

SECTION J: STUDENT

Section J of the EPS/NSBA/OSBA policy classification system provides a repository for statements concerning students--admissions, attendance, rights and responsibilities. Conduct, discipline, health and welfare services; however, all policies pertaining to the instruction of students, extracurricular programs and the curriculum are filed in the I (Instruction) section.

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JM	Staff-Student Relations (Also GBH)
JN	Student Fees, Fines and Charges
JO	Student Records
JP	Positive Behavior Interventions and Supports

STUDENT POLICIES GOALS

Through its policies, which affect students, the Governing Board seeks to advance the following goals:

1. to enhance equal educational opportunities for all students;
2. to promote faithful attendance;
3. to ensure that the Constitutional rights of all students as citizens in a democracy have practical meaning and application;
4. to develop in students a deep sense of personal responsibility for their actions;
5. to attend vigorously to matters of student safety, health and welfare;
6. to deal justly and constructively with all students in matters of discipline and
7. to help all students feel that they are valued as individual persons in the school environment.

[Adoption Date: 5/28/96]

LEGAL REF.: ORC 3313.48

EQUAL EDUCATIONAL OPPORTUNITIES

All students of the Wood County Educational Service Center will have equal educational opportunities.

Students have the right to be free from discrimination on the basis of race, sex, marital status, pregnancy, national origin, citizenship status, handicap, criminal record, political activity, religion, creed, opinion, or other human difference, 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 will be based on criteria reasonably related to that specific activity.

[Adoption Date: 5/28/96]

LEGAL REFS.: Civil Rights Act of 1964, as amended in 1972, Title VI; Title VII
Executive Order 11246, 1965, amended by Executive Order 11375
Education Amendments of 1972, Title IX, Pub. L. No. 92-318 (1972)
45 CFR, Parts 81, 86 (Federal Register, June 4, 1975, August 11, 1975)
Education for All Handicapped Children Act of 1975, Pub. L. No. 94-142 (1975)
Vocational Rehabilitation Act of 1973, § 504
ORC 3313.64
OAC 3301-35-02(a)(2)
42 USC 12112, et seq., Americans with Disabilities Act

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

COMPULSORY ATTENDANCE AGES

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

1. the person receives a diploma or certificate of high school equivalence granted by a school board or other governing authority indicating such student has successfully completed all state and local requirements;
2. the person receives an age and schooling certificate (work permit) 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 SBOE pursuant to Ohio law.

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

[Adoption Date: 5/28/96]

[Amended Date: 12/7/15]

[Amended Date: 3/28/17]

LEGAL REFS.: ORC 3301.80; 3301.81
 3313.61
 3321.01 et. seq.
 3331.02
 OAC 3301-35-04
 3301-41

ASSIGNMENT OF STUDENTS TO SCHOOLS

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

[Adoption Date: 5/28/96]

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

HOMELESS CHILDREN AND YOUTH

All children and youth of school age, pre-K through grade 12, in the service area of the Wood County ESC, shall be enrolled in school immediately upon the request of parents or legal guardians, in full cooperation with the provisions of No Child Left Behind - Section 722 (g). No child will be prohibited from enrolling in and attending school due to lack of documentation, (birth certificate) or proof of residence or record of immunization. Additionally, the Homeless Liaison of the ESC, or of the local school district may assist in securing the documents necessary to comply with local homeless school policies.

[Adoption Date: 12/14/2009]

STUDENT ABSENCES AND EXCUSES

Regular attendance by all students in Wood County Educational Service Center special needs programs is very important. In many cases, irregular attendance is the major reason for poor school work; therefore, all students are urged to make doctor appointments, do personal errands, etc., outside of school hours.

The Board directs the Superintendent/designee to develop appropriate procedures for tracking student attendance based on the mode of learning. The District monitors daily absences for trends related to COVID-19.

Student will not be penalized for absences related to contracting COVID-19 or having to quarantine or isolate due to COVID-19 exposure/symptoms, regardless of whether the student is participating in-person, remotely or both.

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. quarantine for contagious disease;
4. Emergency or other set of circumstances in which the judgement of the Superintendent constitutes a good and sufficient cause for absence from school, which may include but not be limited to absences due to documented medical appointments.

Any limits may be in place regarding the number of medical excuses that will be authorized without a doctor's note may be extended if the student or someone in the student's family is in quarantine due to COVID-19 or experiencing symptoms of COVID-19.

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

1. needed at home to perform necessary work directly and exclusively for parents or legal guardians for a limited period of time when approved by the Superintendent (applies to students over 14 years of age only);
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 a student's truly held religious belief;
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 visitations;
6. 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;
7. absences due to a student being homeless or;
8. temporary internet outage for individual students or households;
9. technical difficulties for individual students or households occurring at inopportune times such as during a teacher-led remote learning lesson;
10. absences due to COVID-19 reasons that are not considered medically excused until alternative arrangements can be made or
11. as determined by the Superintendent.

The Wood County ESC 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.

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 in accordance with ESC level policies and procedures. Students are requested to bring a note to school after each absence explaining the reason for the absence or tardiness in accordance with procedures and timelines defined in District level policies and procedures.

A student not having a note explaining his/her absence will be credited with an unexcused absence. A student with three consecutive unexcused absences or a total of ten unexcused absences will be reported to the school district of residence. After five days of unexcused absence, the supervisor of the program will make a report to the Wood County Juvenile Court Diversion Program.

It is the responsibility of the home school to notify the student and parent in writing when unexcused absences reach ten days. On the eleventh day of unexcused absences, the home school will be notified and encouraged to file truancy charges with the Wood County Juvenile Court.

The Governing 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 Governing 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.

[Adoption Date: 5/28/96]

[Amended Date: 7/19/05]

[Amended Date: 3/28/17]

[Amended Date: 3/27/18]

[Amended Date: 11/27/18]

[Amended Date: 4/16/19]

[Amended Date: 5/19/20]

[Amended Date: 10/20/2020]

LEGAL REFS.: ORC 3313.609; 3313.66
3321.01; 3321.03; 3321.04; 3321.13; 3321.14; 3321.141; 3321.19; 3321.38
4510.32
OAC 3301-69-02

CROSS REF.: 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

STUDENT ABSENCES AND EXCUSES

Students Habitually Absent – Loss of Driving Privileges

When the Superintendent receives information that a student of compulsory school age has been absent without legitimate excuse for more than 60 consecutive hours in a school month or a total of at least 90 hours in a school year, the following procedures applies.

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

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

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

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

[Adoption Date: 3/28/17]

TRUANCY

The Governing 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 Governing 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 a school, State law authorizes the Governing Board to require the parent to attend a specified educational program.

