

# PERRY SCHOOLS ~ GRADES K – 4



## STUDENT HANDBOOK 2011 - 2012

### MISSION STATEMENT

Inspire all students to achieve personal excellence, pursue world-class standards and be self-directed, lifelong learners.



### THIS AGENDA BELONGS TO:

Name: \_\_\_\_\_

Address:

\_\_\_\_\_

City: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_



Dear Student:

This is your copy 2011 – 2012 Perry Elementary Handbook for grades K - 4. As a student at Perry Elementary School, you are responsible for knowing the policies and procedures of the school. Review the handbook with your parents carefully on a regular basis. This booklet will answer many of your questions about the school.

As your principal, it is our goal to provide you with the best education possible. Your teachers are committed to help you learn to the best of your ability. Each student is expected to set personal goals and work hard to achieve desired results. From the first day of school to the last, our expectations will be high. Your parents also have expectations for you to achieve. We will work closely with them to create a relationship, which helps you grow academically and socially.

At Perry Primary and Intermediate we strive to be the finest school possible. This takes hard work and a dedication by all employees, students and parents. Before good learning can occur, there must be good discipline and respect for others. This handbook speaks of school rules and regulations, which all students must follow. School rules will be strictly enforced by all school personnel.

Throughout the year we want to help you in your educational career. Call upon your teachers, counselors and principals as we can be of service. We are here for you!

On behalf of the entire faculty, we challenge you to have your finest school year. The lessons and values you learn during the elementary school years can last a lifetime. With your help, Perry Primary and Intermediate Schools can be all we expect it to be.

Good Luck to you!

Mrs. Poremba  
Primary School Principal (K – 2)

Mrs. Pulling  
Intermediate School Principal (3 – 5)



<b>TABLE OF CONTENTS</b>	
<b>Staff Information</b> .....	4
<b>District Calendar</b> .....	5
<b>Everyday Information</b> .....	6 – 9
<b>Perry Local Schools Policy</b>	
• Nondiscrimination and Equal Employment .....	9
• Code of Student Conduct .....	9 – 10
• Student Discipline .....	10
• Drug Prevention .....	10
• Search and Seizure: Investigations and Searches .....	10
• Harassment, Intimidation, Bullying and other forms of Aggressive Behavior Anti-Harassment .....	10 – 15
• Student Hazing .....	15
• Weapons .....	16
• School-Sponsored Publications and Productions .....	16 – 17
• Advertising Outside Activities .....	17
• Student Groups .....	17
• Acceptable Use .....	17 – 18
• Using Email and the Internet Wisely .....	18 – 19
• Interrogation of Students .....	19
• Removal, Suspension, Expulsion and Permanent Exclusion of Students .....	19 – 21
• Administrative Procedure with Respect to Possible Student Suspensions and Expulsions .....	21 – 23
• Permanent Exclusion of Non-Disabled Students .....	23 – 24
• In-School Discipline .....	24
• Emergency Removal of Students .....	24
• Due Process Rights .....	24 – 25
• Promotional, Acceleration, Placement and Retention .....	25 – 26
• Student Records .....	26 – 27
• Directory Information .....	27 – 28
<b>Behavior Code of Conduct</b>	
• General Statement .....	28
• Areas in which Discipline Control of Pupils is to be Exercised .....	28
• Disciplinary Procedures .....	28
• Discipline Offenses .....	29 – 36
o Student Dress .....	34
• Transportation Department .....	36 – 38
<b>Notification of Rights</b> .....	39 – 40

**BOARD OF EDUCATION**

Mrs. Suanne Sines, President  
Mrs. Carole Martin, Vice President  
Mr. Matt Farrell  
Mrs. Ashley Hacking  
Dr. Frank Sailors

**ADMINISTRATION**

Dr. Jack Thompson, Superintendent  
Mr. Lewis Galante, Chief Financial Officer  
Mrs. Amy Harker, Director of Student Services  
Mrs. Betty Jo Malchesky, Director of Curriculum & Instruction

**PERRY PRIMARY (K – 2) SCHOOL OFFICE STAFF**

Mrs. Jodi Poremba, Principal K – 2  
Mr. Thomas deHaas, Guidance Counselor K - 4  
Mrs. Eileen Page, Principal’s Secretary K – 2  
Mrs. Sharon Chapman, Secretary/Receptionist K - 4

**PERRY INTERMEDIATE (3 – 5) SCHOOL OFFICE STAFF**

Mrs. Shelley Pulling, Principal 3 – 5  
Mr. Thomas deHaas, Guidance Counselor K – 4  
Mrs. Peggy Saxon, Guidance Counselor 5 – 8  
Mrs. Patrice Carroll, Principal’s Secretary 3 – 5  
Mrs. Sharon Chapman, Secretary/Receptionist K – 4  
Mrs. Lynn Gossett, Secretary/Receptionist 5 – 8

**CLINIC**

Mrs. Fran Keller & Mrs. Sandy Yankie

---

**KEEPING IN TOUCH WITH YOUR CHILD’S EDUCATION**

Please visit our website at [www.perry-lake.k12.oh.us](http://www.perry-lake.k12.oh.us) for announcements, upcoming events, district calendar, staff member listing and Infinite Campus log-on.

You may email a Perry staff member by entering the last name and first initial of the person you wish to contact followed by: [@perry-lake.k12.oh.us](mailto:@perry-lake.k12.oh.us).

You can access your child’s grades, assignments, report cards, schedules and more through Perry Parent Portal of Infinite Campus. To log-on to Infinite Campus; go to the District website, click on Parents, then Infinite Campus Icon. If you have forgotten your user login or password, please email us at: [parentportal@perry-lake.k12.oh.us](mailto:parentportal@perry-lake.k12.oh.us) and provide us with your full name, telephone number and best time to reach you.

# PERRY PUBLIC SCHOOLS CALENDAR 2011-2012

## AUGUST / SEPTEMBER 2011

M	T	W	TH	F
8	9	10	11	12
15	16	17	18	19
22	23	24	25	26
29	30	31	1	2
5	6	7	8	9
12	13	14	15	16
19	20	21	22	23
26	27	28	29	30

## OCTOBER

M	T	W	TH	F
□3	□4	⊗□5	□6	□7
10	11	12	13	14
17	18	19	20	21
□24	□25	□26	X□27	□28
□31				

## NOVEMBER

M	T	W	TH	F
	□1	□2	□3	□4
7	8	9	10	11
14	15	16	17	⊗18
21	22	23	24	25
28	29	30		

## DECEMBER

M	T	W	TH	F
			1	2
5	6	7	8	9
12	13	14	15	16
19	20	21	22	23
26	27	28	29	30

## JANUARY 2012

M	T	W	TH	F
2	3	4	5	6
9	10	11	12	13
16	X⊗17	18	19	20
23	24	25	26	27
30	31			

## FEBRUARY

M	T	W	TH	F
		1	2	3
6	7	8	9	10
13	14	15	16	17
20	21	22	23	24
27	28	29		

## MARCH

M	T	W	TH	F
			⊗1	2
5	6	7	8	9
□12	□13	□14	□15	□16
□19	□20	□21	X□22	□23
26	27	28	29	30

## APRIL

M	T	W	TH	F
2	3	4	5	6
9	10	11	12	13
16	17	18	19	20
⊗□23	□24	□25	□26	□27
□30				

## MAY / JUNE

M	T	W	TH	F
	□1	□2	□3	□4
□7	□8	□9	□10	□11
14	15	16	17	18
21	22	23	24	25
28	29	30	31	1
4	X⊗5	6	7	8

New Teacher Orientation

Vacation / No School

⊗ End of Six Weeks

X End of Nine Weeks

No School for Students / Staff Development Day

No School for Students/ Teacher Work Day

Compensatory Day / No School

□ OAA Testing

□ OGT Testing

### FIRST SEMESTER . . . . . Aug 24 – Jan 17 = 90 days

New Teacher Orientation . . . . .	Aug 16-18
Teacher Work Day . . . . .	Aug 19
Staff Development Day #1 . . . . .	Aug 22
Staff Development Day #2 (All Staff) . . . . .	Aug 23
CLASSES BEGIN . . . . .	Aug 24
LABOR DAY . . . . .	Sept 5
<b>End of 1<sup>st</sup> 6 Week Grading Period</b> . . . . .	<b>Oct 5</b>
NEOEA Day - No School. . . . .	Oct 14
<b>End of 1<sup>st</sup> 9 Week Grading Period.</b> . . . . .	<b>Oct 27</b>
Staff Development Day #3 . . . . .	Nov 8
<b>End of 2<sup>nd</sup> 6 Week Grading Period</b> . . . . .	<b>Nov 18</b>
Compensatory Day – No School for Staff or Students. . . . .	Nov 23
THANKSGIVING VACATION . . . . .	Nov 24-25
WINTER VACATION. . . . .	Dec 22-Jan 2
MARTIN LUTHER KING DAY. . . . .	Jan 16
<b>End of 3<sup>rd</sup> 6 Week Grading Period</b> . . . . .	<b>Jan 17</b>
<b>End of 2<sup>nd</sup> 9 Week Grading Period</b> . . . . .	<b>Jan 17</b>

### SECOND SEMESTER . . . . . Jan 18 - June 5 = 90 Days

Staff Development Day #4. . . . .	Feb 17
PRESIDENT'S DAY . . . . .	Feb 20
<b>End of 4<sup>th</sup> 6 Week Grading Period</b> . . . . .	<b>Mar 1</b>
<b>End of 3<sup>rd</sup> 9 Week Grading Period.</b> . . . . .	<b>Mar 22</b>
Staff Development Day #5	April 5
Good Friday – No School . . . . .	April 6
SPRING VACATION . . . . .	April 9-13
<b>End of 5<sup>th</sup> 6 Week Grading Period</b> . . . . .	<b>April 23</b>
MEMORIAL DAY . . . . .	May 28
Commencement . . . . .	June 3
Last day of Classes. . . . .	June 5
<b>End of 6<sup>th</sup> 6 Week Grading Period</b> . . . . .	<b>June 5</b>
<b>End of 4<sup>th</sup> 9 Week Grading Period.</b> . . . . .	<b>June 5</b>
Teacher Work Day (Building Meetings) . . . . .	June 6

Hazardous weather and / or unforeseen contingencies may force an alteration of this calendar in order to comply with state law, State Department of Education dictates and / or local Board determinations. If make-up days are needed, the dates of June 6, 7, 8, 2012; will be added to the school calendar with Teacher Work Day immediately following the last make-up day needed.

## EVERYDAY INFORMATION

### A. Length of the School Day

**Students Arrive:** 8:40 – 8:50 a.m.

**School Begins:** 8:50 a.m.

**Pick-Ups BY:** 3:20 p.m.

**School Ends:** 3:30 p.m.

### B. Non Bus Riders

Students who walk, ride bicycles or are dropped off by car **should not arrive at school before 8:40 a.m.** Those who walk and ride bikes will not leave until after all the busses drive away. They are to go home immediately after school and should not trespass on other's property.

