek 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.

An appeal of the expulsion must be made within fourteen (14) school days of receipt of the notice of expulsion. A student or his/her parent, guardian, or custodian may appeal the expulsion to the Board of Education 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. A verbatim record shall be made of the hearing.

The Board of Education 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. The action of the Board or its designee on the expulsion must be in a public meeting. The Treasurer or the Board's designee shall promptly notify the student, parent, guardian, custodian, or representative in writing of the decision. The decision of

the Board of Education or its designee may be further appealed to the Court of Common Pleas under O.R.C. Chapter 2506.

Suspension

The Superintendent, principal, or assistant principal are the only school administrators who may suspend a student.

The Superintendent, principal, or assistant 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 sixteen (16) years of age or older, the notice shall 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.

The student shall be provided an opportunity to appear at an informal hearing before the principal, assistant principal, Superintendent 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. Whenever a student has attained eighteen (18) years of age the rights accorded to the parents of the student shall thereafter only be required of and accorded to the student. The principal or assistant principal is not required to permit the presence of counsel or follow any prescribed judicial rules in conducting the hearing.

Compliance with all provisions of the Board of Education policy have been met at this point prior to a suspension. The decision must now be made to suspend or not to suspend. If the decision is to suspend, then within one (1) school day of the decision to suspend, the Superintendent, principal or assistant principal must notify the parent, guardian, or custodian of the student and the Treasurer of the Board of Education of the action to suspend in writing. The notice of suspension must include:

- The reason(s) for the suspension.
- The duration of the suspension.
- Notification of the right of the student, parent, guardian, or custodian to appeal to the Board of Education or its designee.
- The right of representation at all appeal proceedings.
- The right to be granted a hearing before the Board of Education or its designee and request the hearing be held in executive session.
- 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 sixteen (16) years of age or older, if the child is convicted or adjudicated a delinquent child for that violation.

An appeal of the suspension must be made within seven (7) calendar days of receipt of the notice of suspension. A student or the parent, guardian, or custodian may appeal the suspension to the Board of Education 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 held in executive session upon the request of the student, parent, guardian, custodian or representative. A verbatim record of the appeal hearing shall be made.

The Board or its designee may affirm, reverse, vacate, or modify the suspension. The action of the Board or its designee on the suspension must be in a public meeting. The Treasurer or the Board's designee shall promptly notify the student, parent, guardian, custodian, or representative in writing of the decision. The decision of the designee may be further appealed to the Court of Common Pleas under O.R.C. Chapter 2506.

Nothing contained herein precludes the Superintendent, principal, and/or assistant principal from imposing lesser penalties, where appropriate, including in-school suspension, Saturday school, or referral to appropriate community programs. However, corporal punishment shall not be used as a means of discipline in the Indian Creek Local Schools.

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:

- 1) Complete any classroom assignments missed because of the suspension; and
 - 2) Receive at least partial credit for 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.

Suspension from Extracurricular Activities

A student may be denied the privilege of participating in any particular or all extracurricular activities of the district or of a school of the district for up to one (1) full school year in accordance with the procedures contained within the Board of Education Policy IGD-1.

Suspension from School Bus Riding Privileges

A student may be suspended from any particular or all school bus riding privileges of the district for up to one (1) full school year in accordance with the procedures contained within Board of Education Policy EEACC.

Emergency Removal 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 or extracurricular 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 reason(s) for the removal must be submitted to the principal or assistant principal in writing as soon as 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.
 1. 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.
 2. The individual who ordered, caused, or requested the removal to be made shall be present at the hearing.
 3. 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.

Emergency Removal 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.
 1. 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.
 2. The individual who ordered, caused, or requested the removal to be made shall be present at the hearing.
 3. 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). 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.

Disciplinary Removal

A student shall be given written notification of the charges against him/her by the administrator. The student must have the opportunity to appear at an informal hearing before the principal or assistant principal to challenge the reasons for the intended removal or otherwise to explain his/her actions. Students shall be given an opportunity to challenge the charges and present their side of the story.

The administrator shall make the decision to remove or not to remove, and shall notify the student orally of that decision. If the student is removed, the administrator shall notify the parent or guardian within one (1) school day, in writing, of the removal, including the length of the removal and reason(s) for the removal.

Less than Twenty-Four (24) Hour Removal

In all cases of normal disciplinary procedures where a student is removed from a curricular activity or school premises for less than one (1) school day and is not subject to suspension or expulsion, or in the case of a student given an in-school suspension served in a school setting the due process requirements of this policy do not apply.

Permanent Exclusion

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 sixteen (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 onto any property owned or controlled by (including a school bus), or to any activity held under the auspices of the Board;
- 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 the Board;
- c) O.R.C. §2925.03 that 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 the Board;
- 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 the Board;
- 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 the Board of Education, if the victim at the time of the commission of the act was an employee of the 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) O.R.C. §2907.12, felonious sexual penetration.

- f. Complicity in any violation set forth in the above 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 the Board.

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 sixteen (16) years of age or older or was adjudicated a delinquent child for the commission, when he/she was sixteen (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 of Education a request that the student be permanently excluded from public school attendance if the following apply:

- a. After obtaining or receiving proof of the conviction or adjudication, the Superintendent or designee determines that the student's continued attendance in school may endanger the health and safety of other students or school employees and gives the student and his/her parent, guardian, or custodian, written notice that the Superintendent intends to recommend to the Board that the Board adopt a resolution requesting the Superintendent of Public Instruction to permanently exclude the student from public school attendance.
- b. The Superintendent or designee forwards to the Board the Superintendent's written recommendation which includes the determination that the Superintendent made pursuant to this Board Policy and a copy of the proof he/she received showing that the student has been convicted of or adjudicated a delinquent child for a violation listed in the section on reasons for permanent exclusion that was committed when the student was sixteen (16) years of age or older.
- c. Within fourteen (14) days after receipt of a recommendation from the Superintendent that a student be permanently excluded from public school attendance, the Board may adopt a resolution requesting the Superintendent of Public Instruction to permanently exclude the student who is the subject of the recommendation from public school attendance, only after review and consideration of all of the following available information:
 - 1) The academic record of the student and a record of any extracurricular activities in which he/she was previously involved;
 - 2) The disciplinary record of the student and any available records of his/her prior behavioral problems other than the behavioral problems contained in the disciplinary record;
 - 3) The social history of the student;
 - 4) The student's response to the imposition of prior discipline and sanctions imposed for behavioral problems;
 - 5) Evidence regarding the seriousness of and any aggravating factors related to the offense that is the basis of the resolution seeking permanent exclusion;
 - 6) Any mitigating circumstances surrounding the offense that gave rise to the request for permanent exclusion;
 - 7) Evidence regarding the probable danger posed to the health and safety of other students or of school employees by the continued presence of the student in a public school setting;
 - 8) Evidence regarding the probable disruption of the teaching of any graded course of study by the continued presence of the student in a public school setting;
 - 9) Evidence regarding the availability of alternative sanctions of a less serious nature than permanent exclusion that would enable the student to remain in a public school setting without posing a significant danger to the health and safety of other students or of school employees and without posing a threat of the disruption of the teaching of the District's graded course of study.

If the Board does not adopt a resolution requesting the Superintendent of Public Instruction to permanently exclude the student, it shall immediately send written notice of that fact to the Superintendent, to the student who was the subject of the proposed resolution, and to that student's parent, guardian, or custodian.

If the Board adopts a resolution requesting the Superintendent of Public Instruction to permanently exclude the student, the Board shall immediately forward to the Superintendent of Public Instruction the written resolution, proof of the conviction or adjudication that is the basis of the resolution, a copy of the student's entire school record, and any other relevant information, and shall forward a copy of the resolution to the student who is the subject of the recommendation and to his/her parent, guardian, or custodian.

The Board shall designate a representative to present its case for permanent exclusion to the Superintendent of Public Instruction or referee appointed by him/her. At the adjudication hearing held pursuant to O.R.C. §3301.121, the representative of the Board shall present evidence in support of the requested permanent exclusion.

Recommendation for Revocation of Permanent Exclusion

The Superintendent, upon determining that the school attendance of a student who has been permanently excluded from public school attendance will no longer endanger the health and safety of other students or school employees, may issue to the Board a recommendation, including the reasons for the recommendation, that the permanent exclusion of a student be revoked and the student be allowed to return to the public schools of the State.

Upon receipt of the recommendation of the Superintendent that the permanent exclusion of a student be revoked, the Board may adopt a resolution by a majority vote of its members requesting that the Superintendent of Public Instruction revoke the permanent exclusion of the student. Upon adoption of the resolution, the Board shall forward a copy of the resolution, the reasons for the resolution, and any other relevant information to the Superintendent of Public Instruction.

Probation

A student who has been permanently excluded pursuant to this Policy and O.R.C. §3301.121 may request that the Superintendent admit the student on a probationary basis for a period not to exceed ninety (90) school days. Upon receiving the request, the Superintendent and principal may enter into discussions with the student and with the student's parent, guardian, or custodian, or a person designated by the student's parent, guardian, or custodian to develop a probationary admission plan designed to assist the student's probationary admission to the school. The plan may include a treatment program, a behavioral modification program, or any other program reasonably designed to meet the educational needs of the student and the disciplinary requirements of the school.

If the Superintendent, the student, and the student's parent, guardian, or custodian, or a person designated by the student's parent, guardian, or custodian, agree upon a probationary admission plan, the Superintendent shall issue to the Board of Education a recommendation that the student be allowed to attend school within the District under probationary admission, the reasons for the recommendation, and a copy of the agreed-upon probationary admission plan. Within fourteen (14) days after the Board receives the recommendation, reasons, and plan, the Board may adopt the recommendation by a majority vote of its members. If the Board adopts the recommendation, the student may attend school under probationary admission for a period not to exceed ninety (90) days or any additional probationary period permitted under this policy.

If a student is permitted to attend school under probationary admission pursuant to this policy and fails to comply with the probationary admission plan, the Superintendent may immediately remove the student from the school and issue to the Board a recommendation that the probationary admission be revoked. Within five (5) days after the Board receives the recommendation, the Board may adopt the recommendation to revoke the student's probationary admission by a majority vote of its members. If a majority of the Board does not adopt the recommendation to revoke the student's probationary admission, the student shall continue to attend school in compliance with the probationary admission plan.

If a student who is permitted to attend school under probationary admission pursuant to this policy, complies with the probationary admission plan prepared pursuant to this policy, the student or his/her parent,

guardian, or custodian, at any time before the expiration of the ninety (90) day probationary admission period, may request the Superintendent to extend the terms and period of his/her probationary admission for a period not to exceed ninety (90) days or to issue a recommendation that the student's permanent exclusion be revoked and the student be allowed to return to the public schools of the State.

If a student is granted an extension of his/her probationary admission, the student or his/her parent, guardian, or custodian, in the manner described in this policy, may request and the Superintendent and Board, in the manner described, may recommend and grant subsequent probationary admission periods not to exceed ninety (90) days each. If a student who is permitted to attend school under an extension of a probationary admission plan complies with the probationary admission plan prepared pursuant to the extension, he/she or his/her parent, guardian, or custodian, may request a revocation of the student's permanent exclusion in the manner described in this policy.

Any extension of a probationary admission requested by a student, his/her parent, guardian, or custodian, pursuant to this Policy shall be subject to the adoption and approval of a probationary admission plan in the manner described in this policy, and may be terminated as provided herein.

If the student has complied with any probationary admission plan and the Superintendent issues a recommendation that seeks revocation of the student's permanent exclusion pursuant to this policy, the student's compliance with any probationary admission plan may be considered along with other relevant factors in any determination or adjudication conducted pursuant to this policy.

Except as provided in this policy, any information regarding the permanent exclusion of a student shall be included in the student's official records, and shall be included in any records sent to any School District that requests the student's records.

When a student, who has been permanently excluded from public school attendance, reaches the age of twenty-two (22) or when the permanent exclusion of a student has been revoked, all references to the permanent exclusion from the student's file shall be removed and destroyed. A student who has reached the age of twenty-two (22) or who's permanent exclusion has been revoked, may send a written notice to the Superintendent requesting the Superintendent to ensure that the records are removed from the student's file and destroyed. Upon receipt of the request and a determination that the student is twenty-two (22) years of age or older, or that the student's permanent exclusion has been revoked, the Superintendent shall ensure that the records are removed from the student's file and destroyed.

This Policy does not and shall not be construed to prohibit any person who has been permanently excluded pursuant to this policy and O.R.C. §3301.121 from seeking a certificate of high school equivalence. A person who has been permanently excluded may be permitted to participate in a course of study in preparation for the tests of general educational development, except that he/she shall not participate during normal school hours in that course of study in any building or structure owned or controlled by this Board of Education.

This policy does not, and shall not be construed to relieve this Board from any requirement under O.R.C. §§2151.357 or 3313.64 to pay for the costs of educating any student who has been permanently excluded pursuant to this policy. Except as otherwise authorized by O.R.C. §§2151.358, 3301.121, and 3313.662, any school employee in possession of or having access to sealed adjudication records of a student that were the basis of the student's permanent exclusion who knowingly releases, disseminates, or makes available for any purpose involving employment, bonding, licensing, or education to any person or to any department, agency, or other instrumentality of the state, or of any of its political subdivisions, any information or other data concerning any arrest, complaint, trial, hearing, adjudication, or correctional supervision, the records of which have been expunged or sealed pursuant to this section, is guilty of divulging confidential information, a misdemeanor of the fourth degree.

The failure of the Superintendent or the Board to provide the information regarding the possibility of permanent exclusion in the notice required by this Policy is not jurisdictional, and the failure shall not affect the validity of any suspension or expulsion procedure that is conducted in accordance with this Policy or the validity of a permanent exclusion procedure that is conducted in accordance with O.R.C. §§3301.121 and 3313.662.

Dangerous Weapons, Criminal Acts, and Bomb Threats in the Schools

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

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

Students are prohibited from bringing or possessing a firearm or an object indistinguishable from a firearm whether or not the object is capable of being fired, on school property, in a school vehicle, to an interscholastic competition, an extracurricular event, or to any other school program or activity that is not located in a school or on property that is owned or controlled by the District. If a student brings or possesses a firearm on school property, in a school vehicle or to any school-sponsored activity, the Superintendent shall expel the student from school for a period of one (1) calendar year and notify the appropriate criminal justice or juvenile delinquency authorities. Any such expulsion shall extend, as necessary, into the school year following the school year in which the incident occurred. The Superintendent may reduce this requirement on a case-by-case basis in accordance with State law and this Policy.

Matters which might lead to a reduction of the expulsion period include: An incident involving a disabled student and the incident is a manifestation of the disability; the age of the student and its relevance to the punishment; the prior disciplinary history of the student; and/or the intent of the student perpetrator.

Students are also prohibited from bringing or possessing knives on school property, in a school vehicle, to an interscholastic competition, an extracurricular event, or to any program or activity sponsored by the District or in which the District is a participant. The definition of a knife includes, but is not limited to a cutting instrument consisting of a sharp blade fastened to a handle. If a student brings or possesses a knife on school property, in a school vehicle or to any school-sponsored activity, the Superintendent may expel the student from school for a period not to exceed once (1) calendar year, with the same expulsion implications as noted above.

The Board extends the right to expel a student for reasons beyond the possession of a firearm or knife. Students who possess or use other dangerous weapons, which are defined but not limited to metal knuckles, straight razors, explosives, noxious irritation or poisonous gases, poisons, drugs or other items possessed with the intent to use, sell, harm, threaten or harass students, staff members, parents or community members, may be subject to expulsion.

The Superintendent may also expel a student for a period not to exceed one (1) calendar year for committing an act that is a criminal offense when committed by an adult and that results in serious physical harm to persons or property while the student is at school, on any other property owned or controlled by the Board, or at any interscholastic competition, extracurricular event, or any other school program or activity. Any expulsion shall extend as necessary into the school year following the school year in which the incident occurred, and may be reduced by the Superintendent on a case-by-case basis for the reasons set forth above.

Finally, the Superintendent may expel a student for a period not to exceed one (1) calendar year for making a bomb threat to a school building or to any premises at which a school activity is occurring at the time of the threat. Any expulsion shall extend as necessary into the school year following the school year in which the incident occurred, and may be reduced by the Superintendent on a case-by-case basis for the reasons set forth above.

Disabled Students

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

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.

Student Handbooks

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

Student Seeking Admission from Another District

The Indian Creek School District may temporarily deny admittance to any student who is otherwise entitled to be admitted to a public school if the student has been suspended or expelled from the schools of another District in the State of Ohio or an out-of-state District and if the period of the suspension or expulsion has not expired.

The student and parent(s) will be provided an opportunity for a hearing upon their request. The hearing will be held before the Superintendent or his designee to determine if the student should be admitted before the end of his/her suspension or expulsion time frame.

The Superintendent will determine the admittance or non-admittance of the student.

Students in Grades Pre-Kindergarten through Three

a) **Emergency Removal**

- 1) 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.
- 2) 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 student has committed an act described in O.R.C. §3313.66(B) (1)(a) or (b).

b) **Out-of-School Suspension and Expulsion**

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

- 1) 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).
- 2) 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.
- 3) 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 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.
- 4) A student who is suspended or expelled shall be afforded the same notice and hearing, procedural, and educational opportunities prescribed for a suspension or expulsion of District students in grades four through twelve.
- 5) 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.

Adopted: Nov 21, 1996; Re-adopted by Rev: Jan 15, 2004; Revised: May 21, 1998; Dec 17, 2007; April 18, 2024.

I
INDIAN CREEK LOCAL SCHOOLS
NOTICE OF INTENT TO EXPEL

(To Student and Parent)

TO: _____ Date: _____

This is to notify you that _____ may be expelled from school pursuant to
(Student's Name)

O.R.C. §3313.66(B) for a period of _____. Expulsion from school means that while the child is expelled, he/she is not allowed to come to school, attend classes or extracurricular activities, or otherwise participate in other school-related activities. The reason(s) the child may be expelled from school is/are as follows:

in violation of paragraphs _____ of the Code of Student Conduct.

This will also notify you that the Superintendent may seek to permanently exclude the child, if the child is convicted of or adjudicated a delinquent child for a violation listed in O.R.C. §3313.662(A), and if the child was sixteen (16) years of age or older at the time of such violation.

You and your child have the opportunity to appear before the Superintendent or his/her designee to challenge the reasons for the possible expulsion or to otherwise explain the child's actions. The hearing is to be held not less than three (3) nor more than five (5) school days after this notice is given, but if you are unable to attend at the time indicated below, you have the right to request an extension. If an extension is granted you will be notified of the new time and place. If you do not wish to appear for a meeting, please notify me immediately.

The hearing is to be conducted at _____ . m. on _____,

20_____, at _____

Superintendent

INDIAN CREEK LOCAL SCHOOLS
NOTICE OF EXPULSION

(To Parent)

TO:

Date: _____

This notice will inform you that _____ has been expelled from
(Student's Name)
school from _____ to _____. The reason(s) for the expulsion is/are as follows:

in violation of paragraphs _____ of the Code of Student Conduct.

You have the right to appeal this decision to the Board of Education or to its designee; to be granted a hearing before the Board or its designee in order to be heard against the expulsion; to be represented in the appeal proceeding by a representative of your choosing; and to request that the hearing be held in executive session. If you wish to schedule an appeal hearing in this matter, please immediately notify the Treasurer of the Board of Education. You should also inform the Treasurer of those persons who will be present at the hearing, including the name of any representative you may choose to bring. You have ten (10) school days from receipt of this notice to file an appeal.

Please be aware the expulsion may be subject to extension pursuant to O.R.C. §3313.66(F), if the pupil was sixteen (16) years of age or older at the time of such violation.