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

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

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 Governing Board, must send notice requiring the child's parent to attend a parental education program.

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

The Governing 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 schools;
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 one school month or 65 or more hours in a school year within seven days after the date of the absence triggering the notice. At the time of notice, the ESC may take any appropriate action as outlined in this policy as an intervention strategy.

Absence Intervention Plan

Beginning with the 2017-2018 school year, 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 ESC, a representative from the student's school or ESC who knows 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 ESC 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 that the ESC 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 ESC 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 Governing 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 ESC 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 on the first day of instruction of the next school year.

Filing a Complaint with Juvenile Court

Beginning with the 2017-2018 school year, the attendance officer must file a complaint against the student in juvenile court on the 61st days after implementation of the absence intervention plan when:

1. The student's absences have surpassed the threshold for a habitual truant;
2. The ESC 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 ESC 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 of 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.

[Adoption Date: 10/24/00]

[Amended Date: 3/28/17]

[Amended Date: 3/27/18]

[Amended Date: 6/28/18]

LEGAL REF.: ORC 3313.663; 3313.668
3321.03 through 3321.04; 3321.07 through 3321.09; 3321.19; 3321.191
3321.22; 3321.38
OAC 3301-47-01

CROSS REFS.: JED, Student Absences and Excuses
JK, Employment of Students

STUDENT DISMISSAL PRECAUTIONS

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

[Adoption Date: 5/28/96]

[Amended Date: 3/24/98]

LEGAL REF.: ORC 3313.20

CROSS REF.: JEE, Student Attendance Accounting
(Missing and Absent Children)

STUDENT ATTENDANCE ACCOUNTING
(Missing and Absent Children)

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

A school district which enrolls a student in a Wood County Educational Service Center program shall maintain the following documents and/or information: an official copy of the student's birth certificate; verification of parents or guardians custody of the student; name, address, and telephone number of the student's parent or guardian; name and contact person of the district to be billed for the student's program; and copies of those records pertaining to the student which were maintained by the school which he most recently attended, including current IEP, multi-factored evaluation team report, and medical examination report.

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

The primary responsibility for supervision of a student resides with his parent(s) or guardian(s). The Educational Service Center staff will provide as much assistance as is reasonable 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 ESC 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 unexcused absence 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.

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

[Adoption Date: 5/28/96]

[Amended Date: 11/22/11]

[Amended Date: 4/28/15]

[Amended Date: 4/16/19]

Amended Date: 5/19/20]

3313.205; 3313.672; 3313.96
3319.321; 3319.322
3321.12; 3321.141; 13705.05

CROSS REFS.: JED, Student Absences and Excuses
JEDB, Student Dismissal Precautions
JHF, Student Safety

RELEASED TIME FOR RELIGIOUS INSTRUCTION

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

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 ESC and
3. The student is not absent from core curriculum subject courses.

The ESC 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. Students are not considered absent from school while attending a released time course in religious instruction. The ESC does not aid, assist or enforce attendance in a religious instruction program. The ESC does not discriminate against students who participate in such programs.

No public funds are expended and no public school personnel are involved in providing religious instruction. This policy is not intended and shall not be construed in any way, to associate the ESC with any faith or religious denomination.

[Amended date: 3/27/18]

LEGAL REFS.: U.S. Const. Amend. I
ORC 3313.47; 3313.60222
3321.04

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

STUDENT RIGHTS AND RESPONSIBILITIES

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

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

These statements set forth the rights of students in the special needs programs of the Educational Service Center and the responsibilities, which are inseparable from these rights:

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

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

A copy of the school discipline code will be given to each student. This code describes in detail the offenses such as truancy, tardiness, property damage, etc., for which disciplinary action may be taken. Copies of the code are available in the Wood County Educational Service Center office to any parent.

[Adoption Date: 5/28/96]

[Amended Date: 6/19/12]

[Amended Date: 10/20/2020]

LEGAL REFS.: U.S. CONST. Amend. I
U.S. CONST. Amend. XIV, Section 1
ORC 3313.20; 3313.66; 3313.661; 3313.662
3320.01; 3320.02; 3320.03

CROSS REFS.: ABC, Student Involvement in Decision Making (Also JFB)
IGDB, Student Publications
JFC, Student Conduct (Zero Tolerance)
JFG, Interrogations and Searches
Student Handbooks

STUDENT DUE PROCESS RIGHTS

The Governing Board and officials of the special needs programs have the legal authority to deal with disruptive students and student misconduct. Due process, in the context of quasi-judicial administrative proceedings carried out by school authorities, does not mean that the procedures used by the courts in juvenile proceedings must be followed.

Students will have clearly established means by which administrative due process is available for the protection of the individual's rights.

Due process procedures will conform to the following basic practices:

1. must be fair;
2. must apply equally to all and
3. must be enforced in a fair manner which involves:
 - a. adequate and timely notice and opportunity to prepare a defense;
 - b. an opportunity to be heard at a reasonable time and in a meaningful manner and
 - c. the right to a speedy and impartial hearing on the merits of the case.

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

[Adoption Date: 5/28/96]

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

CROSS REFS.: JB, Equal Educational Opportunities
JFCG, Tobacco Use by Students

STUDENT INVOLVEMENT IN DECISION MAKING

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

[Adoption Date: 5/28/96]

CROSS REFS.: JF, Student Rights and Responsibilities
JFC, Student Conduct

STUDENT CONDUCT (Zero Tolerance)

Good conduct is based on respect and consideration for the rights of others. Students will be expected to conduct themselves in such a way that the rights of others are not violated. The students in the special needs programs will conform with school regulations and accept directions from authorized school personnel. The Governing Board has “zero tolerance” of violent, disruptive, intimidating 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, will be dealt with according to approved student discipline regulations.

Students will annually receive at the opening of the school year, or upon entering during the year, written information on the rules and regulations to which they are subject while in school or participating in any school-sponsored activity or event. The information will include the types of conduct that will make them liable to suspension or expulsion from school or other forms of disciplinary action. Parents will also be informed of the conduct expected of students.

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

[Adoption Date: 5/28/96]
 [Amended Date: 5/30/00]
 [Amended Date: 7/19/05]
 [Amended Date: 2/22/11]
 [Amended Date: 11/27/18]

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 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, Dangerous Weapons in the Schools
 JG, Student Discipline
 JGA, Corporal Punishment
 JGDA, Emergency Removal of Student
 JM, Staff-Student Relations (Also GBH)
 JP, Positive Behavioral Interventions and Supports
 Student Handbooks

STUDENT DRESS CODE

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

Requirements include the following:

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

Uniforms

The supervisor, after consultation with a building committee, may decide to implement a uniform requirement within the building. The committee, composed of the supervisor, teachers and parents must request specific Governing Board approval prior to implementing a uniform requirement. The request must be approved by the Board at least six months prior to the implementation date. The request presented to the Board may:

1. Include a detailed and specific description of the uniform
2. Include a plan and funding source(s) for providing uniforms for students unable to pay for them;
3. Be consistent with provisions of the ESC's dress and grooming standards and;
4. Establish a process for a parent/guardian to seek an exemption from the uniform requirement or to transfer his/her child, contingent on available space, to a school that does not require students to wear uniforms.