### C. Driving Students to School

Please drop children off in the designated drop off area located along the sidewalk of the south parking lot. This drop off area will be marked by orange cones. Please have your child exit the car on the sidewalk side. If your child needs help exiting the car please park in the parking lot and walk your child across the cross walk so that the cars behind you are not held up.

### D. Bus Passes – Procedure for Transportation Change

At Perry Elementary School we place a very high priority on the safety of our children. In addition, we also place a very high value on developing positive relationships with our parent/guardians, and work hard to customize our responses to meet the needs of kids and their families.

Sometimes meeting the needs of a child's safety requires school procedures that may not make sense to parents/guardians. One such example may be the bus pass procedure for a transportation change we use at Perry Elementary School. In our attempt to balance student safety when kids are being transported to and from school with meeting the changing transportation needs families, certain procedures must be in place.

#### Permanent Bus Pass

In the event that your family has a change in schedule, i.e. a parent/guardian changes jobs, the family or babysitter moves to a different house, etc. we are asking that parents/guardians complete and submit the Request for Transportation Change Form to make a **permanent** schedule change for their child. The process for changing your child's transportation arrangements requires obtaining a bus pass using the following procedure.

- o Determine a schedule that will be the same each week.
- o Fill out the Request for Transportation form.
- o Hand the form in to the elementary office where it will be copied and sent to the transportation office.

This will provide ample time for the information to be changed in the transportation office, the elementary office, as well as in the classroom. The classroom teacher will give the student the actual bus pass. Please note Perry Local Schools will not be issuing daily bus transportation changes.

#### Emergency Bus Pass (for one-day period)

In the event of an emergency that requires a change in transportation, please notify the Perry Elementary School office and the appropriate measures will be taken to accommodate the need. Examples of an emergency include a medical emergency, family emergency, emergency related to an accident, etc.

Parents are reminded to coordinate and make arrangements with family members or neighbors in the event that a transportation change is needed for non-emergency reasons. *Please note that beginning with the 2008-2009 school year, the Perry Local Schools will not be responsible for changing a student's bus transportation for non-emergency reasons.*

**FOR THE SAFETY OF THE CHILDREN WE ARE NOT ABLE TO ACCEPT ANY BUS PASS REQUESTS OVER THE PHONE. ALL REQUESTS MUST BE MADE IN WRITTEN FORM.**

### E. Student Pick-Up

Students that are being picked up after school will need a written note in the office **before 1:00 p.m.** the day they are to be picked up. Students will be called down to the office at **3:20 p.m.** Parents must wait in the office and sign the student out every time they are picked up. To eliminate confusion and congestion in the office area, we ask that you are here at **3:20 p.m.** Parents **must** come into the office. No child will be permitted to leave the school unless accompanied by an adult. **All parents will need to show ID.**

### F. Field Trips

All students will have a signed permission slip on file in the Perry Elementary office. Parents will be informed of all filed trips and of any cost.

### G. Parties

The children usually have three annual parties with the cooperation of the PTA homeroom parents: Halloween, Winter Vacation, and Valentine's

Day. These parties are limited to the assigned home room parents. Home room parents are asked not to bring small children to the parties. For all other special occasions, prior arrangements should be made with the classroom teacher and/or principal; birthday treats are permitted. Please check with your child's classroom teacher as to what would be convenient for him/her. Also, check to see if there are any food allergies that may need to be considered. Treats should be individually wrapped and easy to pass out. Party invitations may be passed out at school if every child is included.

#### **H. External Deliveries**

For the safety of the students and transportation rules, we will not accept any outside deliveries. Delivery examples would be balloons, flowers, gifts, etc.

#### **I. Items Not Permitted at School**

The following items are not to be brought to school unless required by a teacher.

- Radios
- CD Players or CD's
- Tape Players
- iPods
- Handheld electronic games and devices
- Any type of trading cards
- Toys

*Note:* This list is a basic guide line and administration will reserve the right to make an addition at any time.

#### **J. Vacations**

It is not recommended that children be taken out of school to go on vacations other than at scheduled times. If it is necessary to take a child out of school, the principal should be informed as well as a note sent to the teacher. Parents should inform the school at least a week in advance so appropriate assignments can be arranged.

#### **K. Parent Teacher Conferences**

Scheduled Parent-Teacher Conferences are held during the Fall and Spring. A conference may be requested by either the teacher or parent at other times of the year. Request for a conference should be made in advance by writing a note or by calling the teacher. The conference may be via telephone or a personal visit to school at a time convenient to both parent and teacher.

#### **L. Transfers**

Parents should notify the Perry Local Schools Board Office of their intent to withdraw their child if they are moving to another school district. We will forward the student's records directly to the new school district after the proper form is completed.

#### **M. Lunch**

Students have a lunch account with which they access with their own Lunch ID number in our Point of Sale (POS) system. Lunches and milk may be purchased on a daily, weekly or monthly basis. Students may choose to bring their own bagged lunch if they wish.

#### **N. Pets**

Due to health and safety concerns we ask that no pets of any kind be brought to school. The only exceptions to this request are those animals used for teaching purposes in the Science Lab.

#### **O. Clinic**

A centralized clinic serving K-12 students is located in the main hallway at Perry Elementary School. A district nurse is on duty every school day throughout the school system and is available for consultation, illnesses, and emergency services. Most minor illnesses and injuries will be handled by school personnel. In case of serious injury or illness, parents and/or Perry Rescue Services will be called. If the parent is not available, the next person designated on the Emergency Medical Authorization will be contacted. It is important that we have accurate phone numbers for your home and work place. It is important that these numbers are updated throughout the year should they change

Emergency Medical Authorization Form The Ohio Department of Health, under authority granted in Section 3313.712 Ohio Revised Code, requires that an emergency authorization form be filled out, signed by a parent/legal guardian and kept on file for each student. These are due annually on or before the last day of August.

Any medicine brought to school must be kept in the clinic and transported to the clinic by an adult. Although we encourage you to administer any medicine at home, we realize there may be times when school doses will be necessary.

If a student needs medication during school hours, a complete and signed request form is required by law. The forms, necessary for prescription and non-prescription medication, are available in the school office. They are to accompany the medication, which must be in the original prescriptive container, with the student's name, date, and directions concerning dosage attached. It must also be accompanied by a doctor's order.

Students who wish to see the nurse should obtain a pass from the classroom teacher. If a student becomes ill during the day, he/she should report to

the clinic. If the student needs to be excused from school, the nurse or school will contact the parents before allowing any student to leave. A student may have an illness that does not prevent him/her from attending school, but does require medication if the following criteria are met:

- A signed parental request (forms available in office) is on file.
- Medication is provided by parent.
- A signed statement from the physician and a prescription label from the druggist which provides the following information:
  - Name of medication
  - Dosage
  - Explanation of side effects, if any, is on file in the office.

#### **P. Textbooks**

Textbooks remain the property of the Perry Board of Education and are loaned to the pupil for use during the school year. A record is kept of the textbooks which are issued to the students. These records are filed in the office and are referred to if a book is lost or needs to be replaced or repaired.

Fines will be assessed for textbook damage caused by marking or rough handling. Teachers are authorized to fine the student on the following basis:

- Full value for a new book if lost or totally damaged beyond use.
- A rebind fee will be charged for any damaged books that are in need of being rebound.

#### **Q. Library Books**

Students will be permitted to check out books during their visit to the library with their class. Library books are to be returned on the due date. A notice will be sent home to parents with any over due books listed. It is the students' responsibility to give this notice to their parent. You will be required to pay for any lost or damaged library books.

#### **R. Interim Progress Report**

Progress reports are sent home approximately the fifth week of each grading period with only the children who are not progressing the way they should or who have shown improvement.

#### **S. Report Cards**

Students in grades 1 – 4 will receive a computerized report card unless otherwise indicated by their classroom teacher at the end of every nine-week grading period. Kindergarten students will receive a computerized report card at 18 and 36 weeks (second and fourth nine-week grading periods).

#### **T. Gifted and Talented Identifications**

The Board of Education shall ensure that procedures are established to identify all gifted students. The District follows the identification eligibility criteria as specified in Section 3324.03 of the Ohio Revised Code and the *Ohio Rule for the Identification and Services for Children Who Are Gifted* as specified in the District Plan.

"Gifted" students perform or show potential for performing at remarkably high levels of accomplishment when compared to others of their age, experience, or environment. Annually, children who are gifted are identified by professionally qualified persons using a variety of assessment procedures. The Board encourages efforts to provide services for the children who are gifted as an integral part of the total kindergarten through grade 12 program.

The Superintendent shall identify children in grades kindergarten through twelve, who may be gifted in one or more of the following areas:

- Superior Cognitive Ability
- Specific Academic Ability in one or more of the following content areas:
  - Mathematics
  - Science
  - Reading, writing, or a combination of these skills
  - Social studies
  - Creative Thinking Ability
  - Visual or Performing Arts Ability such as drawing, painting, sculpting, music, dance, drama.

Only those instruments approved by the Ohio Department of Education shall be used for screening, assessment, and identification of children who are gifted as provided in the *Assessment Instruments for the Identification of Children Who Are Gifted*.

Scores on Ohio Department of Education approved assessment instruments provided by other school districts and trained personnel outside the School District shall be accepted.

The Board of Education shall adopt and the Superintendent shall submit to the Ohio Department of Education a plan for the screening, assessment, and identification of children who are gifted. Any revisions to the District plan will be submitted to the Ohio Department of Education for approval. The identification plan shall include the following:

- the criteria and methods used to screen and select children for further assessment who perform or show potential for performing at remarkably high levels of accomplishment in one of the gifted areas;
- the sources of assessment data used to select children for further testing and an explanation to parents of the multiple assessment instruments required to identify children who are gifted;
- an explanation for parents of the methods used to ensure equal access to screening and further assessment by all District children, culturally and

- linguistically diverse children, children from low socio-economic background, children with disabilities, and children for whom English is a second language;
- o the process of notifying parents regarding all policies and procedures concerning the screening, assessment, and identification of children who are gifted;
- o provision of an opportunity for parents to appeal any decision about the results of any screening procedure for assessment, the scheduling of children for assessment, or the placement of a student in any program or for receipt of services;
- o procedures for the assessment of children who transfer into the District;
- o at least two (2) opportunities a year for assessment in the case of children requesting assessment or recommended for assessment by teachers, parents, or other children.

The District's plan may provide for contracting with any qualified public or private service provider for screening or assessment services under the plan.

The Superintendent shall:

- o provide equal opportunity for all children identified as gifted to receive any or all services offered by the District;
- o implement a procedure for withdrawal of children from District services and for reassessment of children;
- o implement a procedure for resolving disputes with regard to identification and placement decisions;
- o inform parents of the contents of this policy as required by Section 3324.06 of the Ohio Revised Code;
- o submit, as required, an annual report to the Ohio Department of Education.