This will also notify you that the Superintendent may seek the pupil's permanent exclusion, if the pupil is convicted of or adjudicated a delinquent child for a violation listed in O.R.C. §3313.662(A), and if the pupil was sixteen (16) years of age or older at the time of such violation.

Superintendent

cc: Treasurer of Board of Education
Student

INDIAN CREEK LOCAL SCHOOLS
NOTICE OF INTENT TO SUSPEND

(To Student)

NAME OF STUDENT _____ DATE _____

ADDRESS _____ GRADE _____

PARENT, GUARDIAN OR CUSTODIAN _____

ADDRESS _____

SCHOOL _____

This notice will inform you that you may be suspended from school pursuant to O.R.C.§3313.66(A).
Suspension from school means that while you are suspended you are:

- 1. _____ not allowed to come to school
- 2. _____ allowed to come to school
- 3. _____ attend Alternative School

You are not permitted to participate in any Extracurricular activities. The reason(s) you may be suspended from school are:

in violation of paragraphs _____ of the Code of Student Conduct.

This is also to notify you that the Superintendent may seek to permanently exclude you if you are convicted of, or adjudicated a delinquent child for, a violation listed in O.R.C.§3313.662(A), and if you were sixteen (16) years of age or older at the time of such violation.

You now have the opportunity to meet with the appropriate school official (principal, assistant principal, superintendent, or superintendent's designee) at an informal hearing to challenge the reason(s) for the intended suspension, or otherwise explain your actions.

Superintendent, Principal, or Assistant Principal

I hereby acknowledge receipt of this Notice of Intent to Suspend and if age eighteen (18) or older, I consent to notification of my parent, guardian, or custodian.

Signature of Student

Date

INDIAN CREEK LOCAL SCHOOLS
SECONDARY STUDENT SUSPENSION FORM (GRADES 5-12)

This notice is to inform you that as a result of your suspension, you, as a student, have been assigned the following suspension:

- A. Students who receive out-of-school suspension may attend a supervised study class after school for four hours in order to make up work missed. If students attend, the school absence will be counted as present according to Board Policy JED.
- B. Students who are given in-school suspension, attend school and also attend a supervised study class for two hours for the duration of their suspension. Failure to attend the supervised study class will result in an out-of-school suspension as outlined in Section A.
- C. Student is not permitted in school or on school property until a hearing has been held with the Superintendent.
- D. Student is not permitted in school or on school property.
- E. Behavior Intervention Option
- F. Alternative School Option

For the duration of any suspension, student may not participate in or attend any co-curricular and/or extra-curricular activities.

I _____, understand my suspension and will: Attend Not Attend a supervised study class as an option.

Student Signature

Assistant Principal Signature

NOTICE OF SUSPENSION TO PARENT, GUARDIAN OR CUSTODIAN

Name of Parent, Guardian, Custodian

Date

Street City State Zip

You are hereby advised that _____ has been suspended for the period from _____ to and including _____.
The reason(s) for suspension is/are as follows:

If you have any questions on this matter, please feel free to call the office and arrange an appointment with the Principal or Assistant Principal. You have the right to appeal this suspension to the Board of Education, or the Board's designee; to have a hearing before the Board of Education or its designee in order to be heard against the suspension; to request that the hearing be held in executive session; and to be represented at the hearing. Please notify me immediately if you intend to appeal so a hearing can be scheduled.

Student receives special education services – (circle one) yes no

_____, Principal

INDIAN CREEK LOCAL SCHOOLS
ELEMENTARY STUDENT SUSPENSION FORM

This notice is to inform you that as a result of your suspension, you, as a student, have been assigned the following suspension:

____ Student is not permitted in school or on school property.

Student will be given the opportunity to complete any work missed during the suspension period.

I _____, understand my suspension and know what I must do.

Student Signature

Principal Signature

NOTICE OF SUSPENSION TO PARENT, GUARDIAN OR CUSTODIAN

Name of Parent, Guardian, Custodian

Date

Street

City

State

Zip

You are hereby advised that _____ has been suspended for the period from _____ to and including _____.

The reason(s) for suspension is/are as follows:

If you have any questions on this matter, please feel free to call the office and arrange an appointment with the Principal or Assistant Principal. You have the right to appeal this suspension to the Board of Education, or the Board's designee; to have a hearing before the Board of Education or its designee in order to be heard against the suspension; to request that the hearing be held in executive session; and to be represented at the hearing. Please notify me immediately if you intend to appeal so a hearing can be scheduled.

Student receives special education services - **(circle one)** yes no

_____, Principal

INDIAN CREEK LOCAL SCHOOLS
NOTICE OF ASSISTANCE PROGRAMS

Pursuant to ORC §3313.66(D), when a pupil is expelled from school for more than twenty (20) school days or for any period of time if the expulsion will extend into the following semester/trimester or school year, this notice is provided to the pupil and his/her parent, guardian, or custodian.

This is to provide notice of the names, addresses, and phone numbers of public and private agencies which provide services or programs that work toward improving those aspects of the pupil's attitudes and behaviors that contributed to the incident which gave rise to the expulsion.

NAMES

ADDRESSES

PHONE NUMBERS

JFC CODE OF STUDENT CONDUCT
(Zero Tolerance)

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

A student who fails to comply with established school rules or with any reasonable request made by school personnel on school property and/or at school-related events is subject to approved student discipline regulations. Students are also subject to discipline, as outlined in the student code of conduct for misbehavior that occurs off school property when the misbehavior endangers the health and safety of students within the District or adversely affects the education process. The Superintendent/designee develops regulations that establish strategies ranging from prevention to intervention to address student misbehavior, and provides continuing instruction in dating violence prevention in health education courses in grades 7 through 12.

Students and parents receive, at the beginning of each school year or upon enrolling in the District schools during the year, written information on the rules and regulations to which they are subject while in school or participating in any school-related activity or event. The information includes the types of conduct that are subject to suspension or expulsion from school or other forms of disciplinary action. The Board directs the administration to make all students aware of the student code of conduct and the fact that any violations of the student code of conduct are punishable. The rules also apply to any form of student misconduct directed at a District official or employee or the property of a District official or employee, regardless of where the misconduct occurs.

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

A student may be expelled for up to one year if he/she commits an act that inflicts serious physical harm to persons or property if it was committed at school, on other school property or at a school activity, event or program.

The Superintendent is authorized to expel a student from school for a period not to exceed one year for making a bomb threat to a school building, or to any premises at which a school activity is occurring at the time of the threat. Any expulsion under this provision extends, as necessary, into the school year following the school year in which the incident that gives rise to the expulsion takes place.

Matters which might lead to a reduction of the expulsion period include the student's mental and/or physical characteristics or conditions, the age of the student and its relevance to the punishment, the prior disciplinary history of the student and/or the intent of the perpetrator.

The student code of conduct is made available to students and parents and is posted in a central location within each building.

LEGAL REFS.: Gun-Free Schools Act; 20 USC 1751
 The Elementary and Secondary Education Act; 20 USC 1221 et seq.
 Children's Internet Protection Act; 47 USC 254(h)(5)(b)(iii); (P.L. 106-554,
 HR 4577, 2000, 114 Stat 2763)
 ORC 3313.20; 3313.534; 3313.66; 3313.661; 3313.662; 3313.668

CROSS REFS.: AC, Nondiscrimination
 EBC, Emergency Management and Safety
 Plans ECAB, Vandalism
 EDE, Computer/Online Services (Acceptable Use and Internet Safety) .
 JFCA; Student Dress
 Code JFCEA, Gangs
 JFCF, Hazing and Bullying (Harassment, Intimidation and Dating
 Violence) JFCJ, Weapons in the Schools
 JFCK, Use of Electronic Communication Equipment 'by Students
 JG, Student Discipline
 JGA, Corporal
 Punishment JGD,
 Student Suspension
 JGDA, Emergency Removal of Student
 JGE, Student Expulsion
 JM, Staff-Student Relations (Also GBH)
 JP, Positive Behavioral Interventions and Supports
 Student Handbooks

Adopted: December 20, 1990

Revised: January 15, 2004; March 18, 2010; December 31, 2014; February 22, 2017; November 15, 2018.

ATHLETES DRESS FOR AWAY ATHLETIC CONTESTS

The Principal, with input from head coaches, will establish a set of guidelines applicable to all student athletes when traveling to away contests. Due process guidelines will also be established for students failing to conform to the standard guidelines.

Adopted: August 25, 1993; Re-adopted by Revision: January 15, 2004

JFCB CARE OF SCHOOL PROPERTY

The Board of Education believes that the schools should help students learn to respect property.

The Board charges each student with responsibility for the proper care of school property and the school supplies and equipment entrusted to his/her use.

Students who cause damage to school property shall be subject to disciplinary measures, and their parents shall be financially liable for such damage to the extent of the law, except those students over eighteen (18) years of age shall also be liable for damage they cause.

The Board authorizes the imposition of fines for the loss, damage or destruction of school equipment, apparatus, musical instruments, library material, textbooks, and for damage to school buildings and reserves the right to withhold a report card or credits from any student whose payment of such fine is in arrears and the Board may report to the appropriate juvenile authorities any student whose damage of school property has been serious or chronic in nature. Damage to school equipment, textbooks, and other property shall be charged according to the current market value to repair or replace the item.

A reward may be offered by the Board for the apprehension of any person who vandalizes school property.

Adopted: January 15, 2004

Legal Reference:

O.R.C. §§3109.09, 3109.10, 3313.173, 3313.20, 3313.642.

JFCEA ANTI-GANG POLICY

The Indian Creek Local Board of Education has determined that more detailed policies are necessary to clarify that disruptive activities on the part of any student, including gang members, will not be tolerated. The Board of Education hereby acts to prohibit disruptive, threatening, and intimidating gang-related conduct as follows:

A. DEFINITIONS:

"Gang" is defined as a group of individuals who share a unique name, identifiable marks or symbols, claim territory or "turf," associate on a regular basis, violate the school rules, and engage in criminal or anti-social behavior. A gang is any non-school sponsored group, whose membership may be secret or exclusive, and whose purposes, practices, or intent is to commit violent or illegal acts, or threaten the safety or welfare of others.

A "school sponsored activity" includes any activity including, but not limited to athletic events, school social events, theater productions, vocal or instrumental competitions, and any other interscholastic competitions, club meetings, club activities, field trips, and any other events sponsored, approved, recognized, or paid for, in whole or in part, by the Indian Creek Local School District in which the Board may be legally liable for the safety and welfare of those participating or attending. School sponsored activities include students arriving or departing from school property during school sponsored activities.

B. PROHIBITED ACTIVITY

1. No student on or about school property or at any school sponsored activity shall wear, possess, use, distribute, display, or sell any clothing, medallions, or other jewelry, insignia, emblem, badge, patch, symbol, sign, tattoo (whether permanent or temporary), scar or mark, hair style, or other elements which identify a gang or which are evidence of membership or affiliation in any gang or which otherwise disrupts the academic process.
2. No student on or about school property or at any school sponsored activity shall engage in conduct or use any speech, whether verbal or non-verbal (*i.e.*, gestures, hand signals, handshakes, etc.) showing membership or affiliation in a gang when such conduct or speech is intended to cause disruption, or when one knows or has reason to believe that such conduct or speech arouses fear, alarm, resentment, anger, hostility, or violence.
3. No student, on or about school property or at any school sponsored activity, shall use any speech or commit any act or omission which is disruptive, intimidating, or threatening, including but not limited to, the following gang-related activities:
 - a. soliciting membership in, or affiliation with, any gang.
 - b. soliciting any person to pay for "protection" or threatening any person, explicitly or implicitly, with any other illegal or prohibited act.
 - c. painting, writing, tattooing or otherwise inscribing gang-related graffiti, messages, symbols, or signs, on school property.
 - d. engaging in violence, extortion, or any illegal act or other violation of school policy.
 - e. soliciting any person to engage in physical violence against any student or school employee or visitor (whether during a school sponsored activity or on the way to or from a school sponsored activity) or inciting others to act with physical violence.
 - f. copying or distributing any gang-related material on school property or at school sponsored activities.

Legal Reference:

O.R.C. §§3109.09, 3109.10, 3313.173, 3313.20, 3313.642.

- g. marching, congregating, massing together with the intent to disrupt or intimidate, or when one has reason to believe that such conduct will arouse fear, alarm, resentment, anger, hostility, or violence. Such meetings or congregations are contrary to the purpose of the educational institution and will be considered trespassing. Such offense will be prosecuted.
- 4. Any student, while on school property, or at a school sponsored activity, who is found to be recruiting another student for gang membership, or who is found to be threatening, insulting, or intimidating another student into joining a gang or preventing another student from getting out of a gang, shall be suspended and/or recommended for expulsion from school.
- 5. Any person who is involved in a gang-related attack, or who threatens a gang-related attack, on a student or school employee or school property, or at a school sponsored activity, shall be immediately suspended and recommended for expulsion from school. The parents and students will be held liable for damages and repair costs to buildings and school property that result from the actions of the student who was involved in gang activity.
- 6. Students who violate any of the provisions of this policy will be subject to the appropriate disciplinary action up to and including suspension and/or expulsion. Students will be prosecuted to the fullest extent of the law for any criminal conduct, including, but not limited to, trespassing, vandalism, or assault in violation of this section.

C. INTERVENTION

The Indian Creek Local Schools believe that early intervention in the gang activity process will mean less destruction for the student who may be involved.

This intervention also provides a greater likelihood of preventing other students' participation in gang activity. Intervention may be used as an alternative to punishment in certain circumstances and may also be a requirement in some cases.

The intervention procedures include:

- 1. The administration/counselor will ask staff members to complete a "Confidential Information" form and forward it to the Student Assistance Team/Intervention Assistance Team Chairperson.
- 2. A family/school conference will be held, whereupon a decision will be made as a plan of further evaluation and/or intervention that is acceptable to the school administration and within the capacity of the parent/student.
- 3. Upon receiving data from the parents and the school, the administration, Intervention Specialist, and the Student Assistance Team/Intervention Assistance Team will evaluate the possibility of gang activity.
- 4. The student will complete the requirements determined by the administration or the Student Assistance Team/Intervention Assistance Team.
- 5. Failure to complete the program on a timely basis shall be grounds for suspension/expulsion as noted above.

Adopted: August 1, 1996; Re-adopted by Revision: January 15, 2004

JFCF HAZING AND BULLYING POLICY
(Harassment, Intimidation and Dating Violence)

Hazing means doing any act or coercing another, including the victim, to do any act of initiation into any student or other organization that causes or creates a substantial risk of causing mental or physical harm to any person.

Throughout this policy the term bullying is used in place of harassment, intimidation and bullying.

Bullying, harassment and intimidation is an intentional written, verbal, electronic or physical act that a student has exhibited toward another particular student more than once. The intentional act also includes violence within a dating relationship. The behavior causes mental or physical harm to the other student and is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or abusive educational environment for the other student. This behavior prohibited on school property, on a school bus or at a school-sponsored activity. Students found responsible for harassment, intimidation or bullying by an electronic act may be suspended.

Permission, consent or assumption of risk by an individual subjected to hazing, bullying and/or dating violence does not lessen the prohibition contained in this policy.

The District includes, within the health curriculum, age-appropriate instruction in dating violence prevention education in grades 7 to 12. This instruction includes recognizing warning signs of dating violence and the characteristics of healthy relationships.

Prohibited activities of any type, including those activities engaged in via computer and/or electronic communications devices or electronic means, are inconsistent with the educational process and are prohibited at all times. The District educates minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response.

No administrator, teacher or other employee of the District shall encourage, permit, condone or tolerate any hazing and/or bullying activities. No students, including leaders of student organizations, are permitted to plan, encourage or engage in any hazing and/or bullying.

Administrators, teachers and all other District employees are particularly alert to possible conditions, circumstances or events that might include hazing, bullying and/or dating violence. If any of the prohibited behaviors are planned or discovered, involved students are informed by the discovering District employee of the prohibition contained in this policy and are required to end all such activities immediately. All hazing, bullying and/or dating violence incidents are reported immediately to the principal/designee and appropriate discipline is administered.

Legal Reference:

O.R.C. §§3109.09, 3109.10, 3313.173, 3313.20, 3313.642.

The Superintendent/designee must provide the Board President with a semiannual written summary of all reported incidents and post the summary on the District's website, to the extent permitted by law.

The administration provides training on the District's hazing and bullying policy to District employees and volunteers who have direct contact with students and by November 30 annually reports to the Ohio Department of Education compliance with this requirement through the consolidated school mandate report. If the District reports noncompliance the Superintendent/designee must provide a written explanation to the Board within 30 days explaining this noncompliance and a written plan of action for accurately and efficiently addressing the problem.

Additional training is provided to elementary employees in violence and substance abuse prevention and positive youth development.

District employees, students and volunteers have qualified civil immunity for damages arising from reporting an incident of hazing and/or bullying. Administrators, teachers, other employees and students who fail to abide by this policy may be subject to disciplinary action and may be liable for civil and criminal penalties in compliance with State and Federal law.

No one is permitted to retaliate against an employee or student because he/she files a grievance or assists or participates in an investigation, proceeding or hearing regarding the charge of hazing and/or bullying of an individual.

LEGAL REFS.: Children's Internet Protection Act; 47 USC 254 (h)(5)(b)(iii);
(P.L. 106-554, HR 4577, 2000, 114 Stat 2763)

ORC 117.53
2307.44
2903.31
3301.22
3301.68
3313.666; 3313.667
3319.073; 3319.321

CROSS REFS.: AC, Nondiscrimination
ACA, Nondiscrimination on the Basis of
Sex ACAA, Sexual Harassment
EDE, Computer/Online Services (Acceptable Use and Internet Safety)
IGAE, Health Education
IIBH, District Websites
JFC, Student Conduct (Zero
Tolerance)
JFCEA, Gartgs
JFCK; Use of 'Electronic Communications Equipment by Students
JG, Student Discipline
JHG, Reporting Child Abuse
JO, Student Records
Student Handbooks

Adopted: March 17, 1983; Re-adopted by Revision: January 15, 2004
Revised: February 22, 2007; November 26, 2007; March 18, 2010; April 19, 2012; September 20, 2012;
November 17, 2016; November 15, 2018.

Legal Refs: Children's Internet Protection Act; 47 USC 254(b)(5)(b)(iii); (PL 106-554, HR 4577, 2000, 114 Stat 2763; ORC
117.53;2307.44;2903.31;3301.22;3313.666;3313.667;3314.03;3319.073; 3319.321

**NEW REGULATIONS
JFCF-R (HARASSMENT, INTIMIDATION AND DATING VIOLENCE)**

The prohibition against hazing, dating violence, harassment, intimidation or bullying is publicized in student handbooks and in the publications that set the standard of conduct for schools and students in the District. In addition, information regarding the policy is incorporated into employee handbooks and training materials.

School Personnel Responsibilities and Intervention Strategies

Hazing, bullying behavior and/or dating violence by any student/school personnel in the District is strictly prohibited, and such conduct may result in disciplinary action, including suspension and/or expulsion from school. Hazing, bullying and/or dating violence means any intentional written, verbal, graphic or physical acts, including electronically transmitted acts, either overt or covert, by a student or group of students toward other students'/school personnel with the intent to haze, harass, intimidate, injure, threaten, ridicule or humiliate. Such behaviors are prohibited on or immediately adjacent to school grounds, at any school-sponsored activity; in any District publication; through the use of any District-owned or operated communications tools, including but not limited to District e-mail accounts and/or computers; on school-provided transportation or at any official school bus stop.