Students participating in a nationally recognized youth organization may wear the organization uniforms on days the organization has a scheduled function.

Funding

Wood County ESC funds shall not be used to purchase uniforms without specific approval by the Board. The funding source for providing uniforms for students unable to pay may include one or more of the following:

1. Donations, gifts or grants;
2. Funds generated at the building level by students, staff or business/community partners and/or
3. Any other source as approved by the Board.

[Adoption Date: 7/25/17]

LEGAL REFS.: U.S. Const. Amend. I
ORC 3313.20; 3313.665

CROSS REFS.: JFC, Student Conduct (Zero Tolerance)
JFCEA, Gangs
Student Handbooks

STUDENT DRESS CODE

Part of the total education of the students is learning to dress appropriately and behave responsibly in a variety of situations. Students are expected to dress in a manner appropriate to the school environment and which does not cause disruption to the academic process. Research has shown a correlation between appearance and behavior, especially in the school setting.

These regulations will assist parents, students, faculty and administrators in determining appropriate student standards for dress while at school or school-sponsored activities.

1. Parents and students maintain responsibility for students' dress and personal appearance.
2. When dress or grooming interferes with the cleanliness, health, welfare or safety of students, or when dress or grooming disrupts the educational process by being distracting, indecent or inappropriate to the educational process, it is prohibited.
3. The supervisor, with the assistance of the staff, has the responsibility to uniformly administer the dress code. The decision of the supervisor is final.
4. As new trends in fashion or dress emerge or become out of date, the Wood County ESC reviews and revises the dress code to reflect the standards of the community.

Students shall observe general guidelines for dress and appearance including:

1. no shorts or miniskirts that end above mid-thigh;
2. no shirts and blouses that expose the midriff;
3. no tank tops, muscle shirts or halters – boys must wear shirts with sleeves;
4. hats, coats, bandannas and sunglasses are not to be carried to, or worn in, class;
5. no clothing or accessories that could be interpreted as promoting hate or communicating a negative, profane or vulgar message;
6. no clothing or accessories which advertise or are in any way related to alcohol, tobacco, drugs or weapons;
7. no clothing or accessories with sexual messages – explicit or implied;
8. no transparent garments, open mesh garments or garments with large open sides may be worn without an underliner;
9. shoes must be worn and must not present a safety hazard;

10. no biking pants or spandex;
11. hair must be clean, worn out of the eyes and groomed at all times; no extreme or distracting hair color or makeup;
12. body piercing adornments are to be worn in the ears only and are not to be extreme or distracting;
13. lower garments are to be worn at waist level; if a belt is worn, it must be of proper length; undergarments are not to be exposed;
14. no “dog collars”, spiked bracelets or chains that could be dangerous to persons or destructive to school property;
15. no gang, or cult-related items of any kind and;
16. no cutoffs, tattered clothing or clothing with holes.

Violation of the dress code can result in removal from class (until the violation can be resolved) and/or disciplinary action.

[Adoption Date: 5/28/96]

[Amended Date: 1/31/06]

CROSS REF: Parent/Student Handbook

GANGS

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

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

The Governing Board directs the administration to establish regulations to ensure that any student wearing, carrying or displaying gang paraphernalia or exhibiting behavior or gestures which symbolize gang membership or causing and/or participating in activities which intimidate or affect the attendance of another student is subject to disciplinary action. This includes all forms and instruments of harassment and bullying, including electronic communications devices.

[Adoption Date: 7/19/05]

LEGAL REFS.: ORC 3313.20; 3313.66;3313.661

CROSS REFS.: AC, Nondiscrimination
EDE, Computer/Online Services (Acceptable Use and Internet Safety)
JFC, Student Conduct (Zero Tolerance)
JFCA, Student Dress Code
JFCF, Hazing
Student Handbooks

HAZING AND BULLYING (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 is 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. Discipline procedures will not infringe on any student's rights under the First Amendment to the Constitution of the United States. 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.

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 Wood County ESC includes, within the health curriculum, age-appropriate instruction in dating violence prevention education in grades 7-12. 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 communication devices or electronic means, are inconsistent with the educational process and are prohibited at all times. The Wood County ESC educates minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyber-bullying awareness and response.

No administrator, teacher or other employee of the Wood County ESC 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 Wood County ESC 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 Wood County ESC 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 Superintendent/designee and appropriate discipline is administered. When employees have actual knowledge that the behavior is sexual harassment, they must contact the Title IX Coordinator.

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

The administration provides training on the Wood County ESC's hazing and bullying policy to Wood County ESC employees and volunteers who have direct contact with students. Additional training is provided to elementary employees in violence and substance abuse prevention and positive youth development.

Wood County ESC 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.

[Adoption Date: 6/19/12]

[Amended Date: 11/27/18]

[Amended Date: 5/19/2020]

[Amended Date: 10/20/2020]

LEGAL REFS.: Children's Internet Protection Act; 47 USC 254 (h)(5)(b)(iii);
(P.L. 106-554, HR 4577, 2000, 114 Stat 2763)
Education Amendments of 1972, Title IX; 20 USC 1681 et seq.
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 Website Publishing
JFC, Student Conduct (Zero Tolerance)
JFCEA, Gangs
JFCK, Use of Electronic Communications Equipment by Students
JG, Student Discipline
JHG, Reporting Child Abuse
JO, Student Records
Student Handbooks

HAZING AND BULLYING (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 programs and students in the Educational Service Center. In addition, information regarding the policy is incorporated into employee handbooks and training materials. When the behavior involves allegations of sexual harassment, the Title IX sexual harassment grievance process will be followed, as applicable. 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.

School Personnel Responsibilities and Complaint Procedures

Hazing, bullying behavior and/or dating violence by any student/ESC personnel, is strictly prohibited, and such conduct may result in disciplinary action. 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/ESC 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 ESC publication; through the use of any ESC-owned or operated communication tools, including but not limited to ESC e-mail accounts and/or computers; or on school-provided transportation.