The Superintendent shall implement all policies and procedures in accordance with laws, rules and regulations, and follow the *Model Policies and Plan for the Identification of Children Who Are Gifted*.

The Superintendent shall develop a plan for the service of gifted students enrolled in the District identified under this policy. Services specified in the plan may include such options as the following:

- o a differentiated curriculum
- o cluster groupings
- o mentorships
- o accelerated course work
- o the postsecondary enrollment option program
- o advanced placement
- o honors classes

R.C. 3301.07(K), 3324.01 - 3324.07, 3315.09, 3317.024(O), A.C. 3301-51-15

**U. RESPONSE TO INTERVENTION (RTI)**

**Response to Intervention (RTI)** is a process we use to help struggling students. Once teachers know that students are struggling they try different approaches and interventions to help their students succeed. If students still are not succeeding then teachers get together with their grade level or the building level RTI team to plan more intense intervention. The RTI model uses progressive interventions (or a pyramid of interventions) for struggling students. Teachers check regularly on student's progress to make sure the interventions are working to help the students succeed. RTI may result in a referral for special education but the goal is to keep students in a regular classroom with appropriate interventions that will ensure that they succeed.

## **PERRY LOCAL SCHOOLS POLICY**

**A. Nondiscrimination and Equal Employment**

The Board of Education does not discriminate on the basis of race, color, religion, national origin, sex, disability, or age in its programs and activities, including employment opportunities.

The Superintendent shall appoint a compliance officer whose responsibility it will be to ensure that Federal and State regulations are complied with and that any inquiries or complaints are dealt with promptly in accordance with law. S/He shall also ensure that proper notice of nondiscrimination for Title II, Title VI, and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, Section 504 of the Rehabilitation Act of 1973, and the Age Act is provided to staff members and the general public. Any sections of the District's collectively-bargained, negotiated agreements dealing with hiring, promotion, and tenure need to contain a statement of nondiscrimination similar to that in the Board's statement above. In addition, any gender-specific terms should be eliminated from such contracts.

R.C. 4112.02

3301-35-03(A)

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

42 U.S.C., 12112, Americans with Disabilities Act of 1990

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

20 U.S.C. 1681 et seq., Title IX

**B. Code of Student Conduct**

Respect for law and for those persons in authority shall be expected of all students. This includes conformity to school rules as well as general provisions of law affecting students. Respect for the rights of others, consideration of their privileges, and cooperative citizenship shall also be expected of all members of the school community. The Board of Education has no tolerance of violent, disruptive or inappropriate behavior by its students.

Respect for real and personal property; pride in one's work; achievement within the range of one's ability; and exemplary personal standards of courtesy, decency, and honesty shall be maintained in the schools of this District. It is the responsibility of students, teachers and administrators to maintain a classroom environment that:

- o allows teachers to communicate effectively with all students in the class;
- o allows all students in the class the opportunity to learn;
- o has consequences that are fair, and developmentally appropriate;
- o considers the student and the circumstances of the situation; and
- o enforces the student Code of Conduct/Student Discipline Code accordingly.

Students may be subject to discipline for violation of the Code of Conduct/Student Discipline Code even if that conduct occurs on property not owned or controlled by the Board but that is connected to activities or incidents that have occurred on property owned or controlled by the Board, or conduct that, regardless of where it occurs, is directed at a Board official or employee, or the property of such official or employee.

Student conduct shall be governed by the rules and provisions of the Student Code of Conduct/Student Discipline Code. This Code of Conduct/Student Discipline Code shall be reviewed annually.

3313.20, 3313.534, 3313.66, 3313.661

### **C. Student Discipline**

The Board of Education acknowledges that conduct is closely related to learning - an effective instructional program requires an orderly school environment and the effectiveness of the educational program is, in part, reflected in the behavior of students.

The Board believes that the best discipline is self-imposed and that students should learn to assume responsibility for their own behavior and the consequences of their actions. The Board has zero tolerance of violent, disruptive or inappropriate behavior by its students.

The Board shall require each student of this District to adhere to the Student Code of Conduct/Student Discipline Code adopted by the Board and to submit to such disciplinary measures as are appropriately assigned for infraction of those rules.

### **D. Drug Prevention**

The Board of Education recognizes that the misuse of drugs is a serious problem with legal, physical, and social implications for the whole school community.

The Board acknowledges the illness termed chemical dependency. If it appears that chemical dependency exists, the Board recognizes that it must share these concerns with the family and student involved. The Board's intention is to create an atmosphere of openness and understanding. It should then be the parents' and the student's responsibility to seek qualified counsel and inform the school of what corrective action is being taken. The school's responsibility is to support the family in this endeavor. If initial corrective efforts are ineffective, the case will be reviewed and suitable action will be taken on an individual basis.

Referral to counseling and other support services does not insulate students from disciplinary action for violation of this policy or the Code of Conduct.

As the educational institution of this community, the schools should strive to prevent drug abuse and help drug abusers by educational, rather than punitive, means.

### **E. Search and Seizure: Investigations and Searches**

The Perry Local School District is responsible for maintaining an orderly, safe and efficient school environment during the school day and during hours of approved extracurricular activities.

The right of inspection of students' lockers or articles carried upon their person and interrogation of individual students is inherent in the authority granted school boards and administrators. Thus, it should be exercised so as to assure parents that the school will employ reasonable safeguards to protect the well-being of those children. Nevertheless, the exercise of that authority places unusual demands upon the judgment of school officials. Therefore, that authority is to be exercised in a manner that does not interfere with students' constitutional rights. In general, this requires reasonable suspicion that the search will turn up evidence of a violation of the criminal law or a school rule.

However, lockers, desks and storage areas are Board of Education property on loan for student use. Students should not expect privacy with respect to any items stored therein. School lockers, desks and storage areas are subject to random search without regard to whether there is reasonable suspicion that evidence of a violation of a criminal law or school rule will be discovered. Notice of this policy shall be posted in a conspicuous place in each building where such searches will occur.

Additionally, the Board, as part of its overall safety and security program, authorizes the use of dogs trained in detecting drugs and/or weapons to patrol school facilities and premises.

### **F. Harassment, Intimidation, Bullying and any other forms of Aggressive Behavior Anti-Harassment (5517.01)**

Complaint Coordinator for Men: Mr. Michael Sawyers, Superintendent  
Compliant Coordinator for Women: Dr. Rosemary Gornik, Assistant Superintendent

## **General Policy Statement**

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

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

The Board will vigorously enforce its prohibition against bullying, intimidation and/or other forms of aggressive behavior or harassment based on sex, race, color, national origin, religion, disability or any other unlawful basis, and encourages those within the School District community as well as third parties, who feel aggrieved to seek assistance to rectify the problems. The Board will investigate all allegations of bullying, intimidation and/or other forms of aggressive behavior or harassment and in those cases where unlawful harassment is substantiated, the Board will take immediate steps to end the bullying, intimidation and/or other forms of aggressive behavior or harassment. Individuals who are found to have engaged in bullying, intimidation and/or other forms of aggressive behavior or unlawful harassment will be subject to appropriate disciplinary action and a recommendation for behavioral intervention through District, private, or community-based resources.

For purposes of this policy, "School District community" means students, administrators, teachers, staff, and all other school personnel, including Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

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

## **Other Violations of the Policy**

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

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

## **Definitions**

Harassment, intimidation or bullying means any intentional written, verbal, graphic or physical act that a student or group of students exhibits toward another particular student(s) more than once and the behavior both causes mental or physical harm to the other student(s) and is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student(s). Aggressive behavior is defined as inappropriate conduct that is repeated enough, or serious enough, to negatively impact a student's educational, physical, or emotional well being. This type of behavior is a form of intimidation and harassment, although it need not be based on any of the legally protected characteristics, such as sex, race, color, national origin, marital status, or disability. It would include, but not be limited to, such behaviors as stalking, bullying/cyberbullying, intimidating, menacing, coercion, name-calling, taunting, making threats, and hazing.

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

For the purpose of this policy, the aforementioned "School District community" is considered to be included.

## **Sexual Harassment**

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

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

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

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

Prohibited acts that constitute sexual harassment may take a variety of forms. Examples of the kinds of conduct that may constitute sexual

harassment include, but are not limited to:

- Unwelcome sexual propositions, invitations, solicitations, and flirtations;
- Physical assault;
- Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances;
- Unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls;
- Sexually suggestive objects, pictures, videotapes, audio recordings or literature, placed in the work or educational environment, which may embarrass or offend individuals;
- Unwelcome and inappropriate touching, patting, or pinching; obscene gestures;
- A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another;
- Remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history;
- Consensual sexual relationships where such relationship leads to favoritism of a student or subordinate employee with whom the teacher or superior is sexually involved and where such favoritism adversely affects other students and/or employees.

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

**NOTE: Any teacher, administrator, coach, or other school authority who engages in sexual conduct with a student may also be guilty of the criminal charge of "sexual battery" as set forth in Ohio Revised Code 2907.03. The issue of consent is irrelevant in regard to such criminal charge.**

#### **Race/Color Harassment**

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

#### **Religious (Creed) Harassment**

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

#### **National Origin Harassment**

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

#### **Disability Harassment**

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

#### **Reports and Complaints of Bullying, Intimidation and/or Other Forms of Aggressive Behavior or Harassing Conduct**

Members of the School District community and third parties are encouraged to promptly report incidents of bullying, intimidation and/or other forms of aggressive behavior or harassing conduct to an administrator, supervisor or other School District official so that the Board may address the conduct before it becomes severe, pervasive, or persistent.

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

Members of the School District community or third parties who believe they have been bullied, intimidated and/or subjected to other forms of

aggressive behavior or unlawful harassment by another member of the School District community or a third party are entitled to utilize the Board's informal and/or formal investigation and complaint processes. Initiating a complaint, whether formally or informally, will not adversely affect the complaining individual's employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints of bullying, intimidation and/or other forms of aggressive behavior or harassment under this policy, individuals should make every effort to file an informal or a formal complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

The names and titles of the Anti-Harassment Complaint Coordinators with whom complaints of sexual and other forms of unlawful harassment should be filed are set forth in the administrative guidelines that supplement this policy. The names and titles of these individuals will be published annually in the parent/student and staff handbooks and in the School District's calendar.

The Superintendent shall establish Administrative Guidelines describing both a formal and an informal process for making a charge of bullying, intimidation and/or other forms of aggressive behavior or harassment, a process for investigating claims of bullying, intimidation and/or other forms of aggressive behavior or harassment, and a process for rendering a decision regarding whether the claim of bullying, intimidation and/or other forms of aggressive behavior or harassment was substantiated. This Policy and the Administrative Guidelines will be readily available to all members of the School District community and posted in appropriate places throughout the School District.