Hazing, bullying and/or dating violence can include many different behaviors. Examples of conduct that could constitute prohibited behaviors include, but are not limited to:

1. physical violence and/or attacks;
2. threats, taunts and intimidation through words and/or gestures;
3. extortion, damage or stealing of money and/or possessions;
4. exclusion from the peer group or spreading rumors;
5. 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:
 - A. posting slurs on websites, social networking sites, blogs or personal online journals;
 - B. sending abusive or threatening e-mails, web site posting or comments and instant messages;
 - C. using camera phones to take embarrassing photographs or videos of students and/or distributing or posting the photos or videos online and
 - D. using web sites, social networking sites, blogs or personal online journals, e-mails, or instant messages to circulate gossip and rumors to other students.
6. excluding others from an online group by falsely reporting them for inappropriate language to Internet service providers.

In evaluating whether conduct constitutes hazing or bullying, special attention is paid to the words chosen or the 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.

Teachers and Other School Staff

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

Teachers and other school staff who receive student or parent reports of suspected hazing, bullying and/or dating violence promptly notify the building principal/designee of such report(s). If the report is a formal, written complaint, the complaint is forwarded to the building principal/designee no later than the next school day. If the report is an informal complaint by a student that is received by a teacher or other professional employee, he/she prepares a written report of the informal complaint that is forwarded to the building principal/designee no later than the next school day.

Complaints

1. Formal Complaints

Students and/or their parents or guardians may file reports regarding suspected hazing, harassment, intimidation, bullying and/or dating violence. The reports should be written. Such written reports must be reasonably specific including person(s) involved; number of times and places of the alleged conduct; the target of suspected harassment, intimidation and/or bullying and the names of any potential student or staff witnesses. Such reports may be filed with any school staff member or administrator. They are promptly forwarded to the building principal/designee for review and action.

2. Informal Complaints

Students, parents or guardians and school personnel may make informal complaints of conduct that they consider to be harassment, intimidation and/or bullying by verbal report to a teacher, school administrator or other school personnel. Such informal complaints must be reasonably specific as to the actions giving rise to the suspicion of hazing, harassment, intimidation and/or bullying, including person(s) involved, number of times and places of the alleged conduct, the target of the prohibited behavior(s) and the names of any potential student or staff witness. The school staff member or administrator who receives the informal complaint promptly documents the complaint in writing, including the above information. This written report by the school staff member and/or administrator is promptly forwarded to the building principal/designee for review and action.

3. Anonymous Complaints

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

4. False Complaints

Students are prohibited from deliberately making false complaints of harassment, intimidation or bullying. Students found responsible for deliberately making false reports of harassment, intimidation or bullying may be subject to a full range of disciplinary consequences.

Intervention Strategies

1. Teachers and Other School Staff

In addition to addressing both informal and formal complaints, school personnel are encouraged to address the issue of hazing, bullying and/or dating violence in other interactions with students.

School personnel may find opportunities to educate students about harassment, hazing, intimidation and bullying and help eliminate such prohibited behaviors 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/school personnel, even if such conduct does not meet the formal definition of harassment, hazing, intimidation or bullying.

2. Administrator Responsibilities

A. Investigation

The Principal/designee is notified of any formal or informal complaint of suspected harassment, hazing, intimidation or bullying. Under the direction of the building principal/designee, all such complaints are investigated promptly. A written report of the investigation is prepared when the investigation is complete. The report includes findings of fact, a determination of whether acts of hazing, bullying and/or dating violence were verified, and, when prohibited acts are verified, a recommendation for intervention, including

disciplinary, action is included in the report. Where appropriate, written witness statements are attached to the report.

Notwithstanding the foregoing, when a student making an informal complaint has requested anonymity, the investigation of such complaint is limited as is appropriate in view of the anonymity of the complaint. Such limitation of the investigation may include restricting action to a simple review of the complaint (with or without discussing it with the alleged perpetrator), subject to receipt of further information and/or the withdrawal by the complaining student to the condition that his/her report be anonymous.

When hazing and/or bullying is based on race, color, national origin, sex, or disability, and the behavior creates a hostile environment, the hazing and bullying investigation is suspended while the applicable nondiscrimination grievance procedures are implemented.

B. Non-Disciplinary Interventions

When verified acts of hazing, bullying and/or dating violence are identified early and/or when such verified acts do not reasonable require a disciplinary response, students may be counseled as to the definition of the behavior, its prohibition and their duty to avoid any conduct that could be considered harassing, hazing, intimidation and/or bullying.

If a complaint arises out of conflict between students or groups of students, peer mediation may be considered. Special care, however, is warranted in referring some cases to peer mediation. A power imbalance may make the process intimidating for the victim and therefore inappropriate. The victim's communication and assertiveness skills may be low and could be further eroded by fear resulting from past intimidation and fear of future intimidation. In such cases, the victim should be given additional support. Alternatively, peer mediation may be deemed inappropriate to address the concern.

C. Disciplinary Interventions

When acts of harassment, intimidation and bullying are verified and a disciplinary response is warranted, students are subject to the full range of disciplinary consequences. Anonymous complaints that are not otherwise verified, however, cannot provide the basis for disciplinary action.

In and out-of-school suspension may be imposed only after informing the accused perpetrator of the reasons for the proposed suspension and giving him/her an opportunity to explain the situation.

Expulsion may be imposed only after a hearing before the Board of Education, a committee of the Board or an or an impartial hearing officer designated by the Board of Education in accordance with Board policy. This consequence is reserved for serious incidents of harassment, intimidation or bullying and/or when past interventions have not been successful in eliminating prohibited behavior

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Allegations of criminal misconduct are reported to law enforcement, and suspected child abuse is reported to Child Protective Services, per required timelines.

Report to the Custodial Parent or Guardian of the Perpetrator

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If after investigation, acts of harassment, intimidation and bullying by a specific student are verified, the building principal/designee notifies the parent or guardian of the perpetrator, in writing, of that finding. If disciplinary consequences are imposed against such student, a description of such discipline is included in such notification. Strategies are developed and implemented to protect students from new or additional harassment, intimidation or bullying, and from retaliation following reporting of incidents.

Reports to the Victim and his/her Custodial Parent or Guardian

If after investigation, acts of bullying or hazing against a specific student are verified, the building principal/designee notifies the Custodial parent/guardian of the victim of the finding. In providing such notification, care must be taken to respect the statutory privacy rights of the perpetrator.

Bullying matters, including the identity of both the charging party and the accused, are kept confidential to the extent possible. Although discipline may be imposed against the accused upon a finding of guilt, retaliation is prohibited.

School administrators shall notify both the custodial parents or guardians of a student who commits acts of harassment, intimidation, bullying and/or dating violence and the custodial parents or guardians 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 law

Police and Child Protective Services

In addition to, or instead of, filing a complaint through this policy, a complainant may choose to exercise other options including, but not limited to, filing a complaint with outside agencies or filing a private lawsuit. Nothing prohibits a complainant from seeing redress under any other provision of the Ohio Revised Code or common law that may apply.

The District must also investigate incidents of hazing, bullying and/or dating violence for the purpose of determining whether there has been a violation of District policy or regulations, even if law enforcement and/or the public children's services are also investigating. All District personnel must cooperate with investigations by outside agencies.

Adopted: November 26, 2007

Revised: March 18, 2010; September 20, 2012; November 17, 2016

JGCG STUDENT USE OF ALCOHOL AND OTHER DRUGS (DRUG-FREE SCHOOL)

Philosophy Statement

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

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

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

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

The Indian Creek School Board is responsible for establishing a policy and directing its implementation. It carries these duties out through the District administrators and Drug Free Schools Program Coordinator's Office. The Board calls upon the administrators, faculty, staff, parents and students to collectively ensure the policy's success.

Policy Statement

The Indian Creek Board shall not permit any student to possess, buy, transmit, conceal, consume, distribute, show evidence of having consumed, used or offer for sale any alcoholic beverages, illegal drugs, unprescribed drugs, look-alike or counterfeit drugs or any mind altering substance while on school grounds or facilities, at school sponsored events, in other situations under the authority of the Board or in controlled vehicles. Included in this prohibition are any substances represented as a controlled substance, anabolic steroids, nonalcoholic beers, tobacco and tobacco products and drug paraphernalia.

If a pupil involved in the use and/or possession, or possession for sale of a controlled substance, counterfeit controlled substance, or alcohol comes to the attention of the building administrator or any member of his staff the following steps shall occur:

Process

1. A written report outlining the situation shall be presented to the principal by the person(s) identifying the problem.
 - a. Parents shall be notified immediately.
 - b. The principal shall determine whether information received shall be placed in the student's cumulative record folder.

Legal Refs: The Elementary and Secondary Education Act; 20 USC 1221 et.seq.; Goals 2000; Educate America Act; 20 USC 6081-6084;

ORC: 3313.751; 3316.66; 3313.661; 3794.01; 3794.02; 3794.04; 3794.06;

OAC: 3301-35-02; 3301-35-04

- c. The principal shall keep a confidential file and the contents are governed by the same rules that apply to all confidential information.
2. When fifteen (15) or more grams of a controlled substance or any amount of a counterfeit controlled substance are confiscated, the proper authorities must be notified.
3. When the principal deems a personal search to be reasonable every attempt will be made to have voluntary student cooperation. If a student does not wish to cooperate, contact of parents and the proper authorities shall be made.
4. Where there is a reasonable cause to believe that a pupil or person other than a pupil is using, selling, distributing or transferring controlled substances or counterfeit controlled substances on school premises, or outside school premises but where students are or may be affected by such action, the proper authorities shall be notified and all known facts turned over to them for whatever action said authorities may deem necessary.

Procedure

1. Upon determination by the principal and/or staff that a student has been under the use and/or possession, or possession for the purpose of selling a controlled substance, counterfeit controlled substance or alcohol, the following shall occur:
 - a. Immediate notification of parents.
 - b. Notification of appropriate authorities if deemed necessary by the administration.
 - c. School disciplinary action in compliance with O.R.C. §3313.66, and the Code of Student Conduct of the Indian Creek Local School District unless otherwise specified herein.
2. An in-school drug conference with the student and his/her parent(s) shall be conducted by the administrative staff and guidance department. A ten (10) day suspension and a recommendation for expulsion will be assigned for an offense with a controlled substance, counterfeit controlled substance, or alcohol.
3. The student and his/her parent may be required to make direct contact with an appropriate, certified agency and participate in a prescribed drug-counseling program. The drug-counseling program shall be determined by the number of sessions.
4. The School District, parent, and student shall abide by the recommendation of the certified agency.

Education/Prevention

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

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

Intervention/Referral

It shall be the policy of Indian Creek Schools to provide an intervention process designed to confront problem behaviors within students that may indicate alcohol and other drug use. Intervention strategies will reflect collaboration among staff administration, guidance and the drug free schools program coordinator. Intervention strategies will be initiated but not limited to the following circumstances:

1. Students seeking help
2. Students exhibiting inappropriate, unusual or atypical behavior
3. Disciplinary action involving violations of this policy and the student code of conduct

Inpatient Treatment

A student who is absent from school because of hospitalization at a treatment center will be treated the same way as any student who requires hospitalization. Hospitalization automatically provides an extension of days absent for the student and credit will not be withheld on that basis. Dependent upon the

length of treatment, the student when he/she returns to school will resume his/her previously scheduled classes. It would follow that if treatment extends into the second semester, the new schedule will be followed. If a student has received an "incomplete" during the time of treatment, extended time will be given in order for the student to make up the work.

If the student had not maintained a passing average in a semester course prior to treatment, advice of the counselor should be sought to determine other alternatives. A drop may be necessary to free sometime within the student's schedule to lesson pressure and/or for participation in the various support groups. It is advisable that year length credit courses be maintained for possible credit.

Guidance counselors should alert the teachers of the returning student to provide good communication and a unified approach in dealing with make-up work. The intent of the attendance office is to best help the student who, after treatment, returns to our school, and help him/her maintain his/her sobriety. In addition, we hope to give the student support and encouragement to continue in his/her studies.

Drug Free Grant Program

The assurance of a comprehensive Drug Free Program is planned annually and the services available to meet the concerns of students, faculty, community and parents are implemented with Drug Free Grant Funds and Guidelines. This strategy is implemented within the following School District guidelines.

1. Intervention/Support Programs and Activities
2. Curriculum and Resource Development
3. Student Involvement Programs/Activities
4. Community Awareness/Advocacy

JFCG TOBACCO USE BY STUDENTS

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

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

Providing Notice:

"No Tobacco" signs will be posted throughout the District at entrances and other appropriate locations in all academic buildings, administrative spaces and athletic fields. Students are provided notice of this policy through student handbooks. District vehicles will display the international "No Smoking" insignia. Announcements will be made during home athletic events both before the event and during intermission, as well as at all school functions where deemed appropriate.

Adopted: July 1, 1988; Re-adopted by Revision: January 15, 2004

Revised: April 24, 1997; February 22, 2007; December 17, 2007; March 20, 2014; June 19, 2014

Legal Refs: The Elementary and Secondary Education Act; 20 USC 1221 et.seq.; Goals 2000; Educate America Act; 20 USC 6081-6084;

ORC: 3313.751; 3316.66; 3313.661; 3794.01; 3794.02; 3794.04; 3794.06;

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

The Indian Creek School Board is responsible for establishing a policy and directing its implementation. It carries these duties out through the District administrators and Drug Free Schools Program Coordinator's Office. The Board calls upon the administrators, faculty, staff, parents and students to collectively ensure the policy's success.

Legal Reference:

Drug-Free Schools and Communities Act of 1986, 20 U.S.C. §§3171 et seq.
O.R.C. §§3313.60, 3313.752, 3313.95.

Policy Statement

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1. A written report outlining the situation shall be presented to the principal by the person(s) identifying the problem.
 - a. Parents shall be notified immediately.
 - b. The principal shall determine whether information received shall be placed in the student's cumulative record folder.
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2. When fifteen (15) or more grams of a controlled substance or any amount of a counterfeit controlled substance are confiscated, the proper authorities must be notified.
3. When the principal deems a personal search to be reasonable every attempt will be made to have voluntary student cooperation. If a student does not wish to cooperate, contact of parents and the proper authorities shall be made.
4. Where there is a reasonable cause to believe that a pupil or person other than a pupil is using, selling, distributing or transferring controlled substances or counterfeit controlled substances on school premises, or outside school premises but where students are or may be affected by such action, the proper authorities shall be notified and all known facts turned over to them for whatever action said authorities may deem necessary.

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1. Upon determination by the principal and/or staff that a student has been under the use and/or possession, or possession for the purpose of selling a controlled substance, counterfeit controlled substance or alcohol, the following shall occur:
 - a. Immediate notification of parents.
 - b. Notification of appropriate authorities if deemed necessary by the administration.

- c. School disciplinary action in compliance with O.R.C. §3313.66, and the Code of Student Conduct of the Indian Creek Local School District unless otherwise specified herein.
2. An in-school drug conference with the student and his/her parent(s) shall be conducted by the administrative staff and guidance department. A ten (10) day suspension and a recommendation for expulsion will be assigned for an offense with a controlled substance, counterfeit controlled substance, or alcohol.
3. The student and his/her parent may be required to make direct contact with an appropriate, certified agency and participate in a prescribed drug-counseling program. The drug-counseling program shall be determined by the number of sessions.
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2. Students exhibiting inappropriate, unusual or atypical behavior
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extension of days absent for the student and credit will not be withheld on that basis. Dependent upon the length of treatment, the student when he/she returns to school will resume his/her previously scheduled classes. It would follow that if treatment extends into the second semester, the new schedule will be followed. If a student has received an "incomplete" during the time of treatment, extended time will be given in order for the student to make up the work.

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2. Curriculum and Resource Development
3. Student Involvement Programs/Activities
4. Community Awareness/Advocacy

Anabolic Steroids

The Superintendent or designee shall conspicuously post the following warning in the locker rooms of each of the District's buildings that includes any grade higher than sixth grade:

"Warning: Improper use of anabolic steroids may cause serious or fatal health problems, such as heart disease, stroke, cancer, growth deformities, infertility, personality changes, severe acne, and baldness. Possession, sale, or use of anabolic steroids without a valid prescription is a crime punishable by a fine and imprisonment."

Adopted: January 26, 2994

Revised: January 15, 2004

JFCJ WEAPONS IN THE SCHOOLS

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

The definition of a firearm is any weapon (including a starter gun) which is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer or any destructive device (as defined in 18 U.S.C.A. Section 921) that includes any explosive, incendiary or poisonous gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine or device similar to any of the devices described above. A knife is defined as a cutting instrument having a sharp blade that is capable of causing serious bodily injury.

Unless a student is permanently excluded, the Superintendent shall expel a student from school for a period of one year for bringing a firearm or knife to a school within the District or onto any other property owned or controlled by the Board, or for possessing a firearm or knife at a school or on any other property owned or controlled by the Board, which firearm or knife was initially brought onto school property by another person, except that the Superintendent may reduce this requirement on a case-by-case basis in accordance with this policy. Any such expulsion shall extend, as necessary into the school year following the school year in which the incident that gives rise to the expulsion takes place.

Matters that might lead to a reduction of the expulsion period include the student's mental and/or physical characteristics or conditions, the age of the student and its relevance to the punishment, the prior disciplinary history of the student and/or the intent of the perpetrator.

A student may be expelled for up to one year for firearm-related or knife-related incidents occurring off school property while at a school-sponsored interscholastic competition, extracurricular event or other school-sponsored activity.

A student suspended, expelled, removed or permanently excluded from school for misconduct involving a firearm or knife also loses his/her driving privileges. The District must notify the county juvenile judge and registrar of motor vehicles within two weeks of the suspension, expulsion or permanent exclusion.

The Board prohibits students from knowingly possessing an object on school premises, in a

Legal Reference:

O.R.C. §2925.37.

O.A.C. Chapter 4729-11.

school or a school building, at a school activity or on a school vehicle if both of the following apply.

1. The object is indistinguishable from a firearm, whether or not the object is capable of being
2. The person indicates that the person possesses the object and that it is a firearm, or the person knowingly displays or brandishes the object and indicates that it is a firearm.

As defined by State law and for purposes of this policy, an "object that is indistinguishable from a firearm" means an object made, constructed or altered so that, to a reasonable person without specialized training in firearms, the object appears to be a firearm.

Students found in violation of numbers 1 and 2 above may be reported to the local law enforcement authority and may be prosecuted under state criminal statutes, as well as disciplined in accordance with the provisions of the District's student code of conduct and State law.

The Superintendent is authorized to expel a student from school for a period not to exceed one year for making a bomb threat to a school building, or to any premises at which a school activity is occurring at the time of the threat. Any expulsion under this provision extends, as necessary, into the school year following the school year in which the incident that gives rise to the expulsion takes place.

Adoption date: November 15, 2018

LEGAL REFS.: 18 USC 921
 20 USC 2701 et seq., Title IX 9001-9005
 Gun-Free Schools Act; 20 USC 7151
 ORC 2923.122
 3313.66; 3313.661; 3313.662
 3321.13

CROSS REFS.: JEGA, Permanent Exclusion
 JFC, Student Conduct (Zero Tolerance)
 JFCL, Unsafe Schools (Persistently Dangerous Schools) JGD, Student Suspension
 JGDA, Emergency Removal of Student JGE, Student Expulsion
 Student Code of Conduct

JFCIA COUNTERFEIT OR LOOK-ALIKE DRUGS

It is the policy of the Indian Creek Board of Education to require that students in all schools be informed of the Counterfeit Drug Law as cited below.