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 web sites, social networking sites, blogs or personal online journals;
 - B. sending abusive or threatening e-mails, web site postings 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 ESC Staff

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

Teachers and other ESC staff who receive student or parent reports of suspected hazing, bullying and/or dating violence promptly notify the program supervisor of such report(s). If the report is a formal, written complaint, the complaint is forwarded to the supervisor 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 supervisor 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 ESC staff member or administrator. They are promptly forwarded to the supervisor 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 ESC 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 supervisor 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. Student 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 ESC Staff

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

ESC 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. ESC personnel should intervene promptly whenever they observe student conduct that has the purpose or effect of ridiculing, humiliating or intimidating another student/ESC personnel, even if such conduct does not meet the formal definition of harassment, hazing, intimidation or bullying.

2. Administrator Responsibilities

A. Investigation

The Supervisor is notified of any formal or informal complaint of suspected harassment, hazing, intimidation or bullying. Under the direction of the supervisor, 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 the receipt of further information and/or the withdrawal by the complaining student of 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 the applicable nondiscrimination grievance procedures are implemented where applicable.

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 reasonably 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, intimidating 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. Discipline procedures will not infringe on any student's rights under the First Amendment to the Constitution of the United States.

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 Governing Board, a committee of the Board or an impartial hearing officer designated by the Board 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 behaviors.

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

If, after the investigation, acts of harassment, intimidation and bullying by a specific student are verified, the supervisor notifies the custodial 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 supervisor 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.

ESC 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 seeking redress under any other provision of the Ohio Revised Code or common law that may apply.

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

[Adoption Date: 6/22/10]

[Amended Date: 6/19/12]

[Amended Date: 3/28/17]

[Amended Date: 5/19/2020]

[Amended Date: 10/20/2020]

TOBACCO USE BY STUDENTS

Health professionals have determined that the use of tobacco products can be detrimental to one's health. The Governing 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, clove cigarettes, chewing tobacco, snuff alternative nicotine products, electronic cigarettes and any other forms of tobacco by any student in any area under the control of the District or at any activity supervised by any school served by the District.

For the purpose of this policy, "tobacco" is defined to include any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette, alternative nicotine products, electronic cigarettes and any other smoking product, and spit tobacco, also known as smokeless, dip, chew and snuff, in any form.

[Adoption Date: 5/28/96]
[Amended Date: 4/16/14]
[Amended Date: 7/22/14]
[Amended date: 3/27/18]

LEGAL REFS.: The Elementary and Secondary Education Act; 20 USC 1221 et seq.
Goals 2000: Educate America Act; 20 USC 6081 through 6084
ORC 3313.66; 3313.661; 3313.751
3794.01; 3794.02; 3794.04; 3794.06
OAC 3301-35-02; 3301-35-04p
Goals 2000: Educate American Act (Pub. L. 103.277)

CROSS REFS.: JFA, Student Due Process Rights
JFC, Student Conduct (Zero Tolerance)

ALCOHOL USE/STUDENT DRUG ABUSE

The Governing Board recognizes its share of the responsibility for the health, welfare and safety of the students who attend the Educational Service Center's programs. The Governing Board is concerned about the problems of alcohol and drug abuse and recognizes that illegal or inappropriate use of alcohol, narcotic drugs, depressants or other controlled substances is wrong and harmful, and constitutes a hazard to the positive development of all students.

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

[Adoption Date: 5/28/96]

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

CROSS REFS.: IGAG, Drugs, Alcohol and Tobacco Education
JHCD-R, Administering Medicines to Students

DANGEROUS WEAPONS IN THE SCHOOLS

The Governing Board is committed to providing the students in the Educational Service Center programs with an educational environment which is free of the dangers of firearms, knives and other dangerous 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), which 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 to a school operated by the Governing Board or on to any other property owned or controlled by the Board, 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.

The Governing Board may adopt a resolution authorizing the Superintendent to expel a student from school for a period not to exceed one year for bringing a knife to a school operated by the Board 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. The resolution may authorize the Superintendent to extend such an expulsion 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: An incident involving a disabled student and the incident is a manifestation of the disability; the age of the student and its relevance to the punishment; the prior disciplinary history of the student; and/or the intent of the perpetrator.

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 Educational Service Center must notify the county registrar and juvenile judge within two weeks of the suspension, expulsion or permanent exclusion.

The Governing Board prohibits students from knowingly possessing an object on school premises, in a school or a school building, at a school activity or on a school bus if both of the following apply.

1. The object is indistinguishable from a firearm, whether or not the object is capable of being fired.
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 Ohio 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 police authority and may be prosecuted under state criminal statutes.

[Adoption Date: 5/28/96]
[Amended Date: 3/24/98]
[Amended Date: 5/30/00]
[Amended Date: 11/27/18]

LEGAL REFS.: 18 US 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.: JFC, Student Conduct
JGDA, Emergency Removal of a Student

USE OF ELECTRONIC COMMUNICATIONS EQUIPMENT BY STUDENTS

Students may be allowed electronic communication devices while on school property or while attending school-sponsored activities on or off school property as long as these devices are used in compliance with building regulations.

Students violating District procedures for use of electronic devices may have their device confiscated and may be subject to discipline.

The District assumes no liability if these devices are broken, lost or stolen. Notices of this policy are posted in the student handbooks.

[Adoption Date: 6/19/12]

[Amended Date: 4/16/19]

LEGAL REFS.: ORC 3313.20; 3313.753

CROSS REFS.: AC, Nondiscrimination
EDE, Computer/Online Services (Acceptable Use and Internet Safety)
JFC, Student Conduct (Zero Tolerance)
JFCEA, Gangs
JFCF, Hazing and Bullying (Harassment, Intimidation and Dating Violence)
Student Handbooks

INTERROGATIONS AND SEARCHES

The Wood County ESC 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 student's 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 Governing Board permits building administrators/designees to search any unattended bag for safety and identification purposes.

Student lockers are the property of the Wood County ESC, and since random searches have a positive impact on reducing drugs and other criminal activity, the Governing Board permits building administrators/designees to search any 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 Governing 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.