Any Board employee who directly observes bullying, intimidation and/or other forms of aggressive behavior or unlawful harassment of a student is obligated, in accordance with this policy, to report such observations to one of the Complaint Coordinators. Thereafter, the Complaint Coordinator must contact the student, if age eighteen (18) or older, or the student's parents if under the age eighteen (18), to advise s/he/them of the Board's intent to investigate the alleged misconduct, including the obligation of the Complaint Coordinator or designee to conduct an investigation following all the procedures outlined for a formal complaint.

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

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

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

Notice of this policy will be annually circulated to and posted in conspicuous locations in all school buildings and departments within the District and discussed with students, as well as incorporated into the teacher, student, and parent/guardian handbooks. State and Federal rights posters on discrimination and harassment shall also be posted at each building. All new hires will be required to review this policy and the related complaint procedure.

#### **Privacy/Confidentiality**

The School District will respect the privacy of the complainant, the individual(s) against whom the complaint is filed and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy and its related administrative guidelines shall be maintained as confidential to the extent permitted by law.

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

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

The School District will respect the privacy of the complainant, the individual(s) against who the complaint is filed and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under this policy and its related administrative guidelines shall be maintained as confidential to the extent permitted by law.

#### **Informal Process for Addressing Complaints of Bullying, Intimidation and/or Other Forms of Aggressive Behavior or Harassment**

The administrative guidelines will include an informal complaint process to provide members of the School District community or third parties who believe they are being unlawfully bullied, intimidated and/or subjected to other forms of aggressive behavior or harassment with a range of options designed to bring about a resolution of their concerns. Members of the School District community or third parties who believe that they have been bullied, intimidated and/or subjected to other forms of aggressive behavior or unlawful harassment are encouraged to initiate their complaint through this informal complaint process, but are not required to do so. Those members of the School District community or third parties who believe that they have been bullied, intimidated and/or subjected to other forms of aggressive behavior or unlawful harassment may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

Students, parents/guardians, and school personnel may make informal complaints of conduct that they consider to be harassment, intimidation, and/or bullying by verbal report to a teacher, school administrator, or other school personnel. Such informal complaints shall be reasonably specific, including person(s) involved, number of times and places of the alleged conduct, the target of suspected harassment, intimidation, and/or bullying, and the names of any potential student or staff witnesses. A school staff member or administrator who receives an informal complaint shall promptly document the complaint in writing, including the information provided. This written report shall be promptly forwarded by the school staff member and/or administrator to the building principal for review, investigation, and appropriate action.

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

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

#### **Formal Process for Addressing Complaints of Bullying, Intimidation and/or Other Forms of Aggressive Behavior or Harassment**

The administrative guidelines will also include a formal complaint process. While the formal complaint process may serve as the first step to resolution of a charge of unlawful harassment, it is also available in those circumstances when the informal complaint process fails to satisfactorily resolve a concern. Because of the need for flexibility, no specific time lines are established for initiating the formal complaint process; however, once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within thirty-one (31) calendar days of the complaint being received).

Although not required, members of the School District community or third parties who feel they have been bullied, intimidated and/or subjected to other forms of aggressive behavior or unlawful harassment should file a formal written complaint with the principal of their school building or with one of the Complaint Coordinators identified in the Administrative Guidelines. Oral complaints of bullying, intimidation and/or other forms of aggressive behavior or harassment will be reduced to writing by the individual receiving the complaint and the Complainant will be asked to verify the accuracy of the reported charge by signing the document. Complaints received by a school building principal will be immediately reported to the appropriate Complaint Coordinator identified in the Administrative Guidelines.

After a complaint is filed, the Complaint Coordinator or designee shall conduct a prompt and timely investigation. The investigation may include interviews of the complainant, the individual accused of engaging in harassing behavior, and any other witness who may reasonably be expected to have information relevant to the situation. All interviewed parties and witnesses will be provided an opportunity to present any evidence that they reasonably believe to be relevant to the situation.

At the conclusion of the investigation the Complaint Coordinator or designee will prepare and deliver to the Superintendent a written report summarizing the evidence gathered during the investigation and providing his/her recommendations regarding whether or not the complaint of bullying, intimidation and/or other forms of aggressive behavior or unlawful harassment has been substantiated. The written report must be based on the totality of the circumstances involved in the complaint, the nature of the alleged conduct, the context in which the alleged conduct occurred, and the ages and maturity of the individuals involved.

Upon review of the written report the Superintendent will either issue a final decision regarding whether or not the complaint of bullying, intimidation and/or other forms of aggressive behavior or unlawful harassment was substantiated, or request that further investigation be conducted. A copy of Superintendent's action will be delivered to both the Complainant and the individual accused of the harassing conduct.

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

A Complainant who is dissatisfied with the Superintendent's decision may appeal it to the Board of Education by submitting written notice to the Superintendent within ten (10) days of the date of the Superintendent's decision. Upon receipt of a notice of appeal, the Board shall meet in executive session at its next regularly scheduled meeting, which is scheduled to occur at least ten (10) days after the Superintendent's receipt of the appeal notice, to review the complaint and the summary of the investigation. Following the meeting, the Board will issue a decision either affirming, modifying, or rejecting the Superintendent's decision. The decision of the Board shall be final.

The Complaint process set forth in the policy and in the administrative guidelines is not intended to interfere with the rights of a member of the School District community or a third party to pursue a complaint of bullying, intimidation and/or other forms of aggressive behavior or unlawful harassment with the United States Department of Education, Office for Civil Rights, the Ohio Civil Rights Commission, or the Equal Employment Opportunity Commission.

The Board reserves the right to investigate and resolve a complaint or report of bullying, intimidation and/or other forms of aggressive behavior or unlawful harassment regardless of whether the member of the School District community or third party alleging the bullying, intimidation and/or other forms of aggressive behavior or harassment pursues the complaint.

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

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

### **Sanctions and Monitoring**

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

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

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

### **Education and Training**

In support of this Policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent or designee shall provide appropriate training to all members of the School District community related to the implementation of this policy and its accompanying administrative guidelines. All training regarding the Board's policy and administrative guidelines and bullying, intimidation and/or other forms of aggressive behavior or harassment in general, will be age and content appropriate.

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

R.C. 4112.02  
R.C. 3313.666  
42 U.S.C. 2000d et seq.  
42 U.S.C. 2000e et seq.  
29 U.S.C. 621 et seq.  
29 U.S.C. 794  
42 U.S.C. 12101 et seq.  
20 U.S.C. 1681 et seq.  
42 U.S.C. 1983

Revised 12/18/07

### **G. Student Hazing**

Hazing activities of any type are inconsistent with and disruptive to the educational process, and prohibited at any time in school facilities, on school property, and/or off school property if the misconduct is connected to activities or incidents that have occurred on school property. No administrator, faculty member, or other Board of Education employee shall encourage, permit, authorize, condone, or tolerate any hazing activities. No student shall plan, encourage, or engage in any hazing.

Hazing is defined as performing any act or coercing another, including the victim, to perform any act of initiation into any class, team, or organization that causes or creates a substantial risk of causing mental or physical harm. Permission, consent, or assumption of risk by an individual subjected to hazing shall not lessen the prohibitions contained in this policy. Administrators, faculty members, and other employees of the Board shall be alerted to possible situations, circumstances, or events that might include hazing. If hazing or planned hazing is discovered, the students involved shall be informed by the discoverer of the prohibitions contained in this policy and shall be ordered to end all hazing activities or planned activities immediately. All hazing incidents shall be reported immediately to the Superintendent. Students, administrators, faculty members, and other employees who fail to abide by this policy may be subject to disciplinary action and may be held personally liable for civil and criminal penalties in accordance with law.

The Superintendent shall distribute this policy to all students and Board employees, and shall incorporate it into building, staff, and student handbooks. It shall also be the subject of discussion at employee staff meetings or in-service programs.

Administrators, staff members and volunteers shall not intentionally remain ignorant of hazing or potential hazing activities.

R.C. 2307.44, 2903.31, 3313.661

## **H. Weapons**

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

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

Policy exceptions include:

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

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

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

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

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

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

## **I. School-Sponsored Publications and Productions**

The Board of Education may sponsor student publications and productions as means by which students learn, under adult direction, the rights and responsibilities of public expression in a free society.

For purposes of this policy, "publications" shall include any audio, visual, or written materials such as tapes, banners, films, pamphlets, notices, newspapers, books, or other like materials. "Productions" shall include theatrical performances as well as impromptu dramatic presentations.

Such publications and productions also play a vital role in the school program by:

- interpreting students and the school to the community;
- serving as a public relations media;
- developing skills in communicating via the mass media;
- developing acceptable methods for preserving the constitutional provision of free speech.

In sponsoring a student publication or production, the Board is mindful of the fact that it could be available to any student attending this school, and must, therefore, generally be suitable for all students.

Issues on which opposing points of view have been promulgated by responsible opinion may be introduced in a school-sponsored publication provided equal opportunity is given to present each view and provided further that the material generally is acceptable to this community.

Advertising is permitted in school newspapers, yearbooks, programs, etc. which are published by student organizations. Permission should be given by the Superintendent/designee.

The Board reserves the right to designate and prohibit the publications or productions which are not protected by the right of free expression because they violate the rights of others. Such unprotected materials are those which:

- are grossly prejudicial to an ethnic, religious, racial, or other delineated group;
- label any specific person or persons;
- seek to establish the supremacy of a particular religious denomination, sect, or point of view over any other religious denomination, sect, or point of view;
- advocate the use or advertise the availability of any substance or material which may reasonably be believed to:
  - constitute a direct and substantial danger to the health of students;
  - contain obscenity or material otherwise deemed to be harmful to impressionable students who may receive them;
  - incite violence, advocate the use of force or urge the violation of law or school regulations.

The Board also prohibits publications and productions which:

- fail to identify the student or organization responsible for distribution;
- solicit funds for non-school organizations or institutions when such solicitations have not been approved by the Board;
- promote, favor, or oppose any candidate for election to the Board or the adoption of any bond issue, proposal, or question submitted at any election.

The decision as whether or not something is published or produced shall be made by the advisor with appeal to the Superintendent/designee.

R.C. 3313.20

#### **J. Advertising Outside Activities**

Students may not post announcements or advertisements for outside activities without receiving prior approval from the Principal. The Principal will attempt to respond to a request for approval within 1 school day of its receipt.

#### **K. Student Groups**

It is the policy of the Board of Education that student groups be recognized as authorized school organizations only if they are approved by the school administration, sponsored by school-approved personnel, composed of members of the current student body, hold the majority of their meetings at school, and have established aims which are educational in nature.

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

#### **L. Acceptable Use**

Through its strategic planning process, the Perry Public Schools has made a strong commitment to the extended use of technology by both students and staff, to support a community of learners. We acknowledge that technology, in its many forms, is a powerful tool for work and study. The access to personal computers, networks, voice and video technology opens new windows of learning and understanding.