A Counterfeit controlled substance is defined in the following ways:

- A. Any drug or drug container or label that bears a trademark, trade name, or other identifying mark used without the owner of the rights to such trademark's authorization;
- B. Any unmarked or unlabeled substance that is represented to be a controlled substance that is manufactured, processed, packed or distributed by a person other than the person with legal rights to manufacture, process, pack or distribute it;
- C. Any substance that is represented to be a controlled substance or is a different substance; and
- D. Any substance other than a controlled substance that a reasonable person would believe to be a controlled substance because of its similarity in shape, size, and color, or its markings, labeling, packaging, distribution, or the price for which it is sold or offered for sale.

The following penalties relate to the making, selling, and possession of counterfeit drugs:

- A. Possession of counterfeit controlled substance - misdemeanor of the first degree, if second offense a felony of the fourth degree.
- B. Making, selling, offering to sell or delivering any known counterfeit controlled substance; making, possessing, selling, offering to sell or delivering any device that is known to be used to print or reproduce a trademark upon a counterfeit drug (trafficking in counterfeit controlled substances) - a felony of the third degree for subsequent offenses.
- C. Selling, offering to sell, giving or delivering any counterfeit controlled substance to a person under eighteen (aggravated trafficking) - a felony of the third degree, and a felony of the second degree for subsequent offenses.
- D. Representing a counterfeit controlled substance as a controlled substance by describing its effects as if it were a controlled substance (promoting and encouraging drug abuse) - a felony of the third degree, and a felony of the second degree for subsequent offenses.
- E. Falsely representing or advertising a counterfeit controlled substance as a controlled substance (fraudulent drug advertising) - a felony of the fourth degree, and a felony of the degree for subsequent offenses.

A controlled substance is defined as a drug, compound, mixture or substance included in Schedule I, II, III, IV, or V (Ohio Administrative Code 4729-11). Included in these schedules are narcotics such as amphetamines, depressants and hallucinogens, as well as many other types of drugs.

Adopted: January 19, 1984; Re-adopted by Revision: January 15, 2004
Revised: June 22, 1989

Legal Reference:

O.R.C. §2925.37.

O.A.C. Chapter 4729-11.

JFCIB OHSAA USE OF STARTING DEVICES

The Indian Creek Board of Education recognizes the provisions of the Ohio Revised Code concerning firearms on school property. However, at school-sponsored track meets on school property, the Board will permit the starter and his/her assistant to use the appropriate firearm for an OHSAA sanctioned track meet.

Adopted: August 17, 2000; Re-adopted by Revision: January 15, 2004

Legal Reference:

O.R.C. §2925.37.

O.A.C. Chapter 4729-11.

JFCK USE OF ELECTRONIC EQUIPMENT BY STUDENTS

Students will not use electronic communication equipment, such as a phone, while on school property or while attending a school-sponsored activity on or off school property. Any exception to this policy must be approved by administration based upon emergency or extenuating circumstances.

A person who discovers a student in possession of any electronic communication device in violation of this policy, must report the violation to the administrator who will confiscate the device which is forfeited to the District, or given by the administrator to the parent or guardian of the owner of the device.

Adopted: November 21, 1996

Revised: January 15, 2004; December 17, 2007

Legal Reference:

O.R.C. §§3313.66, 3313.661, 3313.753.

JFE STUDENT PREGNANCY AND RELATED CONDITIONS

Student Pregnancy and Related Conditions

The District does not discriminate against or exclude any student from school programs or activities on the basis of the student's pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery therefrom (herein after referred to as "pregnancy" or "pregnant"). The District affirms the right of such students to continue participation in the education programs and activities of the District including extracurricular activities.

Efforts are made to ensure that the educational program of the student is disrupted as little as possible. Students under the age of 18 are still subject to compulsory education requirements. Students 18 or older are encouraged to return to school after pregnancy and complete requirements for graduation.

The District works with students to determine the educational options available for students if alternate educational methods are needed. If the District provides an alternate program for pregnant students, participation in such program is voluntary based on an individual student's request. Such programs are comparable to programs offered to non-pregnant students.

The District will not require a pregnant student to obtain a physician's certification that the student is physically and emotionally able to continue participation in programs of the District unless such a certification is required of all students for other physical or emotional conditions requiring the attention of a physician.

The District treats pregnancy in the same manner as other temporary disabilities, including but not limited to policies for absences and grading.

Legal References

Education Amendments of 1972, Title IX; 20 USC 1681 et seq.
34 CFR 106.40
ORC 3321.01
ORC 3321.04

Cross References

JB, Equal Educational Opportunities
JEA, Compulsory Attendance Ages

Adopted: February 17, 2014

JFG INTERROGATIONS AND SEARCHES

The District has responsibility for the control and management of students during the school day and hours of approved extracurricular activities. While discharging its responsibility, the administration is to make an effort to protect each student's rights with respect to interrogations by law enforcement officials. The administration has developed regulations to be followed in the case of searches and interrogations.

The right to inspect students' school lockers or articles carried upon their persons and to interrogate an individual student is inherent in the authority granted school boards. All searches are conducted sparingly and only when such search is reasonably likely to produce tangible results to preserve discipline and good order and the safety and security of persons and their property. The Board permits building administrators/designees to search any unattended bag for safety and identification purposes.

Student lockers are the property of the District, and since random searches have a positive impact on reducing drugs and other criminal activity, the Board permits building administrators/designees to search a locker and its contents as the administrator/designee believes necessary. Such notice will be posted at or near the entrance to the school grounds and at the main entrance to each school building.

The Board directs the Superintendent to authorize the use of dogs trained in detecting the presence of drugs and explosive devices. The dogs may be used to patrol the school facilities and grounds, including the lockers and parking areas. Use of dogs may be unannounced and random. If a trained canine alerts to a particular vehicle, locker or other container, it shall create reasonable suspicion to search that vehicle, locker or container in accordance with this policy.

Adopted: January 11, 1995

Revised: January 15, 2004; November 17, 2016; September 21, 2017

JFG-R INTERROGATIONS AND SEARCHES - REGULATIONS

Searches of School Property Assigned to a Student

The following rules apply to the search of school property assigned to a student (locker, desk, etc.) and the seizure of items in his/her possession.

1. General housekeeping inspection of school property may be conducted with reasonable notice. Random searches of lockers may be conducted.
2. A search of a desk or other storage space may be conducted when there exists reasonable suspicion for school authorities to believe that the area being searched contains evidence of a crime or violation of school rules.
3. Search of an area assigned to a student should be for a specifically identified item and should be conducted in his/her presence and with his/her knowledge.
4. Items, the possession of which constitutes a crime or violation of school rules, or any other possessions reasonable determined to be a threat to the safety or security of others may be seized by school authorities at any time.

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

Building administrators/designees are permitted to search the person and personal property (purse, backpack, gym bag, etc.) of a student where there is a reason to believe that evidence will be obtained indicating the student's violation of either the law or school rules. The following rules apply in such cases.

1. There should be reasonable suspicion to believe that the search will result in obtaining evidence that indicates the student's violation of the law or school rules.
2. Searches of a student's person are conducted by a member of the same sex as the student.
3. Searches are conducted in the presence of another administrator or staff member.
4. Parents of a minor student who is the subject of a search are notified of the search and are given the reason(s) for the search as soon as feasible after completion of the search.
5. When evidence is uncovered indicating that a student may have violated the law, law enforcement officials shall be notified.
6. Strip searches should be discouraged. A substantially higher degree of certainty (more than a reasonable belief) is required prior to conducting such a search. In cases in which school officials believe a strip search is necessary, law enforcement officials should be called to conduct the search.

Searches of Unattended Bags by School Personnel

Building administrators/designees are permitted to search any unattended bag found on District property for safety and identification purposes. Once the administrator/designee has determined the identity of the owner and that no safety or security issue exists, any subsequent searches of the item are based upon reasonable suspicion.

Searches of Student Property by Law Enforcement Officials

A law enforcement agency must have probable cause or produce a warrant prior to conducting any search of a student's personal property kept on school premises. When the law enforcement officials have reason to believe that any item which might pose an immediate threat to the safety or security of others is kept in a student locker, desk or other storage space, searches may be conducted without a previously issued warrant.

Interrogations by Law Enforcement Officials

The schools have legal custody of students during the school day and during hours of approved extracurricular activities. It is the responsibility of the school administration to try to protect each student under its control; therefore, the following steps shall be taken.

1. The questioning of students by law enforcement agencies is limited to situations where parental consent has been obtained or the school official has made an independent determination that reasonable grounds exist for conducting an interrogation during school hours.
2. Whenever possible, law enforcement officials should contact and/or question students out of school. When it is absolutely necessary for an officer to make a school contact with a student, the school authorities will bring the student to a private room and the contact is made out of the sight of others as much as possible.
3. The school principal must be notified before a student may be questioned in school or taken from a classroom.
4. The administration shall attempt to notify the parent(s) of the student to be interviewed by the law enforcement officials before questioning begins, unless extenuating circumstances dictate that this not be done.
5. To avoid possible criticism, a school official requests to be present when an interrogation takes place within the school.
6. When law enforcement officials remove a student from school, the administration will make an attempt to notify the parent(s).
7. Law enforcement officials 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/she should notify the juvenile officer or detective bureau of the law enforcement agency. The school should not attempt to handle matters that are properly in the realm of a law enforcement agency.

Adoption date: November 17, 2016

Revised: September 21, 2017

JG STUDENT DISCIPLINE

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

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

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

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

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

A student's failure to comply with the requirements for conduct outlined in the student handbooks may result in the student being disciplined. A student cannot be suspended, expelled or removed from school solely because of unexcused absences. The student may lose all rights to participate in school-related social events or extracurricular activities for a period of time determined by the principal. Depending on the seriousness of the offense committed by the student, suspension or expulsion may also result. Discipline is always administered in a reasonable manner.

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

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

Adoption date: November 15, 2018

LEGAL REFS.: ORC 3313.20; 3313.66; 3313.661; 3313.662; 3313.668
3319.41
OAC 3301-32-09
3301-37-10

CROSS REFS.: ECAB, Vandalism
IGD, Cocurricular and Extracurricular
Activities JFC, Student Conduct (Zero
Tolerance)
JGA, Corporal
Punishment JGD,
Student Suspension
JGDA, Emergency Removal of Student
JGE, Student Expulsion
Student Handbooks

JGA CORPORAL PUNISHMENT

While recognizing that students may require disciplinary action in various forms, the Indian Creek Board of Education cannot and will not condone the use of unreasonable force or fear, abuse or physical punishment as appropriate procedures in student discipline.

Professional staff should not find it necessary to resort to physical force or violence to compel obedience. If all other means fail, staff members may always resort to removal of the student from the classroom or school through suspension or expulsion procedures. Building intervention teams, parental conferences and options such as in-school suspension, detentions, removal from extra-curricular activities and referral to juvenile authorities should be explored prior to expulsion.

Professional staff, as well as classified staff may, within the scope of their employment, use and apply reasonable force and restraint to quell a disturbance threatening injury to others, to obtain possession of weapons or other dangerous objects upon or within the control of the student, in self-defense, or for the protection of persons or property.

CORPORAL PUNISHMENT SHALL NOT BE ADMINISTERED BY ANY STAFF MEMBER OF THE INDIAN CREEK LOCAL SCHOOL DISTRICT.

All employees should avoid inflicting unnecessary, unreasonable, irrational or inappropriate force upon a student, since such behavior may be subject to disciplinary action by the Board and criminal assault charges brought by the student and/or the parents.

Adopted: July 21, 1993

Revised: January 15, 2004

JGD STUDENT SUSPENSION

The Superintendent, principals, assistant principals and other designated administrators may suspend a student from school for disciplinary reasons outlined in the student code of conduct.

A student cannot be suspended from school solely because of unexcused absences. No period of suspension is for more than 10 school days. If, at the time a suspension is imposed, fewer than 10 days remain in the school year, the Superintendent cannot apply any or all of the period of suspension to the following year.

The Superintendent may instead require a student to perform community service or another alternative consequence for the number of hours remaining in the student's suspension. The Board directs the Superintendent to develop a list of alternative consequences that may be used.

If the student is required to perform community service or another alternative consequence during the summer, he/she will be required to begin serving the consequence during the first full weekday of summer break. If a student fails to complete the community service or assigned alternative consequence, the Superintendent may determine the next course of action but still cannot require the student to serve the remaining time of the out-of-school suspension at the beginning of the following school year.

Whenever possible, principals will consult with a mental health professional under contract with the District or school prior to suspending a student in grades pre-K through three. If needed, the principal or mental health professional will assist the student's parent in locating additional mental health services.

The District permits students to complete any classroom assignments missed due to suspension.

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

1. The student is informed in writing of the potential suspension and the reasons for the proposed action.
2. The student is provided an opportunity for an informal hearing to challenge the reason for the intended suspension and explain his/her actions.
3. An attempt is made to notify the parent(s) by telephone if a suspension is issued.
4. Within one school day, a letter is sent to the parent(s) stating the specific reasons for the suspension and including notice of the right to appeal such action.
5. Notice of this suspension is sent to the:

- a. Superintendent and
 - b. student's school record (not for inclusion in the permanent record).
6. Permanent Exclusion- If the offense is one for which the District may seek permanent exclusion, the notice contains that information.

Appeal Procedure

Should a student or a student's parent(s) choose to appeal the principal's' suspension, he/she must do so within 10 calendar days of the notice of suspension. The appeal shall be in writing and made to the Superintendent. If dissatisfied with the Superintendent's decision, an appeal may be made to the Board. At the request of the student or of the student's parent(s) or attorney, the meeting may be held in executive session. All witnesses are sworn and a verbatim record is kept of the hearing. The decision of the Board shall be acted upon at a public meeting. The student may be excluded from school during the appeal process.

Appeal to the Court

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

LEGAL REFS.: ORC 3313.66; 3313.661; 3313.662; 3313.668

CROSS REFS.: IGCI, Community Service
JEGA, Permanent Exclusion
JFC, Student Conduct (Zero Tolerance) JFCEA, Gangs
JFCF, Hazing and Bullying (Harassment, Intimidation and Dating Violence) JFCJ, Weapons in the Schools
JG, Student Discipline
JGE, Student Expulsion

Adopted: November 26, 2007
Revised: February 22, 2017; November 15, 2018

JGDA EMERGENCY REMOVAL OF STUDENT

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

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

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

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

Students in grades pre-K through three may only be removed for the remainder of the school day and must be permitted to return the following school day; The District may only proceed with a related suspension or expulsion in compliance with State law.

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

[Adoption date: November 15, 2018]

LEGAL REFS.: ORC 3313.66; 3313.661; 3313.662

CROSS REFS.: ECAB, Vandalism

JFC, Student Conduct (Zero
Tolerance) JFCJ, Weapons in the
Schools

JG, Student Discipline.
JOD, Student Suspension
JGE, Student Expulsion

JGE STUDENT EXPULSION

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

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

Whenever possible, principals will consult with a mental health professional under contract with the District or school prior to expelling a student in grades pre-K through three. If needed, the principal or mental health professional will assist the student's parent in locating additional mental health services.

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

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

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

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

Permanent Exclusion

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

Appeal to the Board

A student or a student's parent(s) may appeal the expulsion by the Superintendent to the Board or its designee. The expulsion appeal must be within 14 calendar days after the notice of intent to expel was provided to the student, parent, guardian or custodian. The appeal request shall be in writing to the Treasurer and at the request of the student or of the student's parent(s) or attorney, the meeting may be held in executive session. The student may be represented in all such appeal proceedings and is granted a hearing before the Board or its designee. All witnesses are sworn and a verbatim record is kept of the hearing. The decision of the Board shall be acted upon at a public meeting. The student may be excluded from school during the appeal process.

Appeal to the Court

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

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

LEGAL REFS.: ORC Chapter 2506
3313.66; 3313.661; 3313.662; 3313.668

CROSS REFS.: ECAB, Vandalism
IGCI, Community
Service JEGA,
Permanent Exclusion
JFC, Student Conduct (Zero Tolerance)
JFCF, Hazing and Bullying (Harassment, Intimidation and Dating
Violence) JFCJ, Weapons in the Schools
JG, Student
Discipline JGD,
Student
Suspension
JGDA, Emergency Removal of Student

Adopted: November 26, 2007
Revised: February 22, 2017; November 15, 2018

JGF DISCIPLINE OF STUDENTS WITH DISABILITIES

The Board recognizes that effective and appropriate discipline for students with disabilities may, at times, differ from effective and appropriate discipline for students without disabilities. The Board does not, however, believe in a double standard for misbehavior and holds the welfare and safety of all persons in the District in highest regard. Disciplinary action of students with disabilities proceeds in a manner that protects the welfare and order of the community as well as recognizes the special needs of the student.

The Board delegates to school officials the authority to enforce District policies, regulations and rules governing the conduct of all students. The District will comply with all State and Federal laws and regulations governing the discipline of students with disabilities. All students, including those with disabilities, will be referred to law enforcement officials when required by law and may be referred to law enforcement officials when their conduct constitutes a crime.

The special needs of the student with a disability are taken into account when setting behavioral expectations. Each case of unsatisfactory behavior by a student with a disability is handled individually in accordance with the student's behavior management plan and interventions articulated in the student's individualized education program (IEP). A student's failure to comply with conduct requirements in student handbooks may result in the student being disciplined.

If the student does not respond to the measures taken by District staff or to the measures articulated in the student's IEP, the staff member refers the student to the principal or other designated individual. The student may lose rights to participate in school-related social events or extracurricular activities for a period of time determined by the principal, unless such programs are included as part of the student's free appropriate public educational program. Depending on the seriousness of the offense committed by the student, suspension or expulsion may also result, by any change in placement will follow mandated procedures in applicable law.

NOTE: This policy covers the general disciplinary actions regarding students with disabilities. Federal and State laws specifically require that a "free appropriate public education" be provided for students with disabilities who have been suspended or expelled from school. Districts are advised to consult State and Federal law for the appropriate disciplinary procedures and manifestation determination requirements when a student with a disability is removed from his/her current placement because of a student conduct violation.

Adopted: February 28, 2008

JGF-R DISCIPLINE OF STUDENTS WITH DISABILITIES

(Regulations)

Federal and State laws require that a “free appropriate public education” be provided for students with disabilities, including students with disabilities who have been suspended or expelled from school. The following procedures are implemented when a student with a disability is removed from his/her current placement because of a student conduct violation.

Removal for 10 School Days or Less

The District provided student with disabilities who have been suspended for 10 school days or less in one school year the same services that it provides to students without disabilities who are similarly removed.

Removal for More Than 10 School Days

The District provides students with disabilities who have been suspended for more than 10 school days in one school year educational services that enable the student to continue to participate in the general education curriculum and to progress towards meeting the goals set out in the student’s IEP. Such services may be provided in an interim alternative educational setting and may not be the exact same services provided to the child in other settings.

When a student with a disability is suspended for more than 10 school days in one school year, the District holds a manifestation determination review. When appropriate, the District also performs a functional behavioral assessment and designs behavioral intervention and modification services to address the conduct violation.

Manifestation Determination Review

Within 10 school days of any decision to change the placement of a student with a disability, who has been suspended for more than 10 school days in one school year, the district holds a manifestation determination review. At the meeting, the school administrator responsible for disciplinary actions, the student’s parent(s) and relevant members of the student’s IEP team review all relevant information in the student’s file, including teacher observations and any pertinent information provided by the parents.

The manifestation determination review team determines whether the conduct was caused by, or had a direct and substantial relationship to, the student’s disability, or whether the conduct was a direct result of the school’s failure to implement the student’s IEP. If the team determines that the conduct was the direct result of the school’s failure to implement the student’s IEP, the school takes immediate steps to remedy those deficiencies and the student is returned to the agreed-upon placement in the student’s IEP.