[Adoption Date: 7/19/11]

[Amended Date: 3/28/17]

[Amended date: 3/27/18]

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

CROSS REFS.: JF, Student Rights and Responsibilities
JHG, Reporting Child Abuse

INTERROGATIONS AND SEARCHES

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 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 where there exists reasonable cause 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 presence and with his knowledge.
4. Items, the possession of which constitutes a crime or violation of school rules, or any other possessions reasonably 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:

Supervisors and their designees are permitted to search the person and personal property (purse, knapsack, gym bag, etc.) of a student when there is 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 cause to believe that the search will result in obtaining evidence, which indicates the student's violation of the law or school rules.
2. Searches will be conducted by a member of the same sex as the student.
3. Searches will be conducted in the presence of another administrator/designee or staff member.
4. Parent(s)/guardian(s) of a minor student who is the subject of a search will be notified of the search and will be 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

Supervisors and their designees are permitted to search any unattended bag found on ESC 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

A law enforcement agency is required to produce a warrant prior to conducting any search of a student's personal property kept on school premises; however, when the law enforcement officers 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

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:

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 officers 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 will be made out of the sight of others as much as possible.
3. The school principal or program supervisor 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 will request to be present when an interrogation takes place within the school.
6. When the law enforcement officials remove a student from school, the administration will make an attempt to notify the parent(s).
7. The law enforcement department should always be notified by the school principal or program supervisor whenever a student is involved in any type of criminal activity. When the principal or supervisor learns of this involvement, he/she should notify the juvenile officer or detective bureau of the law enforcement department. The school should not attempt to handle matters, which are properly in the realm of the law enforcement department.

[Adoption Date: 5/28/96]

[Amended Date: 3/28/17]

[Amended date: 3/27/18]

STUDENT DISCIPLINE

Effective discipline, which requires respect for the rights of others, is necessary if all students are to attain a quality education. The Governing Board delegates to administrators of special needs programs the authority to enforce Educational Service Center 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; however, the most important part of such a statement would be the relationship of the teacher, the principal, and the program supervisor in matters of discipline. Teachers must feel free to consult and work closely with the building principal and the program supervisor 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 Governing 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 will be 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 will be handled individually. The classroom teacher may take the steps, which he/she believes are justified in each case. If the student does not respond to these measures, the teacher will then refer the student to the principal.

When an employee has actual knowledge that the behavior is sexual harassment, the Title IX Coordinator must be contacted. 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.

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

A student's failure to comply with the requirements for student conduct outlined in the student handbooks may result in the student's being placed under discipline. A student cannot be suspended, expelled or removed from school solely because of unexcused absences. For students who have a history of behavior problems, discipline should be addressed in the student's IEP goals. Depending on the seriousness of the offense committed by the student, the IEP team may be convened to consider suspension, change of placement, or expulsion. Discipline will always be 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/or supervisor to discipline or withdraw privileges from a large group, this action may be taken; however, any punishment technique involving an entire class or large group, will be used only as a last resort.

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

The Governing Board is most hopeful that teachers, parents and Board members can work together to promote the best educational interests of the students in this District.

[Adoption Date: 5/28/96]

[Amended Date: 3/24/98]

[Amended Date: 3/28/17]

[Amended Date: 10/20/2020]

LEGAL REFS.: Education Amendments of 1972, Title IX; 20 USC 1681 et seq.
ORC 3313.20; 3313.66; 3313.661; 3313.662; 3313.668
3319.41
OAC 3301-32-09
3301-37-10

CROSS REF.: ACA, Sexual Harassment
ECAB, Vandalism
JFC, Student Conduct
JGA, Corporal Punishment
JGDA, Emergency Removal of Student
JGE, Student Expulsion

CORPORAL PUNISHMENT

Good conduct is based on respect and consideration for the rights of others. Students will be expected to conduct themselves in such a way that the rights of others are not violated. Students will respect constituted authority, conform with school regulations and accept directions from authorized school personnel. School personnel will be expected to provide students with an example of appropriate behavior and social attitudes.

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 will be dealt with according to approved student discipline regulations.

The use of all cruel and unusual punishment and practices including, but not limited to, physical or verbal abuse is prohibited.

Isolation in a locked, unmonitored room shall not occur.

Since Ohio law allows Boards of Education to ban the use of corporal punishment and this Governing Board does not believe such punishment to be suitable, corporal punishment shall not be used as a form of discipline in the Educational Service Center's Special Needs Programs. The Governing Board expects the administration, faculty and staff to use every other form of discipline, counseling and referral, including communication and meetings with the parent(s)/guardian(s) to promote appropriate, positive behavior.

It is understood, however, that teachers, principals, administrators and support staff are allowed by law to use "such amount of force and restraint as is reasonable and necessary to quell a disturbance threatening physical injury to others, to obtain possession of weapons or other dangerous objects... for the purpose of self-defense, or for the protection of persons or property."

Behavioral intervention for students receiving AOD Prevention services shall only be administered by the staff member responsible for the overall day-to-day operation of the AOD prevention services, supervisors, or prevention employees with direct care responsibilities who have been trained in the agency's approved behavioral interventions, policies, and procedures.

[Adoption Date: 5/28/96]

[Amended Date: 10/23/07]

LEGAL REFS.: ORC 2903.11
3313.20
3319.41

STUDENT SUSPENSION

The supervisor 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. When an employee has actual knowledge that the behavior is sexual harassment the Title IX Coordinator must be contacted. 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.

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 supervisor 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 Wood County ESC 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 Wood County ESC permits students to complete any classroom assignments missed due to suspension. Students will receive at least partial credit upon completion of any assignment missed due to suspension. The board directs the Superintendent to develop written procedures for completing and grading these assignments. Grade reductions are permitted, but students will not receive a failing grade on a completed assignment solely due to the student's 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).

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.

[Adoption Date: 4/16/19]

[Amended Date:10/20/2020]

LEGAL REFS.: Education Amendments of 1972, Title IX; 20 USC 1681 et seq.
ORC 3313.66; 3313.661; 3313.662; 3313.668

CROSS REFS.: ACAA, Sexual Harassment
JFC, Student Conduct (Zero Tolerance)
JFCEA, Gangs
JFCF, Hazing and Bullying (Harassment, Intimidation and Dating Violence)
JFCJ, Weapons in the Schools
JG, Student Discipline

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 Director of Special Needs or Program Supervisor may remove the student from the premises. When the behavior is sexual harassment as defined by Title IX regulations, the student may be removed on an emergency basis, provided that the District undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the student with notice and an opportunity to challenge the decision immediately following the removal.

If either suspension or expulsion is contemplated a due process hearing will be 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 will be given to the student as soon as practicable prior to the hearing. The student will have the opportunity to appear at an informal hearing before the Director of Special Needs and/or Program Supervisor and will have the right to challenge the reasons for the removal or otherwise explain his actions. The person who ordered or requested the removal will be present at the hearing. Within a school day of the decision to suspend, written notification will be given to a parent, guardian or custodian of the student and Treasurer of the Board. This notice will include the reasons for the suspension and the right of the student or parent to appeal to the Superintendent or his designee.