Today, technology plays a significant role in attaining the Perry Local School District's vision of providing a world-class education for all learners. Attaining the instructional and curricular goals outlined in the district's strategic plan requires the appropriate use of technology by both students and staff. Technology literacy provides learners with access to an ever-changing world dependent upon information.

We also acknowledge the investment made by the Board of Education, district leadership and the Perry Community in providing strong direction and support for high quality access for our community of learners to an abundance of technology resources. Through the strategic planning process, the Perry Local School District has embarked on an aggressive plan to address the challenging and diverse needs of students in the twenty-first century. The effective use of technology is an integral component of this plan.

All technology resources are provided and maintained at the District's – and therefore, the public's – expense and are to be used by the members of the school community with respect for the public's trust through which they have been provided.

The Appropriate Use Procedures that follow provide details regarding the appropriate and inappropriate use of District computers. The procedures do not attempt to articulate all required or proscribed behavior by users. Successful operation of the District computer network requires that all users conduct themselves in a responsible, decent, ethical, and polite manner while using the District computers. You, the user, are ultimately responsible for your actions in accessing and using District computers and the District computer network. As a user of District computers, you are expected to review and understand the guidelines and procedures in this document.

#### **Appropriate Use Procedures**

##### **Scope**

The following procedures apply to all District staff and students, and covers all District computer equipment including any desktop or laptop computers provided to staff, the District computer network ("PerryNet, Knowledgenet), and any computer software licensed to the District ("District Computers").

##### **Appropriate Use**

The District expects everyone to exercise good judgment and use the computer equipment in a professional manner. Your use of the equipment is expected to be related to the District's goals of educating students and/or conducting District business. The District recognizes, however, that some personal use is inevitable, and that incidental and occasional personal use that is infrequent or brief in duration is permitted so long as it occurs on personal time, does not interfere with District business, and is not otherwise prohibited by District policy or procedures.

**Use of District Software:** District software is licensed to the District by a large number of vendors and may have specific license restrictions regarding copying or using a particular program. Users of District software must obtain permission from the District prior to copying or loading District software onto any computer, whether the computer is privately owned or is a District Computer.

**Use of Non-District Software:** Prior to loading non-District software onto District Computers (including laptops, desktops, and PerryNet), a user must receive permission from the District. The District will create a list of "authorized software" programs that may be loaded onto District laptops without specific permission. For example, a user will be able to load software onto a laptop that is necessary for a user to access a personal Internet service for the purpose of remotely accessing the District's email network. All software must be legally licensed by the user prior to loading onto District Equipment. The unauthorized use of and/or copying of software is illegal.

**Remote Access:** The District provides remote access to its internal email network for the convenience of its staff. Users may access the District's email network over a standard Internet connection by using either a District laptop or a privately-owned computer. District laptops also have the

ability to use the District's email network "off-line." A user's email folders are stored locally on the laptop. Therefore, a user may read, delete, and reply to District email, and create new email, without a direct connection to the network. Any reply or new email created by the user will be sent to the recipient the next time the user connects to the network. Also, at the time of the direct connection to the network, email delivered while the user was off-line will be immediately downloaded to the laptop.

**Prohibited Uses:** District Computers may not be used for the following purposes:

- Commercial Use: Using District Computers for personal or private gain, personal business, or commercial advantage is prohibited.
- Political Use: Using District Computers for political purposes in violation of federal, state, or local laws is prohibited. This prohibition includes using District computers to assist or to advocate, directly or indirectly, for or against a ballot proposition and/or the election of any person to any office. The use of District Computers for the expression of personal political opinions to elected officials is prohibited. Only those staff authorized by the Superintendent may express the District's position on pending legislation or other policy matters.
- Illegal or Indecent Use: Using District Computers for illegal, harassing, vandalizing, inappropriate, or indecent purposes (including accessing, storing, or viewing pornographic, indecent, or otherwise inappropriate material), or in support of such activities is prohibited. Illegal activities are any violations of federal, state, or local laws (for example, copyright infringement, publishing defamatory information, or committing fraud). Harassment includes slurs, comments, jokes, innuendoes, unwelcome compliments, cartoons, pranks, or verbal conduct relating to an individual that (1) have the purpose or effect of creating and intimidating, a hostile or offensive environment; (2) have the purpose or effect of unreasonably interfering with an individual's work or school performance, or (3) interfere with school operations. Vandalism is any attempt to harm or destroy the operating system, application software, or data. Inappropriate use includes any violation of the purpose and goal of the network. Indecent activities include violations of generally accepted social standards for use of publicly-owned and operated equipment.
- Non-District Employee Use: District Computers may only be used by District staff and students, and others expressly authorized by the District to use the equipment.
- Disruptive Use: District Computers may not be used to interfere or disrupt other users, services, or equipment. For example, disruptions include distribution of unsolicited advertising ("Spam"), propagation of computer viruses, distribution of large quantities of information that may overwhelm the system (chain letters, network games, or broadcasting messages), and any unauthorized access to or destruction of District Computers or other resources accessible through the District's computer network ("Cracking" or "Hacking").

## **Privacy**

District Computers, the Internet, and use of email are not inherently secure or private. For example, the content of an email message, including attachments, is most analogous to a letter or official memo rather than a telephone call, since a record of the contents of the email may be preserved by the sender, recipient, any parties to whom the email may be forwarded, or by the email system itself. It is important to remember that once an email message is sent, the sender has no control over where it may be forwarded and deleting a message from the user's computer system does not necessarily delete it from the District computer system. In some cases, emails have also been treated as public records in response to a public records disclosure request. Likewise, files, such as Internet "cookies" (explained more fully below) may be created and stored on a computer without the user's knowledge. Users are urged to be caretakers of your own privacy and to not store sensitive or personal information on District Computers. The District may need to access, monitor, or review electronic data stored on District Computers, including email and Internet usage records.

While the District respects the privacy of its staff and while the District currently does not have a practice of monitoring or reviewing electronic information, the District reserves the right to do so for any reason. The District may monitor and review the information in order to analyze the use of systems or compliance with policies, conduct audits, review performance or conduct, obtain information, or for other reasons. The District reserves the right to disclose any electronic message to law enforcement officials, and under some circumstances, may be required to disclose information to law enforcement officials, the public, or other third parties, for example, in response to a document production request made in a lawsuit involving the District or by a third party against the user or pursuant to a public records disclosure request.

## **Discipline**

The Appropriate Use Procedures are applicable to all users of District Computers and refers to all information resources whether individually controlled, shared, stand alone, or networked. Disciplinary action, if any, for students, staff, and other users shall be consistent with the District's standard policies and practices. Violations may constitute cause for revocation of access privileges, suspension of access to District computers, other school disciplinary action, and/or appropriate legal action. Specific disciplinary measures will be determined on a case-by-case basis.

## **Care for District Computers**

Users of District Computers are expected to respect the District's property and be responsible in using the equipment. Users are to follow any District instructions regarding maintenance or care of the equipment. Users may be held responsible for any damage caused by your intentional or negligent acts in caring for District Computers under your control. The District is responsible for any routine maintenance or standard repairs to District Computers. Users are expected to timely notify the District of any need for service.

Users are not to delete or add software to District Computers without District permission. Due to different licensing terms for different software programs, it is not valid to assume that if it is permissible to copy one program, then it is permissible to copy others.

## **M. Using Email and the Internet Wisely**

### **Using Email Wisely**

- Email encourages informal communication because it is easy to use. However, unlike a telephone call however, email creates a permanent record that is archived and often transmitted to others. Remember that even when you delete an email from your mailbox, it still may exist in the system for some period of time.

- Email encourages informal communication because it is easy to use. However, unlike a telephone call however, email creates a permanent record that is archived and often transmitted to others. Remember that even when you delete an email from your mailbox, it still may exist in the system for some period of time.
- You can create liability for yourself and the District. For example, within or outside the District, if you "publish" (type or re-send) words that defame another individual or disparage another individual or institution, if you upload or download or re-send copyrighted or pornographic material, if you use email to harass or discriminate against someone, or if you send private information or data about someone, you may violate applicable laws and District policy. Make sure none of your activities violate any law or policy.
- Please keep in mind that because of intermediary server problems and other potential delays, Internet email can sometimes take anywhere from five minutes to several days to arrive. It may not be the best means to send time-sensitive information.
- Finally, beware of sending attachments. They may arrive garbled if the recipient is using a different email system.
- Email attachments can introduce viruses into the District system, and you can introduce a virus into a recipient's system by forwarding an infected attachment. This is especially likely if the attachment arrives from an unknown source via the Internet. If you do not know the sender of Internet email, consider routing the message to the MIS staff who can open the attachment for you on a computer isolated from the District network. While that should prevent activating a virus, it will not stop certain other infections (e.g., a logic bomb). Please do not open attached files ending in ".EXE," ".BAT," or ".COM," as these files may be viruses or programs designed to delete data from the computer.

Beware of the "Reply All" button. Often your message only needs to be returned to one individual is the message really appropriate for (and should it really take the time of) everyone on the address list

#### **Using the Internet Access Wisely**

- Be circumspect about where you go and what you do. Do not visit any site or download or share any material that might cause anyone to question your professionalism, or the District's.
- Read the "License" or "Legal" contract terms on every site. Do not purport to bind the District to any license or other contract. If you make an agreement on your own behalf, do not violate that agreement using the District equipment or Internet account.
- Do not assume that just because something is on the Internet, you may copy it. As a general rule, assume that everything is copyrighted and do not copy it unless there is a notice on the site stating that you may do so. For example, if you see a clever cartoon assume that you may NOT copy it. Governmental documents are an exception (you may copy them), but you must confirm that it is the "government" and not a government-related entity such as the post office.
- Be aware of the "Do you want a cookie?" messages (if you have configured your browser to get such messages). If you answer yes, whatever activity in which you are engaged will be logged by the site owner to help it or its advertisers develop a profile about you or the District. It is possible that your browser is set to accept cookies without asking you each time.

You can create liability for yourself and the District. For example, if you "publish" (type or re-send) words that defame or disparage another individual or institution, if you upload or download or re-send copyrighted or pornographic material, if you use the Internet to harass or discriminate against someone, or if you provide private information or data about someone, you may violate applicable laws or District policy. Make sure none of your activities violate any law or policy. Do not engage in any "spamming" or other activities that could clog or congest Internet networks. Disciplinary action taken as a result of violations of our policies involving the misuse/abuse of computer privileges will range from loss of computer privileges through detentions to out-of-school suspension for up to 10 days with possible recommendation for expulsion.

#### **N. Interrogation of Students**

The School is committed to protecting students from harm that may be connected with the school environment and also recognizes its responsibility to cooperate with law enforcement and public child welfare agencies. While the School believes these agencies should conduct their investigations off school property if possible, investigations can take place at school in emergency situations or if the violation being investigated occurred on school property.