Student Conduct Was Not a Manifestation of the Disability

When the conduct in question is determined not to be a manifestation of the student’s disability, the District applies relevant disciplinary procedures in the same manner and for the same duration as applied to students without disabilities. The District continues to provide educational services that enable the student to participate in the general educational curriculum and to JGF-R progress toward meeting the goals set out in the student’s IEP.

The IEP team determines the appropriate services for the student and the setting in which such services will be provided. The District conducts a functional behavioral assessment and implements behavioral intervention services and modifications designed to address the behavior violation at its own discretion.

Student Conduct Was a Manifestation of the Disability

When the conduct in question is determined to be manifestation of the student’s disability, the District conducts a functional behavioral assessment and implements a behavior intervention plan for the student. If a behavior implementation plan has already been developed, the school reviews the plan and modifies it, as necessary, to address the behavior.

The student is returned to the placement, if he/she was removed, unless the student’s parent(s)/guardian(s) and the school mutually agree on a change of placement as part of the modifications of the behavior intervention plan or unless special circumstances exist.

Special Circumstances for Removal

The District removes a student with a disability to an interim alternative educational setting for up to 45 school days without regard to whether the behavior violation is determined to be a manifestation of the student's disability if the student partakes in any of the following three violations of the Student Code of Conduct at school, on school premises or at a school function:

1. carrying or possessing a dangerous weapon;
2. knowingly possessing or using illegal drugs, or selling or soliciting the sale of a controlled substance or
3. inflicting serious bodily injury upon another person.

Adopted: February 28, 2008

JHC STUDENT HEALTH SERVICES AND REQUIREMENTS

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

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

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

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

Adopted: February 17, 2011

JHCA PHYSICAL EXAMINATIONS OF STUDENTS

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

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

The District screens students for hearing, vision, speech and communications, and health or medical problems and for any developmental disorders prior to November 1 of the school year in which a pupil is enrolled for the first time in either kindergarten or first grade in a manner determined by the Board. The District notifies parents, prior to August 1 of the year in which the pupil is required to be screened and gives parents the opportunity to submit a written statement excluding their children. If the results of any screening reveal the possibility of special learning needs, the District conducts further assessment in accordance with State law.

The District reports compliance with these screening requirements to the Ohio Department of Education by November 30 annually through the consolidated school mandate report.

If the District reports noncompliance the Superintendent/designee must provide a written explanation to the Board within 30 days explaining this noncompliance and a written plan of action for accurately and efficiently addressing the problem.

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

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

[Adoption date: November 15, 2018

JHCA

File: JHCA

LEGAL REFS.: The Elementary and Secondary Education Act; 20 USC 1221 et seq.
ORC 3301.68
3313.50; 3313.671; 3313.673; 3313.68; 3313.73
Chapter 3323

CROSS REFS.: JEC, School Admission
JHC, Student Health Services and
Requirements JHCB, Immunizations

JHCB IMMUNIZATIONS

In order to minimize the spread of preventable illnesses in schools and provide students with a healthier learning environment, the Board requires immunizations in compliance with State law and the Ohio Department of Health for each student unless the parent(s) file an objection. The Board may also require tuberculosis examinations in compliance with law. The Board will not require students to receive any vaccine for which the United States Food and Drug Administration has not granted full approval.

Students eligible for kindergarten and students new to the District must present written evidence of similar immunizations, or written evidence to indicate that they are in the process of receiving immunizations, to be completed no later than the day of entrance. The District will immediately enroll homeless students and foster students and assist in obtaining necessary immunization records. Students failing to complete immunizations within 14 days after entering are not permitted to return to school.

The District maintains an immunization record for each student, available in writing to parents upon request.

LEGAL REFS.:

ORC 3313.67
ORC 3313.671
ORC 3313.71
ORC 3313.711
ORC 3701.13
ORC 3792.04

CROSS REFS.: JEC, School Admission
JECAA, Admission of Homeless Students
JHCA, Physical Examinations of Students
JHCC, Communicable Diseases

Adopted: August 20, 1987

Revised: January 15, 2004; June 27, 2006; July 21, 2011; June 16, 2016; November 17, 2016;
November 18, 2021

JHCC COMMUNICABLE DISEASES

The Board recognizes that controlling the spread of communicable diseases through casual contact is essential to the well-being of the school community and to efficient District operation. The Board directs the Superintendent to develop and implement communicable disease management protocols in consultation with health professionals.

In order to protect the health and safety of students and staff, the Board follows all State laws and Ohio Department of Health regulations pertaining to immunizations and other means for controlling communicable diseases that are spread through casual contact in the schools. The Board will not require an individual to receive a vaccine for which the United States Food and Drug Administration (FDA) has not granted full approval, nor will the District discriminate against an individual who has not received a vaccine that has not been granted full FDA approval, including by requiring the individual to engage in or refrain from engaging in activities or precautions that differ from the activities or precautions of an individual who has received such a vaccine.

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

Any student suspected or reported to have a communicable disease is examined by a school nurse or public health nurse. Upon the recommendation of the school nurse, the student may be excluded from school. Readmission is dependent upon a decision by a physician, school nurse or public health nurse.

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

LEGAL REFS.:

ORC 3313.67
ORC 3313.671
ORC 3313.68
ORC 3313.71
ORC 3319.321
ORC 3707.04
ORC 3707.06
ORC 3707.08
ORC 3707.16
ORC 3707.20
ORC 3707.21
ORC 3707.26
ORC 3792.04

CROSS REFS.: JHCA, Physical Examinations of Students
JHCB, Immunizations

Adopted: January 15, 2004
Revised: November 18, 2021

EXCLUSION GUIDE FOR COMMUNICABLE DISEASES

DISEASE	PERIOD OF EXCLUSION
1. CHICKEN POX	Minimum 10 days without doctor's release – 7 days with doctor's written release
2. HEPATITIS (Infectious)	Hepatitis A – Doctor's written release required
3. IMPETIGO	Until lesions are dry
4. MEASLES (3 day) Rubella or German Measles	Until recovery is complete – Minimum 5 days after rash appears
5. MEASLES (9 day) Rubella	Until recovery is complete – Minimum 10 days after rash appears
6. MONONUCLEOSIS	Return to school on advice of physician
7. MUMPS	Until swelling is gone
8. PEDICULOSIS	Until all lice and nits are gone
9. PINK EYE	24 hours after the start of treatment with antibiotics
10. RING WORM	24 hours after treatment or medication has started
11. SCABIES	Until treated
12. SCARLET FEVER	24 hours after medication is started and temperature is down
13. STREP THROAT	24 hours after medication is started and temperature is down

JHCCA CONTROL OF HEAD LICE

Children identified with head lice infestation will be sent home with the parent. Children with working parents or those children who cannot be sent home will remain in school with restrictions on activities that require close personal contact.

Parents who visit the school to pick up their children will be given information about the treatment and follow-up of head lice from the school nurse or secretary. Those parents unable to pick up their children will be given the same information over the telephone, if possible. The parent will be given a letter of instructions to take home. When this is not possible, the child will be given the information to take home. They will be instructed in:

1. Treatment methods for head lice; instruction will cover treatment of the child, his/her clothing and other personal articles.
2. Identification of nits in other family members and contacts and importance of treatment.
3. Services of the local health department applying to head lice, (prescriptions, rechecks, etc.).
4. How to remove nits from the hair shaft, and the importance of this.
5. Readmission policy:
Child may return to school the morning after treatment. At that time, the child must provide some proof that treatment has taken place (ex. top of box from preparation used, letter from health department, etc.), and **BE FREE OF NITS**.
6. A school nurse or school secretary will be assigned to recheck the child's head the morning he/she returns to school. **If nits are found, the parent will be notified and expected to take the child home immediately.**

Adopted: August 20, 1987; Re-adopted by Revision: January 15, 2004

SAMPLE LETTER

Dear Parent:

Your child was examined today and found to have head lice. This is an easily treated condition that is not associated with any serious medical complications. This letter will acquaint you with the nature of this infestation and what should be done to get rid of it.

Head lice are transmitted through close personal contact with another infested individual.

Occasionally, transmission occurs by sharing combs, brushes, and other grooming aids; through sharing hats, caps, wigs, or coats; or through co-mingling of these items at the homes of friends, at school, at church, or other public places. Most parents have the impression that only persons who are unclean become infested with head lice. This is not true! Frequent bathing will neither prevent head lice nor eliminate an infestation once it has become established.

Head lice are elongated insects about this (--) long and are greyish white with dark margins. LICE DO NOT JUMP, FLY, OR STAY ALIVE FOR LONG PERIODS OFF THE HUMAN HEAD. They do move very quickly once on the head and are difficult to find.

Because head lice are good at hiding in the hair, an infestation is only diagnosed by finding nits. A nit is a louse egg. Nits are teardrop-shaped, about the size of a typewritten comma, and vary from yellowish-brown to white. Head lice attach each nit to a hair shaft with a waterproof, cement-like substance. Thus, nits cannot be washed out or brushed out of the hair like dandruff or other debris that may look like nits to the naked eye. Clusters of nits may be found in any section of hair, but when there are only a few lice present, a careful examination of the hair and entire scalp may be necessary to detect them.

It is necessary to treat the infested individual and his contacts, including family members, if found to be infested. Personal articles that the child and any infested contacts have worn or used within the past two days should be cleaned. The following treatment procedure should be carried out before your child returns to school:

1. Obtain head louse shampoo from your pharmacy. Several medicated shampoos (pediculicides) are available for head lice: A-200 Pyrinate, Kwell, Prioderm, RID, XXX, etc. Only Kwell and Prioderm require a prescription. Prescriptions can be obtained from your private physician, or at the health department.
2. Apply shampoo according to the manufacturer's instructions, or according to the instructions you received from your physician or health department. DO NOT OVERTREAT!
3. Have your child put on clean clothing after the treatment.
4. Manually remove all nits from the child's hair. This is time consuming but important as your child will not be allowed to attend school until this is done.
5. Repeat treatment with the pediculicides in 7-10 days because not all nits die with the first treatment and some may have been missed in the manual removal process.

Since heat kills lice and their eggs, many personal articles can be disinfested by machine washing in HOT water and/or drying using the HOT cycle of the dryer. Both eggs and adults are killed in 5 minutes at 125 degrees. Home hot water heaters keep water at about this temperature when the heat selector is set on medium or high. Drying clothes on the high heat setting for 20 minutes will also accomplish disinfestations.

Personal articles of clothing or bedding that cannot be washed or dried may be dry-cleaned or simply placed in a plastic bag and sealed for 10 days. Combs, brushes, and similar items can be disinfested by soaking them in one of the pediculicide shampoos or by soaking them for 5-10 minutes in a pan of water heated on the stove to about 150 degrees

Carpets, furniture, etc., do not require special treatment as lice live only a short time away from the head. Simple vacuuming is sufficient treatment of these articles. USE OF INSECTICIDES, OR FUMIGATION IS NOT NECESSARY!

Parents of your child's closest friends must be notified that their child may also be infested. This is particularly important if the children have slept together or participated in activities involving frequent body contact, such as wrestling, ballet classes, football, etc. If the friend becomes infested while playing with your child and is not treated, your child may become reinfested from his friends. TREATMENT DOES NOT PREVENT REINFESTATION.

Your child may return to school the morning following treatment, provided all nits are removed. The school nurse, or a trained school employee will examine your child's hair and scalp at that time. Should any nits be found, you will be called to pick up your child.

Thank you for your assistance in this matter.

Signature: School Principal

JHCB CONTROL OF BED BUGS

Students suspected of carrying bed bugs (*Cimex lectularius*) will be discretely removed from the classroom so that the school nurse or another qualified individual can perform an inspection of the student's clothing and belongings, including shoes, jackets, hats, books, backpacks, school supplies, etc.

After a positive identification, the school administration will directly contact the student's parent or guardian and provide the following information:

- A. Instruct the parent or guardian to send the student to school with a sealable plastic bag containing a clean, freshly laundered change of clothes. The clothes should be washed at the hottest recommended setting and tumble dried on high heat for at least 30 minutes before being placed in the bag.
- B. Request that the parent or guardian send only essential items to school with the student. These items should be inspected upon arrival at school. The school may offer to keep non-essential items overnight to help ensure the items are bed bug free.
- C. Suggest keeping school items sealed in a plastic bag at home and limit items going back and forth from home to school until the infestation is under control.

The Administration will also send to the parents or guardians of all students in the classroom of the student identified as carrying bed bugs a notification letter and a bed bug "Fact Sheet," which will provide steps parents or guardians should take to address a bed bug infestation in their place of residence.

To help minimize the potential transfer of bed bugs or their eggs from one student's belongings to another, students identified as carrying bed bugs will have their personal belongings (coat, backpack, lunch bag, etc.) separated from those of their classmates or placed in individual plastic containers labeled with the students' names.

A school nurse will be assigned to recheck students previously identified as carrying bed bugs on the morning the students return to school. If bed bugs are found, the Administration will contact the student's parents or guardians, as well as the Jefferson County General Health District, or any other appropriate public agency, as deemed necessary by the school principal.

Because bed bugs are not known to transmit disease, students identified as potentially carrying bed bugs will not be excluded from school. However, all reasonable steps to safely remove bed bugs from such students and prevent the spread of future infestations may be taken. The Administration will discretely follow the guidelines provided in this policy with the affected student's dignity in mind.

Adopted: May 19, 2022

School Letterhead

Date

Dear Parent or Guardian:

This letter has been sent to you in response to a bed bug being found in your child's classroom. Although it is often very difficult to identify the source of the bed bug and pinpoint how it was brought into the school, our staff is in the process of conducting a thorough inspection of the school and treating appropriately where necessary. We will continue to monitor the situation and consult with public health and pest control professionals to eliminate any bed bugs in the building and to minimize the potential for future bed bug activity in the school.

Although bed bugs are a nuisance, they have not been known to spread disease. Anyone who comes in direct contact with bed bugs or their eggs can unknowingly carry them into their home or workplace. They are easily spread by moving beds, furniture, luggage, or clothing from one location to another. For this reason, it is important that you inspect your child's backpack, lunch bag and other items regularly for the presence of bedbugs.

The Ohio Department of Health recommends that you routinely check your residence for signs of bed bug activity. Eliminating an extensive bed bug infestation can be a very challenging and costly process, so it is very important to begin treatments and prevention practices as soon as a problem is identified.

Bed bugs require blood to survive and reproduce, so they will typically look to bite any areas of exposed skin while you are asleep. The bites may not hurt at first, but may become swollen and itch a few days later, much like a mosquito bite. Most bed bug bites do not usually necessitate medical treatment. Wash the affected area with soap and water and then apply Calamine lotion to help dry out the bumps and stop the itching. If allergic reactions persist, an antibiotic cream or topical steroid, such as Hydrocortisone, will help take care of the infection. Please contact your physician with specific medical questions.

If you have any questions regarding bed bugs or our response efforts, please feel free to contact the Principal or School Nurse. Detailed information on bed bugs and appropriate control measures can be obtained on the Ohio Department of Health's web site (www.odh.ohio.gov). Thank you for your assistance in this matter.

Sincerely,

Principal or School Nurse

JHCD ADMINISTERING MEDICINES TO STUDENTS

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

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

Inhalers for Asthma

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

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

Epinephrine Auto-injectors

Students are permitted to carry and use an epinephrine auto-injector (epipen) to treat anaphylaxis (severe allergic reactions). The right to carry and use an epipen extends to any activity, event or program sponsored by the student's school or activity, event or program in which the school participates.

Student possession of an epipen is permitted only if the student has written approval from the prescriber of the medication and, if a minor, from his/her parent. Written approval must be on file with the principal and, if one is assigned, the school nurse. In addition, the principal or school nurse must receive a backup dose of the medication from the parent or student.

Diabetes Medication

If a student's treating physician determines a student with diabetes is capable of performing diabetes care tasks, the student is permitted to attend to the self-care and management of his/her diabetes during regular school hours, and at school-sponsored activities upon written request from the student's parent/guardian or other person having care or charge of the student. Students may perform these tasks in the classroom, in any area of the school or school grounds, and at any school-sponsored activity.

Students are permitted to possess, at all times, the necessary supplies and equipment to perform the tasks in accordance with the student's treating physician's orders. This right may be evoked if the student performs any care tasks or uses medical equipment for purposes other than the student's own care. The student is provided with a private area for performing self-care tasks if requested by the student, student's parent/guardian or other person having care of charge of the student.

Seizure Medication

If a student has an active seizure disorder diagnosis, the school nurse, or another school employee if the school does not employ a nurse, will create an individualized seizure action plan for that student in accordance with State law. The action plan must include information on how to administer prescribed seizure drugs to the student and school districts must designate at least one employee in each school building aside from a school nurse to be trained every two years on implementing seizure action plans, including training in administering seizure drugs.

Legal References:

- ORC 2305.23
- ORC 2305.231
- ORC 3313.64
- ORC 3313.7112
- ORC 3313.7117
- ORC 3313.712
- ORC 3313.713
- ORC 3313.716
- ORC 3313.718
- ORC 3314.03
- ORC 3314.141
- OAC 3301-35-06

Cross References

- EBBA, First Aid
- JFCH, Alcohol Use by Students
- JFCI, Student Drug Abuse

Adopted: January 17, 1985; Re-adopted by Revision: January 15, 2004

Revised: December 15, 1999; May 20, 2004; September 18, 2014; February 19, 2015; October 18, 2018; December 21, 2023

Therefore, the parent must complete Part I of this form and the prescriber must complete Part II and the form must be filed with the child's school before any prescription drug can be administered in school.

JHCD-R ADMINISTERING MEDICINES TO STUDENTS

(Use of Epinephrine Auto-injectors)

Student possession of an epipen is permitted only if the student has written approval from the prescriber of the medication and, if a minor, from his/her parent. Written approval must be on file with the principal and, if one is assigned, the school nurse. In addition, the principal or school nurse must receive a backup dose of the medication from the parent or student.

The prescriber's written approval must specify at least the following information:

1. student's name and address;
2. name and dose of the medication contained in the auto-injector;
3. the date the administration of the medication is to begin and, if known, the date the administration of the medication is to cease;
4. acknowledgement that the prescriber has determined that the student is capable of possessing and using the epipen appropriately and has provided the student with training in the proper use of the epi-pen.
5. circumstances in which the epipen should be used;
6. written instructions that outline procedures school personnel should follow if the student is unable to administer the medication or the medication does not produce the expected relief from the student's anaphylaxis (allergic response);
7. any severe reaction that:
 - a. the student may experience that should be reported to the prescriber or
 - b. that may occur to another student for whom the medication is not prescribed, if that student receives a dose of the medication;
8. at least one emergency telephone number each for contacting the prescriber and the parent and
9. any other special instructions from the prescriber.

Whenever a student is administered epinephrine at school or at an activity, event or program sponsored by the school or in which the school is a participant, a school employee must immediately request assistance from an emergency medical service provider. Request for medical assistance applies whether the student self-administers the medication or a school employee administers it to the student.

The Board and District employees are not liable in damages in a civil action for injury, death or loss to person or property allegedly arising if:

1. a school employee prohibits a student from using an epipen because he/she has a good faith belief that the conditions for carrying and using the medication have not been satisfied;
2. a school employee permits a student to carry and use an epipen, because of the good faith that the conditions have been satisfied or
3. in instances in which a student is rightfully permitted to carry an epipen, the use of the medication by a student for whom it was not prescribed.

Adopted: February 22, 2007

JHCDD SELF-ADMINISTRATION OF ASTHMA MEDICATION

A student has the right to possess and use a metered dose inhaler or a dry powder inhaler either before exercise to prevent the onset of asthmatic symptoms or to treat the symptoms once they occur. The right extends to any activity, event, or program sponsored by the student's school or in which the school participates.