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

In an emergency removal, a student can be kept from class until the matter of the 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 home 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: 5/28/96]

[Amended Date: 11/27/18]

[Amended Date: 10/20/2020]

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
ECAB, Vandalism
JFC, Student Conduct (Zero Tolerance)
JFCJ, Weapons in the Schools
JG, Student Discipline

STUDENT HEALTH SERVICES AND REQUIREMENTS

The Board recognizes the responsibility of the schools to help protect and improve 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 Educational Service Center'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 will have on file for each student an emergency medical authorization form providing information from the parent/guardian on how he wishes the school to proceed in event of a health emergency involving the student and authorization for the school in case emergency action must be taken.

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

[Adoption Date: 5/28/96]

[Amended Date: 11/25/03]

[Amended Date: 3/18/04]

LEGAL REFS.: The Elementary and Secondary Education Act; 20 USC 1221 et seq.
Health Insurance Portability and Accountability Act; 29 USC 1181 et seq.
42 U.S.C. Sec. 12101 et seq. (1997)
20 U.S.C. 1232 g Sec. 1400 6301 et seq. (1997)
29 U.S.C. Sec. 794(a)(1988)
ORC 3313.50; 3313.67-3313.73
OAC 3301-35-03(D)

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

IMMUNIZATIONS

In order to minimize the spread of preventable illnesses in schools and provide students with a healthier learning environment, the Governing Board requires immunizations in compliance with State law and the Ohio Department of Health for each student unless the parent(s)/guardian(s) file an objection. The Governing Board may also require tuberculosis examination in compliance with law. The Governing 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 new to the ESC must present written evidence of similar immunizations, or written evidence to indicate that they are in the process of receiving such immunizations, to be completed no later than the day of entrance. The ESC 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 ESC maintains an immunization record for each student, available in writing to parents upon request.

[Adoption Date: 7/24/01]
[Amended Date: 11/26/02]
[Amended Date: 6/22/10]
[Amended Date: 2/22/11]
[Amended Date: 8/23/16]
[Amended Date: 3/28/17]
[Amended Date: 11/23/2021]

LEGAL REFS.: ORC 3313.67; 3313.671; 3313.71; 3313.711
3701.13
3792.04

CROSS REFS.: JHCC, Communicable Diseases

COMMUNICABLE DISEASES

The Governing 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 ESC 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 ESC 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 and precautions of an individual who has received such a vaccine.

All students of the Educational Service Center with signs or symptoms of diseases suspected as being communicable to others will be given immediate attention and sent home if such action is indicated.

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

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

[Adoption Date: 5/28/96]

[Amended Date: 2/22/11]

[Amended Date: 11/23/2021]

LEGAL REFS.: ORC 3313.67; 3313.671; 3313.68; 3313.71
3319.321
3707.04; 3707.06; 3707.08; 3707.16; 3707.20; 3707.21; 3707.26
3792.04

CROSS REF.: JHCB, Immunizations

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 Governing Board who are licensed health professionals, or who are appointed by the Governing Board and have completed a drug administration training program meeting State law requirements, conducted by a licensed health professional and considered appropriate by the Governing Board, can administer prescription drugs to students.
2. The school nurse or an appropriate person appointed by the Governing 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 Governing 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 Governing Board is required to administer a drug to a student except pursuant to requirements established under this policy. The Governing 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 program 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 autoinjector (epi-pen) to treat anaphylaxis (severe allergic reactions). The right to carry and use an epi-pen 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 epi-pen 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 back up 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 revoked 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 or charge of the student.

[Adoption Date: 7/19/11]

[Amended Date: 10/14/14]

LEGAL REFS.: ORC 2305.23; 2305.231
3313.64; 3313.7112; 3313.712; 3313.713; 3313.716; 3313.718
3314.03; 3314.141
OAC 3301-35-06

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

ADMINISTERING MEDICINES TO STUDENTS
(Use of Asthma Inhalers)

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

The physician's written approval must specify the minimum following information:

1. the student's name and address
2. the name 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 which outline the 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 student using the inhaler that should be reported to the physician
7. any severe reactions that may occur to another student for whom the inhaler is not prescribed, should he/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

In no circumstances will the Wood County ESC, any member of the Governing Board or any Governing Board employee be liable for injury, death or loss of person or property when a Wood County ESC employee prohibits a student from using an inhaler because the employee believes, in good faith, that the required written approvals have not been received by the principal. Additionally, liability cannot accrue because the employee permits the use of an inhaler when the employee believes, in good faith, that the written approval(s) have been received by the appropriate authority.

[Approval Date: 7/19/11]

ADMINISTERING MEDICINES TO STUDENTS
(Use of Epinephrine Autoinjectors)

Student possession of an epi-pen 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. names and dose of the medication contained in the autoinjector
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 epi-pen appropriately and has provided the student with training in the proper use of the epi-pen
5. circumstances in which the epi-pen 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 Governing Board and Wood County ESC 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 epi-pen 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 epi-pen 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 epi-pen, the medication is used by a student for whom it was not prescribed.

All immunities granted to schools under this sovereign immunity law or any other law apply.

[Adoption Date: 7/19/11]

ADMINISTERING MEDICINES TO STUDENTS
(General Rules)

Students needing medication are encouraged to receive the medication at home if possible.

Only employees of the Governing Board who are licensed health professionals, or who are appointment by the Governing Board and have completed a drug administration training program meeting State law requirements, conducted by a licensed health professional and considered appropriate by the Governing Board, can administer prescription drugs to students.

1. The person or persons designated to administer medication receives a written request, signed by the parent(s) having care or charge of the student, that the drug be administered to the student.
2. Each person designated to administer medication receives a statement, signed by the physician or other person licensed to prescribe medication, which includes all of the following information:
 - the name and address of the student;
 - the school and class in which the student is enrolled;
 - the name of the drug and the dosage to be administered;
 - the times or intervals at which each dosage of the drug is to be administered;
 - the date on which the administration of the drug is to begin;
 - the date on which the administration of the drug is to cease;
 - any severe adverse reactions which should be reported to the physician and one or more telephone numbers at which the person who prescribed the medication can be reached in case of an emergency and
 - special instructions for administration of the drug, including sterile conditions and storage.
3. The parent(s) agree to submit a revised statement signed by the physician who prescribed the drug to the person designated to administer medication if any of the information provided by the person licensed to prescribe medication as described above changes.
4. The person authorized to administer the drug receives a copy of the statement described above.
5. The drug is received by the person authorized to administer the drug to the student for whom the drug is prescribed in the container, in which it was dispensed, by the prescribing physician or other licensed professional.

The person designated by the Governing Board establishes a location in each school building for the storage of drugs to be administered. Unless otherwise authorized by State law, all such drugs shall be stored in that location in a locked storage place. Drugs that require refrigeration may be kept in a refrigerator in a place not commonly used by students.