Before students are questioned as witnesses or suspects in an alleged criminal violation, the building administrator will attempt to contact a parent prior to questioning and shall remain in the room during questioning.

If a student is questioned as the subject of alleged child abuse or neglect, the building administrator will attempt to contact a parent prior to questioning, and s/he (or a designated guidance counselor) will remain in the room during questioning. If the agency investigating the alleged child abuse or neglect suspects the parent is the perpetrator, neither parent will be contacted prior to questioning, but the building administrator (or a designated guidance counselor) will remain in the room during questioning.

If law enforcement or children's services agency removes a student from school, the parents will be notified.

#### **O. Removal, Suspension, Expulsion and Permanent Exclusion of Students**

The Board of Education recognizes that exclusion from the educational program of the schools, whether by emergency removal, out-of-school suspension, expulsion, or permanent exclusion, is the most severe sanction that can be imposed on a student in this District, and one that cannot be imposed without due process. However, the Board has zero tolerance of violent, disruptive or inappropriate behavior by its students.

No student is to be removed, suspended out-of-school, expelled and/or permanently excluded unless his/her behavior represents misconduct as specified in the Student Code of Conduct/Student Discipline Code approved by the Board. The Code shall also specify the procedures to be followed by school officials when implementing such discipline. In addition to the procedural safeguards and definitions set forth in this policy and the student/parent handbook, additional procedures and considerations shall apply to students identified as disabled under the IDEIA, ADA, and/or Section 504 of the Rehabilitation Act of 1973. (See Policy 2465, "Suspension/Expulsion of Disabled Students.")

Students may be subject to discipline for violation of the Student Code of Conduct/Student Discipline Code even if that conduct occurs on property not owned or controlled by the Board but where such conduct is connected to activities or incidents that have occurred on property owned or

controlled by the Board, or conduct that, regardless of where it occurs, is directed at a District official or employee, or the property of such official or employee.

For purposes of this policy and the Student Code of Conduct/Student Discipline Code, the following shall apply:

- "Emergency removal" shall be the exclusion of a student who poses a continuing danger to District property or persons in the District or whose behavior presents an on-going threat of disrupting the educational process provided by the District. [See Policy 5610.03 "Emergency Removal".
- "Suspension" shall be the temporary exclusion of a student by the Superintendent, principal, assistant principal, or any other administrator from the District's instructional program for a period not to exceed ten (10) school days. Suspension may extend beyond the current school year, if at the time a suspension is imposed, fewer than ten (10) days remain in the school year. The Superintendent may apply any or all of the period of suspension to the following year. The procedures for suspension are set forth in the Student Code of Conduct/Student Discipline Code and Board Policy 5611 "Due Process Rights".
- "Expulsion" shall be the exclusion of a student from the schools of this District for a period not to exceed the greater of eighty (80) school days or the number of school days remaining in a semester or term in which the incident that gives rise to the expulsion takes place or for one (1) year as specifically provided in this policy and the Student Code of Conduct/Student Discipline Code. Only the Superintendent may expel a student. The procedures for expulsion are set forth in the Student Code of Conduct/Student Discipline Code and Board Policy 5611 "Due Process Rights".

### **Firearm or Knife**

Unless a student is permanently excluded from school, the Superintendent shall expel a student from school for a period of one (1) year for bringing a firearm or knife to a school building or on to any other property (including a school vehicle) owned, controlled, or operated by the Board, to an interscholastic competition, an extra-curricular event, or to any other school program or activity that is not located in a school or on property that is owned or controlled by the Board, except that the Superintendent may reduce this period on a case-by-case basis in accordance with this policy. Similarly, the Superintendent shall expel a student from school for a period of one (1) year for possessing a firearm or knife at school or on any other property (including a school vehicle) owned, controlled, or operated by the Board, at interscholastic competition, an extra-curricular event, or at any other school program or activity that is not located in a school or on property that is owned or controlled by the Board, except the Superintendent may reduce this period on a case-by-case basis in accordance with this policy. The expulsion may extend, as necessary, into the school year following the school year in which the incident that gives rise to the expulsion takes place. The Superintendent shall refer any student expelled for bringing a firearm (as defined in 18 U.S.C. 921(a)(3)) or weapon to school to the criminal justice or juvenile delinquency system serving the District.

A firearm is defined as any weapon, including a starter gun, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, any firearm muffler or silencer, or any destructive device. A destructive device, includes, but is not limited to any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than four (4) ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or other similar device.

A knife is defined as any weapon or cutting instrument consisting of a blade fastened to a handle; a razor blade; or any similar device (including sharp, metal martial arts weapons such as ninja throwing stars) that is used for, or is readily capable of, causing death or serious bodily injury.

The Superintendent may, in his/her sole judgment and discretion, modify or reduce such expulsion in writing, to a period of less than one (1) year, on a case-by-case basis, upon consideration of the following:

- Applicable State or Federal laws and regulations relating to students with disabilities (for example, where the incident involves a student with a disability and the misconduct is determined by a group of persons knowledgeable about the child to be a manifestation of the student's disability);
- The degree of culpability given the age of the student and its relevance to the misconduct and/or punishment and/or evidence regarding the probable danger posed to the health and safety of others, including evidence of the student's intent and awareness regarding possession of the firearm or knife; and/or
- The academic and disciplinary history of the student, including the student's response to the imposition of any prior discipline imposed for behavioral problems.

### **Violent Conduct**

If a student commits an act at school, on other school property, at an interscholastic competition, extracurricular event, or any other school program or activity and the act:

- would be a criminal offense if committed by an adult; and
- results in serious physical harm to person(s) as defined in R.C. 2901.01(A)(5); or to property as defined in R.C. 2901.01(A)(6).

The Superintendent may expel the student for a period of up to one (1) year. The Superintendent may extend the expulsion into the next school year or reduce the expulsion as necessary on a case-by-case basis as specified below. The student need not be prosecuted or convicted of any criminal act to be expelled under this provision. The Superintendent may, in his/her sole judgment and discretion, reduce such expulsion to a period of less than one (1) year, on a case-by-case basis, upon consideration of the following:

- Applicable State or Federal laws and regulations relating to students with disabilities (for example, where the incident involves a student with a disability and the misconduct is determined by a group of persons knowledgeable about the child to be a manifestation of the student's disability); or other extenuating circumstances, including, but not limited to, the academic and disciplinary history of the student, including the student's response to the imposition of any prior discipline imposed for behavioral problem. If at the time of the suspension or expulsion, there are fewer days remaining in the school year than the number of days of the suspension or expulsion, the Superintendent may apply any or all of the remaining period to the following school year.

## **Bomb Threats**

If a student makes a bomb threat to a school building or to any premises at which a school activity is occurring at the time of the threat, the Superintendent may expel the student for a period of up to one (1) year. The Superintendent may extend the expulsion into the next school year or reduce the expulsion as necessary on a case-by-case basis as specified below. The student need not be prosecuted or convicted of any criminal act to be expelled under this provision.

The Superintendent may, in his/her sole judgment and discretion, reduce such expulsion to a period of less than one (1) year, on a case-by-case basis, for the following reasons:

- for students identified as disabled under the IDEA, ADA, and Section 504 of the Rehabilitation Act of 1973, upon recommendation from the group of persons knowledgeable of the student's educational needs; or
- other extenuating circumstances, including, but not limited to, the academic and disciplinary history of the student, including the student's response to the imposition of any prior discipline imposed for behavioral problems.

If at the time of the suspension or expulsion, there are fewer days remaining in the school year than the number of days of the suspension or expulsion, the Superintendent may apply any or all of the remaining period to the following school year.

**"Permanent Expulsion"** shall mean the student is banned forever from attending a public school in the State of Ohio. (See Policy 5610.01).

If a student is expelled for more than twenty (20) school days or for any period of time that extends into the next school year, the Superintendent shall provide the student and his/her parents with the names, addresses, and telephone numbers of those public or private agencies in the community which offer programs or services that help to rectify the student's behaviors and attitudes that contributed to the incident(s) that caused the expulsion.

If the Superintendent determines that a student's behavior on a school vehicle violates school rules, s/he may suspend the student from school bus-riding privileges for the length of time deemed appropriate for the violation and remediation of the behavior. Any such suspension must comply with due process and the Student Code of Conduct/Student Discipline Code.

The Board authorizes the Superintendent to provide for options to suspension/expulsion of a student from school which may include alternative educational options.

The Superintendent shall initiate expulsion proceedings against a student who has committed an act that warrants expulsion under Board policy even if the student withdraws from school prior to the hearing or decision to impose the expulsion. The expulsion must be imposed for the same duration it would have been had the student remained enrolled.

The Board may temporarily deny admittance to any student who has been expelled from the schools of another Ohio district or an out-of-state district, if the student's expulsion period set by the other district has not expired. The expelled student shall first be offered an opportunity for a hearing. This provision also applies to a student who is the subject of a power of attorney designating the child's grandparent as the attorney-in-fact or caretaker authorization affidavit executed by the child's grandparent and is seeking admittance into the schools of this District in accordance with Policy 5111.

The Board may temporarily deny admittance to any student who has been suspended from the schools of another Ohio district, if the student's suspension period set by the other district has not expired. The suspended student shall first be offered an opportunity for a hearing before the Board.

When a student is expelled from this District, the Superintendent shall send written notice to any college in which the expelled student is enrolled under Postsecondary Enrollment Options at the time the expulsion is imposed. The written notice shall indicate the date the expulsion is scheduled to expire and that the Board has adopted a provision in Policy 2271 under R.C. 3313.613 to deny high school credit for postsecondary courses taken during an expulsion.

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

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

A copy of this policy is to be posted in a central location in each school and made available to students and parents upon request. Key provisions of the policy should also be included in the parent-student handbook.

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

R.C. 3313.664, 3321.13 (B)(3) and (C), 3327.014

18 U.S.C. Section 921

20 U.S.C. 3351, 20 U.S.C. 7151, 20 U.S.C. 8921

## **P. Administrative Procedure with Respect to Possible Student Suspensions and Expulsions, adopted by the Superintendent in Accordance and Compliance with Revised Code 3313.66**

In order to ensure the prompt and fair discipline of students in accordance with the Board's Student Conduct Code adopted pursuant to Revised Code 3313.661, and to ensure the most efficient use of the district's administrative resources, the following administrative procedure is adopted:

- When a student engages in misconduct, which may give rise to a suspension, the building principal/assistant principal shall provide the student written notice of the intention to consider his/her possible suspension and the reasons for the possible suspension. If the proposed

suspension is based on a violation of statutes referenced in 3313.662(a) (see paragraph 7 below), and if the pupil is sixteen years of age or older, the notice shall include a statement that the Superintendent may seek permanent exclusion of the pupil should he/she be convicted or adjudicated a delinquent child for that violation.