In order to acquire the right to self-administer an inhalant under this Policy, the student must have the written approval of both the student's physician and (if the student is a minor) the student's parent, guardian, or other caretaker. In addition, the school principal and the school nurse must have received copies of these required written approvals. The physician's written approval must specify at least the following information:

1. The student's name and address;
2. The name and dose of the medication contained in the inhaler;
3. The date the administration of the medication is to begin;
4. The date, if known, that the administration of the medication is to cease;
5. Written instructions that outline procedures school personnel should follow in the event that the asthma medication does not produce the expected relief from the student's asthma attack;
6. Any severe adverse reactions that may occur to the child using the inhaler and that should be reported to the physician;
7. Any severe adverse reactions that may occur to another child, for whom the inhaler is not prescribed, should he or she receive a dose of the medication;
8. At least one emergency telephone number for contacting the physician;
9. At least one emergency telephone number for contacting the parent, guardian, or other person having care or charge of the student in an emergency; and
10. Any other special instructions from the physician.

Immunity from Tort Liability

The School District, a member of the Board of Education, or a School District employee shall not be liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from a District employee's prohibiting a student from using an inhaler because of the employee's good faith belief that the conditions of this Policy had not been satisfied.

The School District, a member of the Board of Education, or a School District employee shall not be liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from a District employee's permitting a student to use an inhaler because of the employee's good faith belief that the conditions of this Policy has been satisfied.

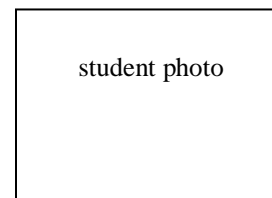
When a School District is required to permit a student to possess and use an inhaler because the conditions of this Policy have been satisfied, the School District, any member of the Board of Education, or any School District employee is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from the use of the inhaler by a student for whom it was not prescribed.

Nothing in this Policy eliminates, limits, or reduces any other immunity or defense that the School District, any member of the Board of Education, or any School District employee may be entitled to under O.R.C. Chapter 2744, any other provision of the Revised Code, or the common law of the state.

Adopted: December 15, 1999; Re-adopted by Revision: January 15, 2004

STUDENT ASTHMA ACTION CARD

This personalized asthma action card is to help teachers work together with parents and physicians in controlling asthma among school children. It will enable the teacher to confidently make appropriate decisions when dealing with asthma episodes and emergency situations. The parent and doctor should fill out this card and update it yearly.



STUDENT NAME: _____
Grade _____ Age _____

1. Emergency Contact(s):

a. Parent(s)/Guardian(s):

_____(Relationship) _____ Phone

(H) _____ (W) _____

Name

_____(Relationship) _____ Phone (H) _____ (W) _____

Name

b. Family Doctor: _____ Office Phone: _____

c. Asthma Specialist: _____ Office Phone: _____

2. Student Personal Asthma Triggers: (indicate all that apply)

- cats dogs pollen molds aerosol
- dust/dust mites cold air chalk dust foods (list below) cleaning
- chest infections humidity fumes smoke agents
- other _____

3. Asthma Medications:

Medications	Drug Action	Dose	When to Use	Common Side Effects
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4. Peak flow guidelines:

a. Personal best Peak Flow _____

b. Peak flow requiring relief inhaler _____

c. Peak flow requiring urgent attention _____

5. What to do for asthmatic episodes:

a. Give reliever inhaler _____ # of puffs _____

b. Allow student to stop activity and rest. (Do not insist the student lie down) Remain calm to reduce the student anxiety. If possible, stay or have someone stay with the student until the student improves.

c. Contact parents and school nurse if the episodes are occurring frequently or a single episode is not relieved promptly. This generally implies the child's asthma is getting worse and should be seen by a doctor.

6. Get Emergency Help if the student has ANY of the following symptoms:

- No relief in 10 to 20 minutes after using their _____ (relief inhaler)
- Showing signs of difficulty breathing or struggling to breathe despite medications
- Wheezing
- Difficulty talking
- Lips and fingernails are gray or bluish in color
- Peak flow less than _____ L/min. (liters per minute)

7. What to do:

- a. Give relief inhaler _____ #of puffs_____ again and repeat after _____ minutes while waiting to get help. Follow school protocol or
- b. Have someone phone their doctor for advise OR
- c. Call an ambulance – state that the student is having an asthmatic attack/episode
- d. Notify the parents

If prior instructions are followed, continue with **Special instructions** below.

While waiting for help, stay with student and encourage him/her to remain calm to avoid panicking.
TRY TO CONTROL BREATHING – BREATHE IN THROUGH THE NOSE AND BREATHE OUT SLOWLY THROUGH THE MOUTH.

8. Special Instructions:

9. Recommendation for Inhaled Medication:

***Note: This recommendation is for the specific student named below. This student may not permit any other student to have or use the prescribed medication due to possible adverse and/or harmful results of the use of any medication not prescribed for a specific person.*

(Student Signature)

Indicate only one (1) procedure below to be followed

_____ has demonstrated proper inhaler use and technique and should be allowed to carry and use his/her asthma inhaler(s) by himself/herself.

_____ will need assistance with his/her asthma inhalers which should be kept by the teacher or school personnel; but must be given immediately for asthma symptoms.

Physician Signature

Date

Parent/Guardian Signature

Date

JHF PUPIL HEALTH AND SAFETY

The Board believes that students have the right to be protected in all facets of the education program and directs the Superintendent/designee to develop and maintain a safety instruction program for all students. Safety instruction in the District includes:

1. establishing appropriate safety rules;
2. learning how to practice safety and prevent accidents;
3. learning how to safely use and properly care for tools and equipment so as to reduce the potential for accidents;
4. developing habits of good housekeeping, proper storage and handling of materials, and sanitation;
5. becoming familiar with personal protection devices and the proper clothing to be worn for safety purposes;
6. learning how to cooperate with others in the promotion and operation of a safety program in the schools, on school grounds and in school vehicles;
7. instructing students not to accept gifts or automobile rides from strangers. Students are also instructed to tell staff members, parents or law enforcement officials of any suspicious strangers in or around school property;
8. providing instruction in personal safety and assault prevention in grades kindergarten through 6. Upon the written request of a parent, a student shall be excused from such instruction and
9. providing age-appropriate instruction in dating violence prevention in grades 7 through 12.

In an attempt to further ensure student safety, staff members:

1. shall not send students on errands that would require the student to leave school property and/or drive a vehicle;
2. shall not attempt to counsel, assess, diagnose or treat a student's personal problem relating to sexual behavior, substance abuse, mental or physical health and/or family relationships but, instead, should refer the student to the appropriate individual or agency for assistance;
3. shall not disclose information concerning a student, other than directory information, to any person not authorized to receive such information. This includes, but is not limited to, information concerning assessments, ability scores, grades, behavior, mental or physical health and/or family background and
4. shall, immediately report any suspected signs of child abuse or neglect.

In addition to instruction in safety, buildings are inspected annually to detect and remedy health and safety hazards. Staff members shall immediately report to the building administrator any accident of safety hazard he/she detects. The Superintendent is authorized and directed to develop appropriate means for the implementation of this policy.

Adopted: October 19, 1982; Re-adopted by Revision: January 15, 2004

Revised: March 16, 2006; July 21, 2011

JHFD STUDENT AUTOMOBILE USE

The transportation policies of the Board are aimed at providing a safe, efficient and economical method of getting students to and from school and school-sponsored activities. The Board provides transportation services to students that meet or exceed State law.

The Board recognizes that students might desire to drive their own vehicles to school. Therefore, the Board directs the Superintendent/designee to develop and maintain administrative guidelines to ensure the safety of student drivers, passengers and all other persons on District property.

In compliance with State law, student drivers under the age of 17 years old are not permitted to transport more than one person who is not a family member unless the driver is accompanied by his/her parent, guardian or custodian.

Students are discouraged from transporting other students to and from student activities, events and programs.

Adopted: February 22, 2007

JHG REPORTING CHILD ABUSE

All employees of the District who know or have reasonable cause to suspect that a child under 18 years of age or a disabled child under 21 years of age has suffered, is suffering or faces a threat of suffering any type of abuse or neglect are required to immediately report such information to the public children services agency or the local law enforcement agency.

Conversely, public children's services agencies must notify the Superintendent of any allegations of child abuse and neglect reported to them involving the District, as well as the disposition of the investigation.

To ensure prompt reports, procedures for reporting are made known to the school staff. A person who participates in making such reports is immune from any civil or criminal liability, provided the report is made in good faith.

The Board directs the Superintendent/designee to develop a program of in-service training in child abuse prevention; child sexual abuse violence; school safety and violence prevention including human trafficking; substance abuse, the promotion of positive youth development, youth suicide awareness and prevention and the use of an automatic external defibrillator (AED). Training is also provided on the Board's harassment, intimidation, or bullying policy.

Where required, the in-service training program is developed in consultation with public or private agencies or persons involved in child abuse prevention, school safety, violence prevention or intervention programs or youth suicide awareness and prevention. The child sexual abuse training is provided by law enforcement officers or prosecutors with experience in handling cases involving child sexual abuse or child sexual violence.

Each person employed by the Board to work as a school nurse, teacher, counselor, school psychologist or administrator shall complete at least four hours of the established in-service training within two years of commencing employment with the District, and every five years thereafter.

Middle and high school employees who work as teachers, counselors, nurses, school psychologists and administrators must receive training in dating violence prevention. The curriculum for training in dating violence prevention is developed by the Superintendent/designee and training must occur within two years of commencing employment and every five years thereafter.

Each person employed by the Board to work as a school nurse, teacher, counselor, school psychologist, administrator or any other personnel the Board deems appropriate shall complete training in youth suicide awareness and prevention once every two years.

Legal References

- ORC 2151.011
- ORC 2151.421
- ORC 3313.662
- ORC 3313.666
- ORC 3319.073

Cross References

- EB, Safety Program
- EBC, Emergency Management and Safety Plans
- IGAE, Health Education
- JFCF, Hazing and Bullying (Harassment, Intimidation and Dating Violence)

JHF, Student Safety

Adopted: January 15, 2004

Revised: October 20, 2005; November 26, 2007; November 19, 2009; April 20, 2023, October 17, 2024

JHH NOTIFICATION ABOUT SEX OFFENDERS

State law requires certain sex offenders to register with the sheriff in accordance with law. In some circumstances the sheriff notifies the Superintendent that a sex offender subject to community notification is residing, employed or attending school within the geographical region of the District.

If the Superintendent receives information from the sheriff concerning a sex offender subject to community notification, the Superintendent disseminates the information regarding the sex offender subject to community notification to employees whose duties include supervision of or responsibility for students. Employees who receive the information are instructed to promptly notify the Superintendent if the sex offender subject to community notification is observed in the vicinity of the school. The Superintendent notifies the local law enforcement agency if, in the judgment of the Superintendent, the presence of the sex offender subject to community notification appears to be without a legitimate purpose or otherwise creates concern for the safety of the students.

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

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

Adopted: September 16, 2010

LEGAL REFS.: 42 USC 14071
 ORC 149.43
 2151.355
 2152.83; 2152.84
 Chapter 2950

CROSS REFS.: GBQ, Criminal Records Check
 JO, Student Record

Adopted: September 16, 2010
 Revised: December 20, 2018

Legal Reference:
 42USC 14071; ORC 149.43;2151.355;2152.83;2152.84; Chapter 2950

JHI UNTIMELY/ACCIDENTAL DEATH OF A STUDENT

The following procedure represents those recommended steps to be implemented subsequent to the notification that a student in the Indian Creek School District has met an untimely death. The procedure is predicated on the notification reaching either the building principal and/or Superintendent prior to the start of the next school day. Although such a scenario is not always assured, the procedure allows for flexibility in its implementation. Furthermore, the procedure may be similarly applied to any faculty and/or staff member who dies.

Student's Death

Day 1 – prior to start of next school day –

The building principal notifies the Superintendent subsequent to verifying information that a student has met an untimely death. Such verification should be made directly to the student's family. The building principal will notify his faculty and staff as soon as possible.

The building principal will also announce an a.m. emergency faculty meeting and a building Crisis Response Team (CRT) meeting prior to the start of the next school day. The CRT may consist of the following members: principal or building administrator, psychologist, nurse, teacher, guidance counselor, professional resource persons. The CRT meeting is to take place prior to the general faculty meeting.

The Superintendent, or his designee, will notify all District office administrators, Board of Education members, and other building principals. In addition, the Superintendent will establish and designate a District liaison to represent the District in communicating and responding to the needs of the affected building.

A.M. – first day in school –

The CRT will:

- a. review facts
- b. provide student and teacher support
- c. establish a need for a crisis room
- d. identify students to be told, i.e., class/grades/bus
- e. plan a.m. faculty meeting agenda
- f. plan time for p.m. faculty meeting
- g. establish building schedule for the day
- h. contact District liaison
- i. request, if necessary, additional support personnel

The building principal will prepare for the a.m. faculty meeting and other tasks to be completed that day. These tasks may include but are not limited to the following:

- a. prepare a written notice/statement to be sent home to parents of students in said building
- b. prepare a written statement to be read by teachers and/or administrator to students in their respective classes
- c. contact family to provide support and ascertain additional and relevant facts related to the student's death
- d. establish an agenda for faculty meeting including the building schedule for the day
- e. Contact liaison for an update on facts, information, and other questions that need to be answered

The a.m. faculty meeting may be called in order to:

- a. advise teachers and all non-instructional staff, e.g., custodians, paraprofessionals, cafeteria workers, etc., of the facts
- b. provide the faculty and staff the opportunity to share their emotions and concerns
- c. provide teachers with a written statement, if needed, to be read to identified students
- d. outline the building's schedule for the day
- e. identify resources that teachers and students can utilize during the course of the day, e.g., crisis room

- f. announce a p.m. faculty meeting

During the course of this day, every attempt will be made to maintain a normal routine in order to provide a stable and supportive environment for students and staff. However, where necessary, instructional lessons for the day may be temporarily suspended as faculty, staff, and students begin to resolve their personal and emotional conflicts. It is also during this time that teachers and counselors begin to identify those students displaying “at-risk” behavior, and identify appropriate referral help.

A p.m. faculty meeting may be called in order to:

- a. update information regarding the deceased
- b. arrangements regarding wake, funeral, etc.
- c. identify those at-risk students, i.e., students demonstrating an inability to cope with the tragedy
- d. identify available resources teachers may use in class, books, etc.
- e. identify the need for a continuation of crisis rooms
- f. answer questions from teachers
- g. overview of next day’s plan

Day 3 – second day in school –

The building principal will:

- a. update information to students and faculty
- b. make arrangements for those teachers requesting to attend funeral, i.e., secure substitutes for those classes during that time
Students who would like to attend the funeral may do so with their parent’s permission (written note) and/or supervision. The District is not responsible for organizing and supervising those students attending the funeral.
- c. inform liaison of any recent developments, concerns, and questions
- d. monitor and observe all personnel, students, and teachers and their need for intervention
- e. observe the crisis room
- f. continue to work closely with family

Referrals

It may be necessary to formally refer those students and teachers demonstrating an inability to cope with tragedy. Referrals can be made to:

- a. guidance counselor
- b. nurse
- c. community resource

The building principal and members of the CRT may also make such personnel available to family members; if long term intervention is needed and/or requested, the CRT should identify those community resources appropriate in meeting the needs of the family.

Memorials

In an attempt to bring closure to the grieving period, an appropriate way of memorializing the deceased student may be considered. This is an acceptable form of postvention and should be implemented only after consulting with the superintendent, principal, and family. Permanent structures such as memorial plaques, benches, and equipment will not be accepted.

For individuals interested in donating money on behalf of the deceased, the parents will be requested to identify those charities and/or organizations where donations can be sent.

Evaluation

During the entire process, the principal is to log daily activities and note any unusual or unforeseen situation that occurs during that time. The collection of such data shall be used to revise said policy and procedure.

Crisis Response Team

The CRT may meet at an appropriate time to evaluate all actions that were implemented.

Feedback should be solicited from all individuals involved in the process including but not limited to the following:

- a. superintendent
- b. District liaison
- c. teachers
- d. parents
- e. students
- f. CRT members

Adopted: December 19, 1991; Re-adopted by Revision: January 15, 2004

JHIA SELF-ESTEEM PROMOTION/SUICIDE PREVENTION

The Board of Education recognizes that depression and self-destruction are problems of increasing severity among children and adolescents. A pupil suffering from depression cannot benefit fully from the educational program and may pose a threat to him/herself or others. All school personnel should be alert to the pupil who exhibits signs of unusual depression or who threatens or attempts suicide.

School personnel cannot be expected to treat the suicidal adolescent. Rather, they need to recognize that they are in a position to aid in the identification of those young people who may be suicidally prone, and to intervene in order to link these young people and their families to treatment programs in the area.

Adopted: December 19, 1991; Re-adopted by Revision: January 15, 2004

JK EMPLOYMENT OF STUDENTS

The Board believes a student's school responsibilities are to take precedence over non-school related jobs. However, the Board acknowledges extenuating circumstances may surface when a student may need to forgo the traditional method of obtaining an education in order to work and provide support or care for himself/herself or his/her family members.

If a student needs to work while attending school, he/she is cautioned against assuming work commitments which interfere with his/her studies and achievement in school. Opportunities for employment may be provided through work-experience programs and other employers in accordance with the following provisions for obtaining age and schooling certificates.

Age and Schooling Certificates (Work Permits)

All Students under the age of 18 must apply for a work permit in order to legally obtain paid employment. Students, ages 17 and 17, must have valid work permits for paid employment during the school year. Students, ages 14 and 15, must obtain valid work permits for employment at all times of the year.

In compliance with State law, the Superintendent/designee is responsible for processing requests for and issuing all work permits as necessary. Students must provide all the documentation required by State law including, but not limited to, proof of age and physical fitness. Proof must also be provided identifying the potential employer as places of employment where minors can legally work.

In-School Employment)

The Board may make available to students part-time and summer jobs commensurate with their abilities and the needs of the District for student employees. The Board also authorizes the District to provide cooperative work-experience programs.

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

Adopted: November 17, 2011

JM STAFF-STUDENT RELATIONS

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

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

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

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

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

(Also GBH)

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

Social Media

1. District staff are prohibited from posting data, documents, photographs or inappropriate information on any social media platform that might result in a disruption of classroom activity or that violates State or Federal law relating to staff and student privacy. The Superintendent/designee has full discretion in determining when a disruption of classroom activity has occurred.
2. District staff are prohibited from providing personal social media passwords to students.
3. Fraternalization between District staff and students via the internet, personal email accounts, text messaging, personal social media and other modes of virtual technology is also prohibited.
4. Access of personal social media during school hours is prohibited.

Violation of the prohibitions listed above will result in staff and/or student discipline in accordance with State law, Board policies and regulations, the staff and student codes of conduct and handbooks and/or staff negotiated agreements. Nothing in this policy prohibits District staff and students from the use of education websites and/or use of social media created for curricular, cocurricular or extracurricular purposes.

[Adoption date: December 20, 2018

LEGAL REF.: ORC 3313.20

CROSS REFS.: GBC, Staff Ethics
GBCA, Staff Conflict of Interest
GBCB, Staff Conduct
GBI, Staff Gifts and Solicitations
IIBH, District Websites
JFC, Student Conduct (Zero Tolerance)
JG, Student Discipline
JHF, Student Safety
JHG, Reporting Child Abuse
JL, Student Gifts and Solicitations
JO, Student Records
KBA, Public's Right to Know
Staff Handbooks
Student Handbooks

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

Adopted: December 20, 2018

JN STUDENT FEES, FINES AND CHARGES

Student Fees, Fines and Charges

Materials Fees

Students enrolled in District schools are furnished basic textbooks without cost. However, a fee for consumable materials and supplies used in the instructional program is established at the beginning of each school year and may vary as the cost of materials and supplies fluctuates. Such fees are to be deposited in the rotary operating funds of the Board to defray the cost of the materials and supplies.