No person who has been authorized by the Governing Board to administer a drug and has a copy of the most recent statement which was given to him/her prior to administering the drug is liable for administering or failing to administer the drug, unless such person acts in a manner which constitutes "gross negligence or wanton or reckless misconduct."

A person employed by the Governing Board is not required to administer a prescribed drug to a student unless a Governing Board regulation establishes a requirement; furthermore, the Governing 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.

Governing Board policy and regulations regarding dispensation of medication must be formally adopted by the Governing Board and may be changed, modified or revised only by action of the Governing Board.

[Adoption Date: 10/14/14]

STUDENT SAFETY

The objectives of safety instruction in the Educational Service Center's Special Needs Programs will include the following:

1. establishing appropriate safety rules
2. learning how to work and to exercise safety and how to prevent accidents
3. learning how to care for tools and equipment so as to reduce the possibility of 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. developing skills in the safe use of tools and equipment
7. learning how to cooperate with others in the promotion and operation of a safety program in the school, on school vehicles and to and from school.
8. 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
9. 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
10. 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 will be inspected annually to detect and remedy health and safety hazards. Staff members shall immediately report to the building administrator any accident or safety hazard he/she detects. The Superintendent is authorized and directed to develop appropriate means for the implementation of this policy.

[Adoption Date: 5/28/96]

[Amended Date: 5/23/06]

[Amended Date: 6/22/10]

[Amended Date: 7/19/11]

LEGAL REFS.: ORC 3313.60; 3313.643; 3313.96
3705.05
3737.73
OAC 3301-35-06

CROSS REFS.: AFI, Evaluation of Educational Resources
EB, Safety Program
GBH, Staff-Student Relations (Also JM)
IGAE, Health Education
EBD, Crisis Management
JEE, Student Attendance Accounting (Missing and Absent Children)
JFCF, Hazing and Bullying (Harassment, Intimidation and Dating Violence)
JFCH, Alcohol Use by Students
JFCI, Student Drug Abuse
JHG, Reporting of Child Abuse
JHH, Notification About Sex Offenders

REPORTING CHILD ABUSE AND MANDATORY TRAINING

All employees of the Educational Service Center who know or suspect that a child under 18 years of age or a disabled child under 22 years of age has suffered or is suffering any type of abuse or neglect are required to report such information to the Public Children Services Agency or the local law enforcement agency.

To ensure prompt reports, procedures for reporting are made known to the Educational Service Center 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 Governing Board directs the Superintendent/designee to develop a program of in-service training in child abuse prevention; violence; school safety and violence prevention including human trafficking; substance abuse, the promotion of positive youth development and youth suicide awareness and promotion. Training is also provided on the Board's harassment, intimidation, or bullying policy.

Each person employed by the Governing 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.

Where required this 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.

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.

[Adoption Date: 05/28/96]

[Amended Date: 03/24/98]

[Amended Date: 12/21/04]

[Amended Date: 02/23/10]

[Amended Date: 04/16/19]

LEGAL REFS.: ORC 2151.011; 2151.421
3313.662; 3313.666
3319.073

CROSS REFS.: EB, Safety Program
EBC, Emergency Management and Safety Plans
IGAE, Health Education
JFCF, Hazing and Bullying (Harassment, Intimidation and Dating Violence)
JHF, Student Safety

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 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 is residing, employed or attending school within the geographical region of the District that the 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.

[Adoption date: 7/24/01]

[Amended date: 3/18/04]

[Amended Date: 2/26/19]

LEGAL REFS.: 42 USC 14071
ORC 149.43
2151.355
2152.83; 2152.84
Chapter 2950
OAC 109:5-2

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

EMPLOYMENT OF STUDENTS

The Board believes that a student's school responsibilities are to take precedence over nonschool-related jobs. However, the Board acknowledges that 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 16 and 17, must have valid work permits for paid employment during the school year. Students, ages 14-15, must obtain valid work permits for employment at all times of the year, from the Superintendent/designee of the school district where the student resides.

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.

[Adoption Date: 5/28/96]

[Amended Date: 12/14/09]

LEGAL REFS.: 48 USC 1324a et seq.
ORC 3313.56; 3313.93
3321.08-3321.11
3331.01-3331.14; 3331.02; 3331.04; 3331.06 through 3331.09
Chapter 4109
4111.02

Note: ORC 3331.04 has identified special conditions in which qualified students over 16 years of age may be issued age and schooling certificates (work permits) after withdrawing from full-time enrollment, yet attending school on a part-time basis in a program approved by the Superintendent or his/her designee.

STUDENT GIFTS AND SOLICITATIONS

There are differences in the economic status of families represented by the students in the District, and the Board wishes to avoid any embarrassment to students or hardship on families which lack financial resources; nor does the Board wish to burden the community with numerous, repeated solicitations by the students.

The following guidelines are in effect:

1. Teachers will discourage gifts from students. Notes of appreciation, of course, are appropriate.
2. Charity or general solicitations from students will be permitted only after written approval has been given by the Superintendent. The Superintendent will annually approve all solicitations, which will be permitted in the schools.
3. There will be no solicitation of money from local industry, businesses, District residents, parents or by any school organization without the approval of the Superintendent.
4. When the graduating class wishes to present a gift to the school, it will be encouraged to donate the balance of the class fund to a school service project, the school scholarship fund or to present a gift that will have long-lasting benefit to all students in the District.
5. Permission will never be given for the school to sponsor nonschool fundraisers or to provide for student involvement in such activities.

[Adoption date: 2/22/00]

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

NOTE: The cross references are to related categories in the EPS classification system.

STAFF-STUDENT RELATIONS

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

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

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

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

1. Staff members shall not make deprecatory comments to students regarding the school and/or its staff.
2. The exchange of purchased gifts between staff members and students is discouraged.
3. Staff-sponsored parties at which students are in attendance, unless they are a part of the school's extracurricular program and are properly supervised, are prohibited.
4. Staff members shall not fraternize, written or verbally, with students except on matters that pertain to school-related issues.
5. Staff members shall not associate with students at any time in any situation or activity which could be considered sexually suggestive or involve the presence or use of tobacco, alcohol or drugs.
6. Soliciting, encouraging, engaging, or consummating an inappropriate relationship with any student, minor or individual who was a student in the preceding 12 months.
7. Staff members shall not use disparaging remarks, insults or sarcasm against students under any circumstances.
8. Staff members shall maintain appropriate professional, emotional and social boundaries in the supervision, control and protection of students commensurate with their assigned duties and responsibilities.
9. Staff members shall not send students on personal errands.
10. Staff members shall, pursuant to law and board policy, immediately report any suspected signs of child abuse or neglect.
11. Staff members shall not attempt to counsel, assess, diagnose or treat a student's personal problem relating to sexual behavior, substance abuse, mental or physical health and/or family relationships but, instead, should refer the student to the appropriate individual or agency for assistance.