- Prior to a suspension, the principal shall provide the student an opportunity to appear at an informal hearing conducted by the Principal, Assistant Principal, or Superintendent's designee to challenge the reason for the possible suspension or otherwise explain the pupil's actions.
- If at the conclusion of the hearing the principal/assistant principal believes a suspension is appropriate, the principal/assistant principal shall issue a written notice of suspension within one (1) school day after the effective date of such suspension. The notice shall be in writing and directed to the parent, guardian, or custodian of the pupil or, if the pupil is eighteen (18) years of age or older, to the pupil himself/herself, with a copy to the Treasurer of the Board. The notice shall specify the reasons for the suspension, the right of the pupil or his parent, guardian, or custodian to appeal the suspension to the designee of the Board, to be represented in the appeal, to be granted a hearing before the designee to be heard against the suspension, and to request that the appeal hearing be held in executive session. The notice shall also provide, in appropriate circumstances, that the Superintendent may seek the pupil's permanent exclusion if the suspension is based on a violation listed in 3313.662(A), which violation was committed when the pupil was sixteen (16) years of age or older and if the pupil is convicted or adjudicated a delinquent as a result of that violation.
- If the principal believes the misconduct also warrants consideration for expulsion, the principal shall so advise the Superintendent's designee for purposes of expulsion consideration in writing, with a copy to the pupil (if 18 or older), or the pupil's parent, guardian, or custodian.
- The Superintendent's designee for purposes of expulsion consideration shall review the principal's recommendation. If the Superintendent believes expulsion consideration is warranted, the Superintendent shall provide to the pupil and his/her parent, guardian or custodian written notice of the intention to consider expulsion of the student, and notice of an opportunity to appear before the Superintendent's designee to challenge the reasons for the possible expulsion or otherwise explain the pupil's action. The notice from the Superintendent shall include the reasons for the possible expulsion, notice of the opportunity of the pupil and his/her parent, guardian, custodian, or representative to appear before the Superintendent's designee to challenge the reasons for the possible expulsion or otherwise explain the pupil's action, and notice of the time and place to appear. The time and place for the pre-expulsion hearing shall be not earlier than three (3) nor later than five (5) school days after the notice is given, unless the Superintendent grants an extension at the request of the pupil or his parent, guardian, custodian, or representative. Should an extension be granted, the Superintendent shall notify the pupil and his parent, guardian, custodian, or representative of the new time and place to appear. If the proposed expulsion is based on a violation as listed in 3313.662(A) (see paragraph 7 below) and if the pupil is sixteen (16) years of age or older, the notice shall also include a statement that the Superintendent may seek to permanently exclude the pupil if he/she is convicted or adjudicated a delinquent child for that violation.
- The pre-expulsion hearing shall be conducted by the Superintendent's designee. For purposes of conducting pre-expulsion hearings and conducting such other activities as may be required by the Superintendent's designee under this procedure in connection with student expulsions, the Superintendent hereby designates a district principal different from the principal of the building in which the student is enrolled.
- Following the conduct of the pre-expulsion hearing, the Superintendent's designee shall make a recommendation to the Superintendent with respect to expulsion. If the decision is to expel, the Superintendent shall, within one (1) school day after the time of the expulsion, provide written notice of the expulsion to the parent, guardian, or custodian of the pupil or, if the pupil is eighteen (18) years of age or older, to the pupil himself/herself, with a copy to the Treasurer of the Board. That notice shall include the reasons for the expulsion, notification of the right of the pupil or his parent, guardian, or custodian to appeal the expulsion to the Board of Education's designee, to be represented in all such appeal proceedings, to be granted a hearing before the Board's designee to be heard against the expulsion, and to request that the hearing be conducted in executive session. The notice shall also specify that the expulsion may be subject to extension pursuant to 3313.66(F) if the student is permanently excluded by the Superintendent of Public Instruction following the student's conviction of, or adjudication as a delinquent child for, committing at age 16 or older an act that would be a criminal offense if committed by an adult and which constitutes any of the following:
  - illegal conveyance or possession of deadly weapons or dangerous ordnance on school premises in violation of Revised Code 2923.112;
  - carrying concealed weapons in violation of 2923.12 (or similar municipal ordinance) on school property or at a school activity;
  - selling or offering to sell or possessing a controlled substance or drug abuse instrument, other than a minor drug possession offense, in violation of Revised Code 2925.03, 2925.11 or 2925.12 on school property or at a school activity;
  - aggravated murder in violation of 2903.01, murder in violation of 2903.02, voluntary manslaughter in violation of 2903.03, involuntary manslaughter in violation of 2903.04, felonious assault in violation of 2903.11, aggravated assault in violation of 2903.12, rape in violation of 2907.02, gross sexual imposition in violation of 2907.05, or felonious sexual penetration in violation of former 2907.12 on school property or at a school function if the victim was at the time of the act a school employee; and
  - complicity in any of the above-described violations regardless of whether the act of complicity was committed on school property or at a school activity.
- If the expulsion exceeds twenty (20) school days and/or if the expulsion extends into the following semester of school year, the notice from the Superintendent of expulsion shall also provide the pupil and his parent, guardian, or custodian with information about services or programs offered by public and private agencies which work toward improving those aspects of the pupil's attitudes and behaviors that contributed to the incident(s) which gave rise to the pupil's expulsion. The information to be provided in the Superintendent's notice shall include the names, addresses, and phone numbers of the appropriate public and private agencies.
- Upon appeal, the Board of Education's designee for suspension and expulsion appeals, the associate superintendent shall convene the hearing on the suspension or expulsion. At the conclusion of the hearing, the Board's designee, in accordance with Board policy and 3313.66(E), is empowered to affirm the order of suspension or expulsion, re-instate the pupil, or otherwise reverse, vacate, or modify the order of suspension or expulsion.
- The Board's designee, in conducting any appeal hearing of a suspension or expulsion, shall be responsible for making a verbatim record of the hearing. The decision of the Board's designee on appeal should be communicated in writing to the pupil and her/his parent, guardian, or custodian, with a copy to the Treasurer of the Board of Education. The Board's designee's written decision, if affirming the suspension or expulsion, shall advise the pupil, parent, guardian, or custodian of the right to appeal under Chapter 2506 of the Ohio Revised Code.

- a. A Board of Education may establish a program and adopt guidelines under which a Superintendent may require a pupil to perform community service in conjunction with or in place of a suspension or expulsion imposed under Section 3313.66 of the Revised Code. If a Board adopts such guidelines, they shall permit a Superintendent to impose a community service requirement beyond the end of the school year in lieu of applying the suspension or expulsion into the following school year. Any guidelines adopted shall be included in the Code adopted under this section.
- b. The superintendent may expel a pupil for a period not to exceed one year for committing an act that is a criminal offense when committed by an adult and that results in serious physical harm to persons or property on any property owned or controlled by the board or at an interscholastic competition, extracurricular event, or any other school program or activity.
- c. As long as they are served entirely in a school setting, "in-school" suspensions do not require notice, hearing and appeal rights, etc. R.C. 3313.66(A) and (K)(2).
- d. The Superintendents may expel, for a period of one year, any student who brings a firearm or knife to an interscholastic competition, an extracurricular event, or any other school program or activity that is not located in a school or on property owned or controlled by a district. R.C. 3313.66(B)(2)(b), (B)(3).
- e. Students will be denied middle school credit for post-secondary courses, any portion of which are taken during the period of a student's expulsion. P.H.S. is not obligated to grant credit for college courses enrolled in by a student who has been expelled or which have been taken by the student at the time he/she was expelled.
- f. New R.C. 3313.66(B)(6) REQUIRES the superintendent to initiate proceedings against a pupil who has committed an act that warrants expulsion under the board's policy, even if the student withdraws from school. Following a hearing, if the superintendent determines that expulsion is warranted, disciplinary action must be handed down for the same period as would be appropriate for students who had not withdrawn.
- g. Under R.C. 3313.66(J), schools are now permitted to deny admission to any student who is currently under a period of suspension from another district in Ohio. The "receiving" district must offer an opportunity for a hearing (same as for students expelled from another public school) before denying admittance. Unlike expulsions, this provision does not apply to suspensions from out-of-state or private schools. R.C. 3313.(J)(1)(a).

▪ **Academic Consequences of Suspension and Expulsion**

Since the goal of the Perry Local Schools is to provide each student with a quality education, exclusion from school activities and classes by out-of-school suspension or expulsion will be reserved for only the most serious or persistent offenses. Students committing offenses warranting out-of-school suspension (in or out-of-school) or expulsion have forfeited their rights to participate in the educational program during their suspension or expulsion.

Students will, therefore, not be permitted to make up for credit work missed during the period of out-of-school suspension or expulsion. However, students may make up work and tests for full credit in case of in-school suspension.

**Q. Permanent Exclusion of Non-Disabled Students**

In accordance with the law, the Board of Education may seek to permanently exclude a student, sixteen (16) years of age or older, who has been convicted of or adjudicated delinquent for the reason of the following offenses:

- carrying a concealed weapon or conveying or possessing a deadly weapon or dangerous ordnance on property owned or controlled by a board of education or at an activity held under the auspices of this Board;
- possessing, selling, or offering to sell controlled substances on property owned or controlled by a board of education or at an activity under the auspices of this Board;
- complicity to commit any of the above offenses, regardless of where the complicity occurred.

In accordance with law, any student, sixteen (16) years of age or older, who has been convicted or adjudicated delinquent for committing the following offenses may be subject to permanent exclusion:

- rape, gross sexual imposition or felonious sexual penetration;
- murder, manslaughter, felonious or aggravated assault;
- complicity to commit offenses described in paragraphs A and B, regardless of where the complicity occurs.

The above statement of policy on permanent exclusion is to be posted in a central location in each school as well as made available to students, upon request.

If the Superintendent has adequate evidence that a student, sixteen (16) years old or older at the time of the offense, has been convicted of or is an adjudicated delinquent resulting from any of the above offenses, s/he shall submit a written recommendation to the Board that the student should be permanently excluded from the public schools by the State Superintendent of Public Instruction. The recommendation is to be accompanied by the evidence, other information required by statute, and the name and position of the person who should present the District's case to the State Superintendent. The Board, after considering all the evidence, including the hearing of witnesses, shall take action within fourteen (14) days after receipt of the Superintendent's recommendation.

If the Board adopts the resolution, the Superintendent shall submit it to the State Superintendent, together with the required documents and the name of the person designated by the Board as its representative to present the case to the State Superintendent. A copy of the resolution shall be sent to both the student and his/her parents.

If the Board fails to pass the resolution, it shall so notify the Superintendent, in writing, who, in turn, shall provide written notification of the Board's action to both the student and his/her parents.

If the State Superintendent rejects the Board's request, the District Superintendent shall readmit the student in accordance with statute and District guidelines.

If the State Superintendent acts on the Board's request, his/her actions and those of the District shall be in accord with the procedures described in statute.