The Board directs the Superintendent/designee to prepare a schedule of fees for materials to be used in courses of instruction and a schedule of charges that may be imposed for damage to school property.

The District does not charge students eligible for free lunch under the National School Lunch Act or Child Nutrition Act a fee for any materials needed to participate fully in a course of instruction. Any fees charged to students eligible for free lunch under the National School Lunch Act or Child Nutrition Act will be charged in compliance with State and Federal law. This exception only applies to recipients of free lunch, not students who receive reduced-price lunch. This provision does not apply to extracurricular activities and student enrichment programs that are not courses of instruction.

Fines

When school property, equipment or supplies are damaged, lost or taken by individuals, a fine is assessed. The fine is reasonable, seeking only to compensate the school for the expense or loss incurred. Free lunch eligibility does not exempt a student from paying fines for damage to school property.

The late return of borrowed books or materials from the school libraries is subject to appropriate fines.

All fines collected are sent to the Treasurer for deposit in the General Fund of the Board.

Unpaid Meal Charges

Unpaid meal charges are considered delinquent debt when payment is past due. The administration will establish procedures for the collection of unpaid meal charges.

Collection of Student Fees and Fines

The administration may establish regulations for the collection of student fees and fines.

Grades and credits are not made available to any student, graduate or to anyone requesting same on his/her behalf until all fees and fines for that student have been paid in full, except where required by State law. Participation in extracurricular field trips will not be permitted unless payment has been received. Students will be prohibited from participating in commencement exercises unless payment has been received.

The District may withhold a student's school records, except as provided in State law, if there is \$2,500 or more of outstanding debt attributed to the student. The District will transmit the student's school records within five school days once the debt is paid. "School records" includes

Legal References

National School Lunch Act; 42 USC 1751

Child Nutrition Act of 1966; 42 USC 1771
ORC 3313.642
ORC 3319.324
ORC 3329.06

Cross References

EF / EFB, Food Services Management/Free and Reduced-Price Food
IGCB, Innovative Education Programs
IGCD (Also LEB), Educational Options

Adopted: August 18, 1981; Revised: November 15, 1995; December 26, 1996; April 24, 1997; Re-adopted by revision: January 15, 2004; August 22, 2005; September 26, 2006; November 26, 2007; November 19, 2009; November 17, 2011; February 16, 2012; November 21, 2013; August 17, 2017; December 21, 2023

APPLICATION
FOR
WAIVER OF STUDENT INSTRUCTIONAL FEES

Under Ohio Law, students who qualify for free lunch are eligible for a waiver of instructional fees. This does not apply to any fees that may be charged for extracurricular activities, fines, field trips (non-curricular), school pictures, parking fees and lunch charges. Please complete this application **ONLY** if your child is eligible for a waiver of fees.

Student Name _____ Parent or Legal Guardian Name _____

Address _____ City _____ State _____ Zip Code _____

School Attending _____ Grade _____

NOTE: Students approved for REDUCED Lunch do not qualify for a waiver of student instructional fees.

RETURN THIS APPLICATION TO YOUR CHILD'S SCHOOL

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

Signature (Parent or Legal Guardian) _____

Date _____

For Office Use Only

Application Approved - Waiver Granted _____ Free _____ Direct Certification _____

Refund Approved _____

Application Rejected - Waiver Not Granted _____

Signature of Superintendent/Designee _____

Date _____

JO STUDENT RECORDS

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

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

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

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

The District uses reasonable methods to identify and authenticate the identity of parents, students, school officials and any other parties to whom the agency or institution discloses personally identifiable information from education records.

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

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

The following rights exist:

1. The right to inspect and review the student's education records;
2. The right, in accordance with administrative regulations, to seek to correct parts of the student's education records, including the right to a hearing if the school authority decides not to alter the records according to the parent(s)' or eligible student's request;
3. The right of any person to file a complaint with the U.S. Department of Education if the District violates relevant Federal law, specifically the Family Educational Rights and Privacy Act (FERPA) and
4. The right to acquire information concerning the procedure which the parent(s) or eligible student should follow to obtain copies of this policy, the locations from which these copies may be obtained, as well as any fees to be charged for such copies. *(see administrative regulations.)

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

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

The above information is disclosed without prior written consent, except when the request is for a profit-making plan or activity or when the parent/eligible student has informed the Board that any or all such information should not be released without their prior written consent, or when disclosure is otherwise prohibited by law.

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

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

Other than requests as described above, school officials release information from, or permit access to, a student's education records only with the prior written consent of a parent or eligible student, except that the Superintendent or a person designated in writing by the Superintendent may permit disclosure in certain limited circumstances outlined under administrative regulations.

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

Revised: February 2, 1987; August 20, 1987; September 23, 2003; July 18, 2013; Aug 18, 2016
November 17, 2016

JO-R STUDENT RECORDS – REGULATIONS

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

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

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

Eligible Student – a student or former student who has reached age 18 or is attending a postsecondary school

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

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

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

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

Personally Identifiable Information – any data or information which makes the subject of a record known, including the student's name, the student's or student's family's address, the name of the student's parent or other family members, a personal identifier such as a student's Social Security number or a biometric record,

other indirect identifiers, such as the student's date of birth, place of birth or mother's maiden name, other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty or information requested by a person who the District reasonable believes knows the identity of the student to whom the education record relates.

ANNUAL NOTIFICATION

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

The notice includes;

1. The right of a parent(s) or eligible student to inspect and review the student's education records;
2. The intent of the District to limit the disclosure of information contained in a student's education records, except; (1) by the prior written consent of the student's parent(s) or the eligible student, (2) as directory information or (3) under certain limited circumstances, as permitted by law;
3. The right of a student's parent(s) or an eligible student to seek to correct parts of the student's education records which he/she believes to be inaccurate, misleading or in violation of student rights; this right includes a hearing to present evidence that the records should be changed if the District decides not to alter them according to the parent(s) or eligible student's request;
4. The right of any person to file a complaint with the Department of Education if the District violates the FERPA and
5. The procedure that a student's parent(s) or an eligible student should follow to obtain copies of this policy and the locations where copies may be obtained.

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

LOCATIONS OF EDUCATION RECORDS

TYPES	LOCATION	CUSTODIAN
Cumulative School Records	Principals' Offices	Principals
Cumulative School Records (former students)	Principals' Offices	Principals
Health Records	Principals' Offices	Principals
Speech therapy Records Psychological Records	Principals' Offices	Principals
School Transportation Records	School Bus Garage	Director of Transportation
Special Test Records	Principals' Offices	Principals
Occasional Records (Student education records not identified above; such as those in Superintendent's office, in the school attorney's office, or in the personal possession of teachers)	Principals' Offices	Principals

PROCEDURE TO INSPECT EDUCATION RECORDS

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

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

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

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

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

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

FEEES FOR COPIES OF RECORDS

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

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

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

The fee for copies provided under Federal law may not include the costs for search and retrieval. This fee is 10 cents per page (actual copying cost less hardship factor).

The fee for all other copies such as copies of records forwarded to third parties with prior consent or those provided to parents as a convenience is 10 cents per page (actual search, retrieval copying cost and postage, if any).

DIRECTORY INFORMATION

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

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

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

After the parents or eligible students have been notified, they have two weeks in which to advise records custodian of any or all of the items which they refuse to permit the District to designate as directory information about that student. This designation remains in effect until it is modified by the written direction of the student's parent(s) or the eligible student.

USE OF STUDENT EDUCATION RECORDS

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

1. Duly elected to the Board;
2. Certificated by the State and appointed by the Board to an administrative or supervisory position;
3. Certificated by the State and under contract to the Board as an instructor;
4. Employed by the Board as a temporary substitute for administrative, supervisory or teaching personnel for the period of his/her performance as a substitute;
5. Employed by, or under contract to, the Board to perform a special task such as a secretary, a Treasurer, Board attorney or auditor for the period of his/her performance as an employee or contractor or
6. A contractor, consultant, volunteer or other party to whom an agency or institution has outsourced institutional services or functions may be considered a school official provided that the outside party;
 - A. Performs as institutional service or function for which the District would otherwise use employees;
 - B. Is under the direct control of the District with respect to the use and maintenance of education records and
 - C. Abides by the legal requirements governing the use and re-disclosure of personally identifiable information from education records.

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

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

NOTE: The District must use reasonable methods to ensure that school officials obtain access to only those education records in which they have legitimate educational interests. A District that does not use physical or technological access controls to records must ensure that its administrative policy for controlling access to education records is effective and that it remains in compliance with the legitimate educational interest requirement.

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

1. When students seek or intend to enroll in another school district or a postsecondary school. The District makes reasonable attempts to notify the parent or eligible student at their last known address unless the disclosure is initiated by the parent or eligible student or unless the District's annual notification includes notice that the District forwards education records to other education entities that request records in connection with a student's transfer or enrollment. Upon request, the District provides copies of the records and an opportunity for a hearing (upon the condition that the student's

parents be notified of the transfer, receive a copy of the record and have an opportunity for a hearing to challenge the content of the record);

2. When certain federal and state officials need information in order to audit or enforce legal conditions related to federally supported education programs in the District;
3. When parties who provide, or may provide, financial aid for which a student has applied or received, need the information to:
 - A. Establish the student's eligibility for the aid;
 - B. Determine the amount of financial aid;
 - C. Establish the conditions for the receipt of the financial aid or
 - D. Enforce the agreement between the provider and the receiver of financial aid;
4. If a State law adopted before November 19, 1974, required certain specific items of information to be disclosed in personally identifiable form from student records to state or local officials;
5. When the District has entered into a written agreement or contract for an organization to conduct studies on the District's behalf to develop tests, administer student aid or improve instruction;
6. When accrediting organizations need those records to carry out their accrediting functions;
7. When parents of eligible students claim the student as a dependent;
8. When it is necessary to comply with a judicial order or lawfully issued subpoena; the District makes a reasonable effort to notify the student's parent(s) or the eligible student before making a disclosure under this provision, except when a parent is party to a court proceeding involving child abuse or neglect or dependency, and the order is issued in the context of that proceeding;
9. If the disclosure is an item of directory information and the student's parent(s) or the eligible student has not refused to allow the District to designate that item as directory information for that student;
10. The disclosure is in connection with a health and safety emergency;
11. The disclosure concerns sex offenders and other individuals required to register under section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, 42 USC 14071, and the information was provided to the educational agency or institution under 42 USC 14071 and applicable federal guidelines; and
12. To an agency caseworker or other representative of a state or local child welfare agency, when the agency is legally responsible for the care and protection of the child. Information obtained will not be disclosed by the agency to any other agency or individual, unless they are engaged in addressing the education needs of the child and authorized by the agency to have access and the disclosure is consistent with the State laws applicable to protecting the confidentiality of the student's education records.

The District discloses personally identifiable information from an education record to appropriate parties, including parents, in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals.

When deciding whether to release personally identifiable information in a health or safety emergency, the District may take into account the totality of the circumstances pertaining to a threat to the health or safety of a student or other individuals. If the District determines that there is an articulable and significant threat to the health or safety of a student or other individuals, it may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals.

The District records the following information when it discloses personally identifiable information from education records under the health or safety emergency exception:

1. The articulable and significant threat to the health or safety of a student or other individuals that formed the basis for the disclosure and
2. Parties to whom the District disclosed the information.

The District is required to permit the Ohio Department of Education to have access to personally identifiable information about a student if the Ohio Department of Education needs the information to:

1. Notify the District or school attended in the District of threats or descriptions of harm included in the student's response to an achievement test question;
2. Verify the accuracy of the student's achievement test score or
3. Determine whether the student satisfies the alternative conditions for a high school diploma.

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

1. A specification of the records to be released;
2. The reasons for the disclosure;
3. The person or the organization or the class of persons or organizations to whom the disclosure is to be made;
4. The parent(s) or student's signature and
5. The date of the consent and, if appropriate, a date when the consent is to be terminated.

The District uses reasonable methods to identify and authenticate the identity of parents, students, school officials and any other parties to whom the agency or institution discloses personally identifiable information from education records. The student's parent(s) or the eligible student may obtain a copy of any records disclosed under this provision.

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

RECORDS OF REQUESTS FOR ACCESS AND DISCLOSURES MADE FROM EDUCATION RECORDS

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

1. The name of the person who or agency which made the request;
2. The interest which the person or agency has in the information;
3. The date on which the person or agency made the request;
4. Whether the request was granted and, if it was, the date access was permitted or the disclosure was made and
5. In the event of a health and safety emergency, the articulable and significant threat to the health or safety of a student or other individuals that formed the basis for the disclosure and the parties to whom the agency or institution disclosed the information.

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

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

PROCEDURES TO SEEK TO CORRECT EDUCATION RECORDS

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

For the purpose of outlining the procedure to seek to correct education records, the term "incorrect" is used to describe a record that is inaccurate, misleading or in violation of student rights. The term "correct" is

used to describe a record that is accurate, not misleading and not in violation of student rights. Also, in this section, the term “requester” is used to describe the parent(s) of a student or the eligible student who is asking the District to correct a record.

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

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

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

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

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

1. Is inaccurate and why;
2. Is misleading and why and/or
3. Violates student rights and why.

The request is dated and signed by the requester.

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

1. Studies the request;
2. Discusses it with other school officials (the person who made the record or those who may have a professional concern about the District’s response to the request);
3. Makes a decision to comply or decline to comply with the request and
4. Completes the appropriate steps to notify the requester or moves the request to the next level for a decision.

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

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

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

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

1. The District’s decision that the records are correct and the basis for the decision;
2. A notice to the requester that he/she has a right to ask for a hearing to present evidence that the records are incorrect and that the District grants such a hearing;
3. Advice that the requester may be represented or assisted in the hearing by other parties, including an attorney at the requester’s expense and

4. Instructions for the requester to contact the Superintendent or his/her designee to discuss acceptable hearing officers, convenient times and a satisfactory site for the hearing. (The District is not bound by the requester's positions on these items but, as far as feasible, may arrange the hearing as the requester wishes.)

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

At the hearing, the hearing officer provides the requester a full and reasonable opportunity to present material evidence and testimony to demonstrate that the questioned part of the student's education records is incorrect as shown in the requester's written request for a change in the records (second level).

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

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

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

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

Adopted: July 18, 2013

INDIAN CREEK LOCAL SCHOOL DISTRICT

Building Name & Address

City State Zip Code

CONSENT FOR RELEASE OF EDUCATIONAL RECORDS TO INDIAN CREEK LOCAL BOARD OF EDUCATION AND SCHOOL ADMINISTRATION:

I hereby authorize you to furnish a copy of the educational records of

_____, Grade _____
Student's Name

Address

City State Zip Code

for the purpose of _____

I am aware I may receive a copy of the above records if I so request. I hereby release the INDIAN CREEK LOCAL BOARD OF EDUCATION and its representatives from all legal responsibility or liability that may arise from the act I have authorized above.

Signature of Parent, Guardian or Student over 18 years of age

Date

FOR SCHOOL USE ONLY

Date Received _____ By _____

Date Data Released _____ By _____

INDIAN CREEK LOCAL SCHOOL DISTRICT

Building Name & Address

City

State

Zip Code

REQUEST FOR SCHOOL RECORDS

I (we) request the school records of _____
Student

for the specific purpose of _____

I (we) hereby certify that we will not release the above records to a third party unless specific written permission is provided by the student or his parents.

Signature

Date

FOR SCHOOL USE ONLY

Date Received _____ By _____

Date ACCESS Authorized _____ By _____

Date of Actual ACCESS _____ By _____

Filed in Record by _____ Date _____

**JO-F NOTIFICATION OF RIGHTS UNDER THE
FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)**

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age (“eligible students”) certain rights with respect to the student’s education records. These rights include:

1. The right to inspect and review the student’s education records within 45 days of the District’s receipt of a request for access. Parents or eligible students should submit to the building principal a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request the amendment of the student’s education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student’s privacy rights. **Parents or eligible students may ask the Indian Creek Local School District (“the District”) to amend a record that they believe is inaccurate, misleading, or otherwise in violation of the student’s privacy rights. They should write the building principal, clearly identify the part of the record they want changed, and specify why it is inaccurate, misleading, or otherwise in violation of the student’s privacy rights.**

If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for an amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent FERPA authorizes disclosure without consent. One exception that permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including, but not limited to, health, medical, and law enforcement personnel); a person serving on the District’s Board of Education; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the District discloses education records without consent to officials of another School District in which a student seeks or intends to enroll.

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

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202-0498

TO: Parents/Guardians

FROM: _____, Superintendent

DATE: September _____, 20__

RE: Notice of Designation of Directory Information

The Family Educational Rights and Privacy Act (FERPA) requires each school district to provide parents and eligible students annual notification of the types of personally identifiable information that the school district has designated as directory information. The Indian Creek Local School District has designated the following information regarding students as directory information:

- Name, date and place of birth, address, telephone number
- Electronic mail address, photographs, videos
- Major field of study, dates of attendance, grade level, enrollment status
- Participation in officially recognized activities and sports, weight and height of members of athletic teams
- Date of graduation, degrees, honors and awards received
- The most recent educational agency or institution attended
- Any other information that would not generally be considered harmful or an invasion of privacy if disclosed

Directory information may be disclosed by the District for any lawful purpose in its discretion, without the consent of a parent of a student or an adult student, i.e., for publication in the local newspaper of the honor roll or information about student athletes; including such information in a student directory; or displaying such information on the District's website.

The District will also release the name, address, and telephone number of a secondary student to military recruiters and institutions of higher education that request the information unless the parent or student direct the District not to release the information. You are permitted to prohibit the release of all of the information, or to only permit a portion of the information to be released.

***Parents of students and adult students have the right, however, to refuse to permit the disclosure of any or all of the above information to third parties. Therefore, if you sign and return the "Refusal to Release Directory Information" form for your child, the District is not permitted to give out the directory information listed above, except where the school system is permitted by law to do so. This means that the School District cannot give information, without your written, dated and signed consent, about your child to any of the following or place information regarding your child on or in any of the following*:

Newspaper	Yearbook	School Website	Perfect Attendance List
Athletic Rosters	Music Programs	Athletic Programs	Team Pictures
Club Pictures	Class T-shirts	Parents' Night	Graduation Program
Building Student Directories	Elementary Class Photos	Bus Routes	Student Recommendation
Web Page	Awards	Yearbook	Letters
Invitations	Play Programs	Scholarship Information	Class Lists on School Doors
Student Awards (month subject area)		Student Projects on Display	Honor Roll Lists
Birthdays posted with student names		in the Building	Valentine's Day Cards
Boy/Girl Scouts		Class Picture	

*Please note that the above list cites examples and is not all inclusive. ***

Any parent or adult student refusing to have any or all of the designated directory information disclosed must provide written notification to this effect by filling out the enclosed form and returning it to your child's building principal, on or before October 1 of this school year.

In the event a refusal is not filed, the District will deem that neither the parent of a student nor an adult student objects to the release of the directory information designated.