8. Staff members shall not willingly or knowingly violate any student confidentiality required by Federal or State law.
9. Staff members shall not groom a student or minor for the purpose of establishing an inappropriate emotional, romantic or sexual relationship.

Social Media

1. Educational Service Center 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 or designee has full discretion in determining when a disruption of classroom activity has occurred.
2. Educational Service Center staff are prohibited from providing personal social media passwords to students.
3. Fraternalization between Educational Service Center staff and students via the internet, personal e-mail accounts, text messaging, personal social media and other modes of virtual technology is also prohibited.
4. Access of personal social media for non-educational purposes, during work hours is prohibited.

Violation of the prohibitions listed above may result in staff and/or student discipline in accordance with State law, Governing Board policies and regulations, the Staff and Student Codes of Conduct and handbooks. Violations by staff also may be reported to the Ohio Department of Education for further investigation. Nothing in this policy prohibits Educational Service Center staff and students from the use of education web sites and/or use of social media created for curricular, co-curricular or extracurricular purposes.

[Adoption Date: 7/24/01]

[Amended Date: 9/29/09]

[Amended Date: 2/22/11]

[Amended Date: 2/26/19]

[Amended Date: 5/19/2020]

LEGAL REFS.: ORC 3313.20; 3319.31; 3319.311
OAC Chapter 3301-73

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

STUDENT FEES, FINES, AND CHARGES

Material Fees

The Governing Board will provide 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.

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 Wood County ESC 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. 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 Wood County ESC 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 ESC 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.

Overpayment & Refunds

Sometimes CLC enrichment activity fees are paid by families in advance; occasionally, this leads to overpayment when student participation is less than anticipated, or when a particular program is cancelled due to low enrollment.

When overpayment occurs, the Wood County ESC will apply the credit balance to future CLC enrichment activities. Due to the time and effort required to process refunds, a refund will only be processed when the credit balance is \$25.00 or greater. Credit balances of less than \$25.00 will remain available to be applied to future enrichment activities or other fees.

Collection

Any fines, fees, and /or other charges collected by members of the staff shall be turned in to the Treasurer within one (1) business day after collection.

Delinquent Accounts

The Governing Board authorizes the Treasurer to pursue all unpaid fines and / or fees regardless of the dollar amount, with the assistance of the County Prosecutor and / or a collection agency. If the fines and / or fees remain unpaid, a list containing the name and dollar amount of unpaid funds will be presented to the Governing Board for their approval to deem the funds uncollectible.

[Adoption Date: 5/28/96]

[Amended Date: 8/22/06]

[Amended Date: 2/23/10]

[Amended Date: 2/25/14]

[Amended Date: 7/25/17]

LEGAL REFS.: National School Lunch Act of 1946, 42 USC 1751
Child Nutrition Act of 1966, 42 USC 1771
ORC 3313.642
3329.06

CROSS REF.: EF/EFB, Food Services Management/Free and Reduced-Price Food
IGCD, Educational Options (Also LEB)

STUDENT RECORDS

In order to provide students with appropriate instruction and educational services, it is necessary for the Educational Service Center 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)/guardian(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 Educational Service Center.

Upon request, all records and files included in the student's cumulative file are available to parent(s)/guardian(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 parent(s)/guardian(s) 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 students."

The Educational Service Center 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 Educational Service Center provides notice to parent(s)/guardian(s) and eligible students annually, in accordance with the procedures set forth under administrative regulations, of the rights held by parent(s)/guardian(s) and eligible students under law and this policy. It is the intent of the Educational Service Center 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)/guardian(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 Educational Service Center 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)/guardian(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 Educational Service Center 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 Governing Board that any or all such information should not be released without their prior written consent.

Administrative regulations set forth a procedure for annual notification to parents and eligible students of the Educational Service Center's definition of directory information. Parent(s)/guardian(s) or eligible students then have two weeks in which to advise the Educational Service Center 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 Educational Service Center 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/guardian 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 Educational Service Center maintains, in accordance with administrative regulations, an accurate record of all requests to disclose information from, or to permit access to, a student's educational records and of information disclosed and access permitted.

[Adoption Date: 2/22/11]

[Amended Date: 7/23/13]

LEGAL REFS.: The Elementary and Secondary Education Act; 20 USC 1221 et seq.
Family Educational Rights and Privacy Act; 20 USC Section 1232g
Health Insurance Portability and Accountability Act; 29 USC 1181 et seq.
ORC 111.41; 111.42; 111.43; 111.46; 111.47; 111.99
149.41; 149.43
1347.01 et seq.
3317.031
3319.32; 3319.321; 3319.33
3321.12; 3321.13
3331.13

CROSS REFS.: AFI, Evaluation of Educational Resources
EHA, Data and Records Retention
IL, Testing Programs
KBA, Public's Right to Know
KKA, Recruiters in the Schools

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 ESC implements PBIS on a systemwide basis in an effort to promote positive interactions and solutions within the ESC. The ESC 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 ESC 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 ESC PBIS leadership team or other appropriate source in collaboration with the PBIS leadership team. Professional development is in accordance with the ESC's PBIS training plan, the ESC ensures there are continuous training structures in place and training requirements may be modified for the intended audience. The ESC 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 ESC 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 ESC 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.

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File: JP

The ESC 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 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.

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 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.

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Multiple Incidents of Restraint and Seclusion

The ESC 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 ESC 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 ESC 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 ESC 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 ESC maintains written or electronic documentation of the name, position and building assignment of each person completing training as well as 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 ESC 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 ESC. 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 ESC annually reports information regarding its use of restraint or seclusion to ODE in accordance with ODE procedures.

The Governing Board directs the Superintendent/designee to establish ESC a procedure to monitor the implementation of State law and the ESC's policy on restraint and seclusion.

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File: JP

The Board directs the Superintendent/designee to establish ESC written complaint procedures, which include a:

1. procedure for parents to present written complaints to the Superintendent to initiate a complaint investigation by the ESC regarding incidents of restraint or seclusion;
2. requirement that the ESC 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 ESC's seclusion and restraint policies and procedures, including the local complaint process which are also posted on the ESC's website. The ESC annually reviews the requirements of OAC 3301-35-15 and local policies and procedures related to PBIS and physical restraint and seclusion.

[Adoption Date: 2/25/14]

[Amended Date: 4/28/15]

[Amended Date: 11/27/18]

[Amended Date: 11/23/2021]

LEGAL REFS.: ORC 2919.22
3301.68
3319.237; 3319.41
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
JHF, Student Safety