* * * * *

DIRECTORY INFORMATION

Child's Name: _____
(please print)

Parent Name: _____
(please print)

Parent/Guardian Signature: _____

Date: _____ School: _____

A. I refuse to permit the District to disclose any directory information regarding the above-listed student without my prior consent, except as otherwise permitted by federal and state law. **[If this box is marked, no other boxes on this form need to be marked.]**

B. The District may disclose only certain types of directory information about my child. (For example, you can permit the District to disclose all types of directory information except for your phone number, or you could permit the District to just disclose your child's name.) Please specify your wishes below.

C. The District may only release the following types of directory information to the following person(s) for the following reasons. (For example, you can permit the District to disclose directory information only to the newspaper for publication of the honor roll. Or, you could choose to permit the District to release all types of directory information as permitted by law, except on the District's web site.) Please specify your wishes below.

Person to whom directory information
can be disclosed:

Reason for Release:

D. The District is not permitted to release the following information to a military recruiter or institution of higher education (check 1, 2, or all):

Student's Name

Student's Address

Student's Telephone Number

Please return this form by October 1, so we can best carry out your wishes with respect to the disclosure of directory information about your child.

If you have any questions regarding this, call the building principal.

RETURN THIS FORM TO YOUR BUILDING PRINCIPAL

***** Note: Do not return this form if you give permission for the release of directory information.***

JOA SCREENINGS, SURVEYS, AND PHYSICAL EXAMINATIONS

Parents and students eighteen (18) years of age, or emancipated students, are entitled by Federal law to be notified of the use of surveys funded by the U.S. Department of Education to collect protected information and to receive notice of the right to opt out of certain surveys, physical examinations, and the collection, disclosure, or use of personal information for marketing purposes, and to inspect protected information surveys, the instruments used to collect personal information from students for marketing purposes, and certain instructional material.

Therefore, all instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation as part of any applicable program shall be available for inspection by the parents or guardians of the district's children.

In accordance with the requirements of the No Child Left Behind Act and the Pupil Protection Rights Amendment, this policy has been developed in consultation with parents prior to its adoption.

For the purposes of this policy, the following definitions shall apply:

- A. Instructional Material – means instructional content that is provided to a student, regardless of its format, including printed or representational materials, audio visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments.
- B. Invasive Physical Examination – means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.
- C. Parent – includes a legal guardian or other person standing *in loco parentis* (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child).
- D. Personal Information – means individually identifiable information including:
 - 1. A student or a parent's first and last name;
 - 2. A home or other physical address (including street name and the name of the city or town);
 - 3. A telephone number; or
 - 4. A Social Security identification number
- E. Survey – Includes an evaluation

Survey, Analysis, or Evaluation

No student shall be required, as part of any applicable program, to submit to a survey, analysis, or evaluation funded in whole or in part by a program of the U.S. Department of Education that reveals information concerning any of the following without prior consent of the student (if the student is an adult student or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent:

- A. Political affiliations or beliefs of the student or the student's parent;
- B. Mental or psychological problems of the student or the student's family;
- C. Sex behavior or attitudes;
- D. Illegal, anti-social, self-incriminating, or demeaning behavior;
- E. Critical appraisals of other individuals with whom the respondents have close family relationships;
- F. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
- G. Religious practices, affiliations, or beliefs of the student or student's parent; or
- H. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

Inspection by Parent of Survey Created by a Third Party

Parents or eligible students shall be permitted to inspect a survey created by a third party before it is administered or distributed by the district to a student. These same procedures apply to the inspection of any survey containing one or more of items A-H above.

- A. Any parent wishing to inspect the survey or questionnaire shall submit a written request to the Superintendent or designee.
- B. The request shall identify, as specifically as possible, the material to be inspected. The Superintendent or designee reserves the right to ask the parent to amend or supplement the request if the request is vague or too general.
- C. The parent shall be provided an opportunity to inspect the survey or questionnaire no later than ten (10) school days after the district receives the parent's written request.
- D. The parent shall be contacted to schedule a mutually convenient time to inspect the survey or questionnaire.

Privacy Protection

The following arrangements have been made to protect student privacy in the event of the administration or distribution of a survey to a student containing one or more of items A-H above.

- A. The student's parent shall be notified of the survey prior to it being submitted to the student.
- B. The completed surveys will be kept in a location in which only persons who are deemed by the Superintendent or designee to have legitimate educational interests shall be permitted to view the results of the survey. Those persons with legitimate educational interests shall include, but not be limited to: The Superintendent and other administrative personnel, members of the Board, and appropriate pupil services personnel.
- C. No person shall release, cause to be released, reproduce, or cause to be reproduced or otherwise be permitted to disclose the results of any of the above-described completed surveys, except as otherwise permitted by law and this policy.

Inspection of Instructional Material

Parents and students of an appropriate age shall be permitted to inspect, upon the parent's or student's request, any instructional material used as part of the educational curriculum for the student:

- A. Any parent wishing to inspect any instructional material used as part of the educational curriculum for their child shall submit a written request to the Superintendent or designee.
- B. The request shall identify, as specifically as possible, the material to be inspected. The Superintendent or designee reserves the right to ask the parent to amend or supplement the request, if the request is vague or too general.
- C. The parent shall be provided an opportunity to inspect the material no later than ten (10) school days after the district receives the parent's written request.
- D. The parent shall be contacted to schedule a mutually convenient time to inspect the material.

Physical Examinations or Screenings

Physical examinations or screenings that the district may administer shall be administered as follows:

- A. If time permits; the parent shall be notified in writing of the district's intent to conduct a physical examination or screening. If time does not permit, the district shall contact the parent by telephone or in person.
- B. The screening or examination shall not occur without the parent's written or verbal consent.
- C. A physical examination or screening shall only be conducted by a licensed physician, nurse, or other person deemed to have proper medical training.

These requirements do not apply to any physical examination or screening that is permitted or required by an applicable state law, including physical examinations or screenings that are permitted without parental notification. These requirements also do not apply to a physical examination or screening administered to a student in accordance with the Individuals with Disabilities Education Act.

Collection, Disclosure, or Use of Personal Information for the Purpose of Marketing

The methods set forth below will be used for 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), including arrangements to protect student privacy that are provided by the agency in the event of such disclosure or use.

- A. The parent of a student shall have the right to inspect, upon request, any instrument used in the collection of personal information from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose).
 1. Any parent wishing to inspect any instrument used in the collection of personal information as described above shall submit a written request to the Superintendent or designee.
 2. The request shall identify, as specifically as possible, the instrument to be inspected. The Superintendent or designee reserves the right to ask the parent to amend or supplement the request if the request is vague or too general.
 3. The parent shall be provided an opportunity to inspect the instrument no later than ten (10) school days after the district receives the parent's written request.
 4. The parent shall be contacted to schedule a mutually convenient time to inspect the instrument.
- B. Only directory information as defined in Board Policy JO shall be released for the purpose of marketing or for selling the information, and only if the parent or adult student has not otherwise prohibited its release either under this or any other Board policy or law.
- C. The organization collecting the information, or to which it is given by the district, must certify that it will not disclose the information except as otherwise permitted by law.

These methods do not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as:

- A. College or other post-secondary education recruitment, or military recruitment;
- B. Book clubs, magazines, and programs providing access to low-cost literary products;
- C. Curriculum and instructional materials used by elementary schools and secondary schools;
- D. Tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;
- E. The sale by students of products or services to raise funds for school-related or education-related activities;
- F. Student recognition programs.

Parent or Adult Student Notification

Parents of a student shall be directly notified annually, at the beginning of each school year, of the specific or approximate dates during the school year when the activities set forth below are scheduled or expected to be scheduled. Parents of a student, and for the purposes of an activity described in paragraph A below, in the case of a student of the appropriate age, shall also have the opportunity to opt out of participation in the activities set forth below:

- A. Activities involving 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).
- B. The administration of any survey containing one or more of the following items:
 - 1. Political affiliations or beliefs of the student or the student's parent;
 - 2. Mental or psychological problems of the student or the student's family;
 - 3. Sex behavior or attitudes;
 - 4. Illegal, anti-social, self incriminating, or demeaning behavior;
 - 5. Critical appraisals of other individuals with whom the respondents have close family relationships;
 - 6. Legally-recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers; or
 - 7. Religious practices, affiliations, or beliefs of the student or student's parent; or
 - 8. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).
- C. Except for screenings, the PPRA specifically exempts, any non-emergency, invasive physical examination or screening that is--
 - 1. Required as a condition of attendance;
 - 2. Administered by the school and scheduled by the school in advance; and
 - 3. Not necessary to protect the immediate health and safety of the student, or of other students.

Parents of a student shall be provided annual notice of the existence of this policy and their rights pursuant to this policy at the beginning of each school year and within a reasonable time after any substantive change in the policy.

Adopted: September 23, 2003

Revised: January 15, 2004

Model Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA)

PPRA affords parents and students who are 18 or emancipated minors (“eligible students”) certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

- A. **Consent:** Written parental consent will be obtained before minor students are required to submit to a survey that is funded in whole or in part by a program of the U.S. Department of Education (ED) and that reveals information concerning:
1. Political affiliations or beliefs of the student or student’s parent;
 2. Mental or psychological problems of the student or student’s family;
 3. Sex behavior or attitudes;
 4. Illegal, anti-social, self-incriminating, or demeaning behavior;
 5. Critical appraisals of others with whom respondents have close family relationships;
 6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
 7. Religious practices, affiliations, or beliefs of the student or student’s parents; or
 8. Income, other than as required by law to determine eligibility for participation in a program or for receiving financial assistance under such program.
- B. **Receive notice and an opportunity to opt a student out of --**
1. Any other protected information survey, regardless of funding;
 2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
 3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.
- C. **Inspect,** upon request and before administration or use --
1. Protected information surveys of students;
 2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
 3. Instructional material used as part of the educational curriculum.

The Board of Education has developed policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. The District will directly notify parents and eligible students of these policies at least annually at the start of each school year and after any substantive changes. The District will also directly notify parents and eligible students, such as through U.S. Mail or email, at least annually at the start of each school year of the specific or approximate dates of the following activities and provide an opportunity to opt a student out of participating in:

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

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

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

Complaints must contain specific allegations of fact giving reasonable cause to believe that a violation of PPRA occurred.

JP POSITIVE BEHAVIORAL INTERVENTIONS AND SUPPORTS

(Restrain and Seclusion)

Positive Behavioral Interventions and Supports

(Restraint and Seclusion)

Positive Behavioral Interventions and Supports (PBIS)

PBIS is a multi-tiered school-wide, behavioral framework developed and implemented for the purpose of improving academic and social outcomes and increasing learning for all students. The Board directs the Superintendent/designee to develop a PBIS system/framework consistent with the components set forth in the State Board of Education's (SBOE) policy, State law and this policy. The District implements PBIS on a systemwide basis in an effort to promote positive interactions and solutions within the District. The District encourages family involvement as an integral part of its PBIS system. This policy is implemented in accordance with all applicable definitions set forth in State law.

PBIS Framework

The framework includes a decision-making framework consisting of multiple school staff members who guide selection, integration and implementation of evidence-based academic and behavior practices for improving academic and behavior outcomes for all students. It also includes the following integrated elements:

1. data-based decision making;
2. evidence-based practices along a multi-tiered continuum of supports;
3. systems that enable accurate and sustainable implementation of practices and
4. progress monitoring for fidelity and target outcomes.

The District standards for implementation of PBIS include:

1. student personnel will receive professional development in accordance with State law and this policy;
2. explicit instruction of school-wide behavior expectations;
3. consistent systems of acknowledging and correcting behaviors;
4. teaching environments designed to eliminate behavior triggers and
5. family and community involvement.

Professional Development for the Implementation of PBIS

Student personnel receives professional development for the implementation of PBIS at least every three years from a building or District PBIS leadership team or other appropriate source in collaboration with the PBIS leadership team. Professional development is in accordance with the District's PBIS training plan, the District ensures there are continuous training structures in place and training requirements may be modified for the intended audience. The District retains records of completed professional development, including a list of participants.

Professional development addresses the following topics:

1. an overview of PBIS;
2. the process for teaching behavioral expectations;

3. data collection;
4. implementation of PBIS with fidelity;
5. consistent systems of feedback to students for acknowledgment of appropriate behavior and corrections for behavior errors and
6. consistency in discipline and discipline referrals

General Rules for Restraint and Seclusion

While the District wishes to promote positive interactions and solutions, when a student's behavior presents an immediate threat of physical harm to the student or others and no other safe or effective method of intervention is available, approved physical restraint and seclusion may be used to maintain a safe environment.

The District does not engage in practices prohibited by State law, including:

1. prone restraint (including any physical restraint that obstructs the airway of the student, or any physical restraint that impacts a student's primary mode of communication);
2. any form of physical restraint that involves the intentional, knowing or reckless use of any technique that:
 - A. involves the use of pinning down a student by placing knees to the torso, head or neck of the student;
 - B. uses pressure point, pain compliance or joint manipulation techniques or
 - C. otherwise involves techniques that are used to unnecessarily cause pain.
3. corporal punishment, as defined in Ohio Revised Code Section (RC) 3319.41;
4. child endangerment, as defined by RC 2919.22;
5. deprivation of basic needs;
6. seclusion or restraint of preschool children in violation of Ohio Administrative Code Section (OAC) 3301-37-10(D) and OAC 3301-35-15;
7. chemical restraint;
8. mechanical restraint (does not include devices used by trained school personnel, or by a student, for the specific and approved therapeutic or safety purposes for which such devices were designed and, if applicable, prescribed);
9. aversive behavioral interventions or
10. seclusion in a locked room or area.

The District may only use physical restraint or seclusion if staff:

1. are appropriately trained to protect the care, welfare, dignity, and safety of the student;
2. continually observe the student in restraint or seclusion for indications of physical or mental distress and seek immediate medical assistance if there is a concern;

3. use communication strategies and research-based de-escalation techniques in an effort to help the student regain control and
4. remove the student from physical restraint or seclusion immediately when the immediate risk of physical harm to self or others has dissipated.
- 5.

Restraint

Physical restraint may not be used as a form of punishment or discipline, or as a substitute for other less restrictive means of assisting a student in regaining control. The use of prone restraint is prohibited. This policy does not prohibit the use of reasonable force and restraint as provided by RC 3319.41.

Restraint only may be used:

1. if a student's behavior poses an immediate risk of physical harm to the student or others and no other safe or effective intervention is available;
2. if the physical restraint does not interfere with the student's ability to breathe;
3. if the physical restraint does not interfere with the student's ability to communicate in the student's primary language or mode of communication and
4. by school personnel trained in safe restraint techniques, except in the case of rare and unavoidable emergency situations when trained personnel are not immediately available.

Seclusion

Seclusion may not be used as a form of punishment or discipline; for staff convenience; or as a substitute for an educational program, inadequate staffing, staff training in the PBIS framework and crisis management or other less restrictive means of assisting a student in regaining control such that it is reflective of the cognitive, social and emotional level of the student; or as a means to coerce, retaliate, or in a manner that endangers a student.

Seclusion only may be used:

1. if a student's behavior poses an immediate risk of physical harm to the student or others and no other safe or effective intervention is available;
2. for the minimum amount of time necessary to protect the student and others from physical harm;
3. in a room or area that is not locked, does not preclude the student from exiting the area should the staff member become incapacitated or leave, and that provides adequate space, lighting, ventilation and the ability to observe the student;
4. under the constant supervision of trained staff able to detect indications of physical or mental distress that require removal and/or immediate medical assistance, and who document their observations of the student and
5. as a last resort to provide an opportunity for the student to regain control of their actions.

Multiple Incidents of Restraint and Seclusion

The District handles multiple incidents of restraint and seclusion in accordance with State law. Within 10 days of a student's third incident of physical restraint or seclusion in a school year, the District holds a meeting to address the situation. If the student has an Individualized Education Plan (IEP) or a 504 plan, the student's IEP or 504 team meets to consider the need to conduct a functional behavioral assessment or behavior intervention plan, or to amend an existing assessment or plan. For all other students, a team consisting of the parent, an administrator or designee, a teacher of the student, a staff member involved in the incident (if not the teacher or administrator already invited) and other appropriate staff members will meet to discuss the need to conduct or review a functional behavioral assessment and/or develop a behavior intervention plan. The District may choose to complete a functional behavioral assessment or develop a

behavior intervention plan for any student who might benefit from these measures, not only those who have had three or more incidents of restraint or seclusion.

Training and Professional Development for the Use of Crisis Management and De-escalation Techniques

The District ensures an appropriate number of personnel in each building are annually trained in evidence-based crisis management and de-escalation techniques, as well as the safe use of physical restraint and seclusion, in accordance with the minimum training requirements set forth in State law. The District maintains written or electronic documentation of the name, position and building assignment of each person completing training as well the name of the person who provided the training, the date of the training and the protocols and the techniques and materials that were included.

Compliance with training requirements is reported to the Ohio Department of Education (ODE) by November 30 annually through the consolidated school mandate report.

If the District reports noncompliance, the Superintendent/designee must provide a written explanation to the Board within 30 days explaining this noncompliance and a written plan of action for accurately and efficiently addressing the problem.

Reporting and Complaint Procedure

Any incident of restraint or seclusion will be immediately reported to building administration and the parent. A written report documenting the incident will be completed and made available to the parent within 24 hours and maintained by the District. Staff also will conduct a debriefing, including all involved staff, the student and parent (if possible), to evaluate the trigger for the incident, staff response and methods to address the student's behavioral needs. The District annually reports information regarding its use of restraint or seclusion to ODE in accordance with ODE procedures.

The Board directs the Superintendent/designee to establish a procedure to monitor the implementation of State law and the District's policy on restraint and seclusion.

The Board directs the Superintendent/designee to establish District written complaint procedures, which include a:

1. procedure for parents to present written complaints to the Superintendent to initiate a complaint investigation by the District regarding incidents of restraint or seclusion;
2. requirement that the District respond to parents in writing within 30 days of the filing of a complaint regarding restraint or seclusion, and to make a reasonable effort to have an in-person meeting with the parent and
3. notice of additional complaint options available under State law.

Parents are notified annually of the District's seclusion and restraint policies and procedures, including the local complaint process which are also posted on the District's website. The District annually reviews the requirements of OAC 3301-35-15 and local policies and procedures related to PBIS and physical restraint and seclusion.

3319.237
3319.46
3326.11
3328.24
OAC 3301-35-15
3301-37-10

CROSS REFS.: IGBA, Programs for Students with
Disabilities JF, Student Rights and
Responsibilities
JGA, Corporal Punishment
JH, Student
Welfare JHF,
Student Safety

Adopted: November 21, 2013

Revised: February 19, 2015; November 15, 2018; November 18, 2021

NOTE: House Bill 178 (2014) extends these requirements to community and STEM schools.

JQ EQUAL ACCESS

While it is not the intent or purpose of the Indian Creek Local School District Board of Education to establish religion or promote or endorse any philosophical, political, or other cause, the Board shall not deny equal access or fair opportunity to, or discriminate against, any students of Indian Creek High School who wish to conduct a meeting within the school buildings of this district on the basis of the religious, political, philosophical, or other content of the speech at such meeting, provided that the following conditions apply:

- A. The meeting is voluntary and student-initiated;
- B. There is no sponsorship of the meeting by the Board of Education or its agents or employees;
- C. Employees or agents of the Board of Education are present at religious meetings only in a non-participatory capacity;
- D. Non-school persons may not direct, conduct, control, or regularly attend activities of student groups.

Such student groups shall comply with Board Policy governing the use of buildings, and any request to use a school facility may be denied if it is determined that the meeting may materially and substantially interfere with the orderly conduct of educational activities within the school. To this end, groups that encourage or promote criminal or delinquent behavior or bigotry, or involve human sexuality will not be permitted to meet on school premises.

Adopted: January 15,
Revised: November 21, 2013