R.C. 2151.27, 2903.03-.04, 2903.11-.12, 2907.02, 2907.05, 2907.12, 2923.12

R.C. 2923.22, 2925.03, 2923.01-.02, 2923.122

R.C. 3313.66, 3313.661, 3313.662

## **R. In-School Discipline**

It is the purpose of this policy to allow for an alternative to out-of-school suspension. The availability of in-school discipline options is dependent upon the financial ability of the Board of Education to support them.

In-school discipline will only be offered at the discretion of the administration for offenses found in the Student Code of Conduct/Student Discipline Code.

The Superintendent is to establish administrative guidelines for the proper operation of such programs. As long as the in-school disciplinary alternatives are served entirely in the school setting, they will not require any notice, hearing or appeal rights.

R.C. 3313.66, 3313.661

## **S. Emergency Removal of Students**

If a student's presence poses a continuing danger to persons or property, or an ongoing threat of disrupting the academic process taking place either in a classroom or elsewhere on school premises, then the Superintendent, principal or assistant principal may remove the student from curricular activities or from the school premises. A teacher may remove the student from curricular activities under the teacher's supervision, but not from the premises. If a teacher makes an emergency removal, the teacher will notify a building administrator of the circumstances surrounding the removal in writing, as soon as practicable. No prior notice or hearing is required for any removal under this policy. In all cases of normal disciplinary procedures where a student is removed from a curricular activity for less than one (1) school day and is not subject to further suspension or expulsion, the following due process requirements do not apply.

If the emergency removal exceeds one (1) school day, then a due process hearing will be held within three (3) school days after the removal is ordered. Written notice of the hearing and the reason for the removal and any intended disciplinary action will be given to the student as soon as practical prior to the hearing. If the student is subject to out-of-school suspension, the student will have the opportunity to appear at an informal hearing before the principal, assistant principal, Superintendent or designee and has the right to challenge the reasons for the intended suspension or otherwise explain his/her actions. Within one (1) school day of the decision to suspend, written notification will be given to the parent(s)/guardian(s) or custodian of the student and Treasurer of the Board of Education. This notice will include the reasons for the suspension, the right of the student or parent(s)/guardian(s) to appeal to the Board or its designee and the student's right to be represented in all appeal proceedings. If it is probable that the student may be subject to expulsion, the hearing will take place within three (3) school days and will be held in accordance with the procedures outlined in the Policy 5611 – Due Process Rights. The person who ordered or requested the removal will be present at the hearing.

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

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

R.C. Chapter 2506, 3313.66, 3313.661, 3313.662

## **T. Due Process Rights**

The Board of Education recognizes that students waive certain constitutional rights, regarding their education. Accordingly, the Board establishes the following procedures:

- **Student subject to suspension:** When a student is being considered for an out-of-school suspension by the Superintendent or other administrator:
  - The student will be informed in writing of the potential suspension and the reasons for the proposed action.
  - The student will be provided an opportunity for an informal hearing to challenge the reason for the intended suspension and to explain his/her actions.
  - An attempt will be made to notify parents or guardians by telephone if a suspension is issued.
  - Within one (1) school day of the suspension the Superintendent or other administrator will notify the parents, guardians, or custodians of the student and the Treasurer of the Board. The notice will reasons forth suspension and the right of the student, parent, guardian, or custodian to appeal to the Board or its designee; the right to be represented at the appeal; and the right to request the hearing be held in executive session if before the Board. If the offense is one for which the District may seek permanent exclusion, then the notice will contain that information.
  - Notice of this suspension will also be sent to the:
    - Superintendent;
    - Board CFO;

- student's school record (not for inclusion in the permanent record).
  - If a student leaves school property without permission immediately upon violation (or suspected violation) of a provision of the Student Code of Conduct/Student Discipline Code or prior to an administrator conducting an informal hearing as specified above, and the student fails to return to school on the following school day, the Superintendent, or any other administrator, may send the student and his/her parent(s)/guardian(s) notice of the suspension, and offer to provide the student and/or his/her parents an informal hearing upon request to discuss the reasons for the suspension and to allow the student to challenge the reasons and to explain his/her actions, any time prior to the end of the suspension period.
  - **Appeal of Suspension to the Board or its designee**  
The student who is eighteen (18) or older or the student's parent(s) or guardian(s) may appeal the suspension to the Board or its designee. They may be represented in all such appeal proceedings. A verbatim record will be kept of the hearing which may be held in executive session at the request of the student, parent, or guardian, if held before the Board. The procedure to pursue such appeal will be provided in regulations approved by the Superintendent. Notice of appeal must be filed with the CFO or the Superintendent within five (5) school days of the notice to suspend.
  - **Appeal to the Court**  
Under Ohio law, appeal of the Board's or its designee's decision may be made to the Court of Common Pleas.
- **Students subject to expulsion:** When a student is being considered for expulsion by the Superintendent:
  - The Superintendent will give the student and parent, guardian, or custodian written notice of the intended expulsion, including reasons for the intended expulsion.
  - The student and parent or representative have the opportunity to appear before the Superintendent or designee to challenge the proposed action or to otherwise explain the student's actions. The written notice will state the time and place to appear, which must not be earlier than three (3) school days nor later than five (5) school days after the notice is given, unless the Superintendent grants an extension upon request of the student or parent.
  - Within one (1) school day of the expulsion, the Superintendent will notify the parents, guardians, or custodians of the student and Treasurer of the Board. The notice will include the reasons for the expulsion and the right of the student, parent, guardian, or custodian to appeal to the Board or its designee; the right to be represented at the appeal; and the right to request the hearing be held in executive session if before the Board. If the offense is one for which the District may seek permanent exclusion, then the notice will contain that information.
  - **Appeal of Expulsion to the Board**  
A student who is eighteen (18) or older or a student's parent(s) or guardian(s) may appeal the expulsion by the Superintendent to the Board or its designee. They may be represented in all such appeal proceedings and will be granted a hearing before the Board or its designee. A verbatim record will be kept of the hearing which may be held in executive session at the request of the student, parent, or guardian. The procedure to pursue such appeal will be in accordance with regulations approved by the Superintendent. Notice of intent to appeal must be filed within ten (10) school days of the Superintendent's decision to expel to the Board directly or through the Superintendent's office. While a hearing before the Board may occur in executive session, the Board must act in public.
  - **Appeal to the Court**  
Under State law, the decision of the Board may be further appealed to the Court of Common Pleas.

▪ **Students subject to emergency removal:**

Students whose conduct warrants emergency removal shall be dealt with in accordance with the rights and procedures outlined in Policy 5610.03 – Emergency Removal.

▪ **Students subject to permanent exclusion:**

Students whose conduct is that for which permanent exclusion is warranted shall be dealt with in accordance with the rights and procedures outlined in Policy 5610.01 – Permanent Exclusion of Nondisabled Students.

▪ **Students subject to suspension from bus riding/transportation privileges:**

Students whose conduct warrants suspension from bus riding and/or transportation services shall be dealt with in accordance with the rights and procedures outlined in Policy 5610.04 - Suspension of Bus Riding/Transportation Privileges.

The Superintendent shall provide that all members of the staff use the above procedures when dealing with students. In addition, this statement of due process rights is to be placed in all student handbooks in a manner that will facilitate understanding by students and their parents.

These procedures shall not apply to in-school disciplinary alternatives including in-school suspensions. An in-school suspension is one served entirely within a school setting. Nor shall these disciplinary alternative procedures apply to students who are prohibited by authorized school personnel from all or part of their participation in co-curricular, interscholastic, and/or non-interscholastic extra-curricular activities.

R.C. 3313.20, 3313.66, 3313.661

**U. Promotional, Acceleration, Placement and Retention**

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

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

Such pattern should coincide with the system of grade levels established by this Board and the instructional objectives established for each.

A student will be promoted to the succeeding grade level when s/he has:

- Completed the course and State-mandated requirements at the presently assigned grade;
- In the opinion of the professional staff, achieved the instructional objectives set for the present grade;
- Demonstrated sufficient achievement and progress to permit him/her to move ahead in the educational program of the next grade; and
- Demonstrated the degree of social, emotional, and physical maturation necessary for a successful learning experience in the next grade.

A student may be accelerated when his/her demonstrated achievement, as well as measured ability, significantly exceeds that of his/her grade level peers. Consideration may be given to promoting him/her to a grade other than the next succeeding one, or permitting him/her to enroll in a course other than the next one in the academic sequence. A student will be accelerated in this manner when s/he has:

- Achieved the grade/course objectives and State-mandated requirements, if applicable, for the grade/course in which h/she is presently enrolled as well as for the grade(s)/course(s) that will be skipped;
- In the opinion of the professional staff, achieved the instructional objectives set for the present grade/course as well as the succeeding one(s);
- Demonstrated sufficient achievement and progress to permit him/her to be accelerated in the educational program; and;
- Demonstrated the degree of social, emotional, and physical maturation necessary for a successful learning experience in the grade/course to which h/she will be promoted or enrolled.

Following sound principles of child development, the Board discourages retention of students in the current grade.

A student may be retained at his/her current grade level when h/she has:

- In the opinion of the professional staff, failed to demonstrate sufficient achievement and progress; and
- In the opinion of the professional staff, failed to achieve the instructional objectives set forth at the current grade level that are requisite for success at the succeeding grade level.

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

- Require the recommendation of the relevant. Staff members for promotion, acceleration, placement, or retention;
- Require that parents are informed in advance of the possibility of retention of a student at a grade level;
- Require that the parent(s) give their consent to the acceleration of their child;
- Assure that efforts will be made to remediate the student's difficulties before h/she is retained;
- Assign to the principal the FINAL responsibility for determining the promotion, acceleration, placement, or retention of each student;
- Provide parents the opportunity to request the acceleration, assignment, or retention of their child; and
- Provide parents the opportunity to appeal the decision about their child's acceleration, assignment, or retention.

R.C. 3313.608, 3313.608(D), 3313.609, 3313.647, 3324.10

A.C 3301-35-02(B)(5)

## **V. Student Records**

In order to provide appropriate educational services and programming, the Board of Education must collect, retain, and use information about individual students. Simultaneously, the Board recognizes the need to safeguard students' privacy and restrict access to students' personally identifiable information.

The Board is responsible for the records of all students who attend or have attended schools in this District. Only records mandated by the State or Federal government and/or necessary and relevant to the function of the School District or specifically permitted by this Board will be compiled by Board employees.

In all cases, permitted, narrative information in student records shall be objectively-based on the personal observation or knowledge of the originator.

Student records shall be available only to students and their parents, eligible students, designated school officials, and designated school personnel, who have a legitimate educational interest in the information, or to other individuals or organizations as permitted by law.

The term "parents" includes legal guardians or other persons standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child). The term "eligible student" refers to a student who is eighteen (18) years of age or older, or a student of any age who is enrolled in a postsecondary institution.

Both parents shall have equal access to student records unless stipulated otherwise by court order or law. In the case of eligible students, parents may be allowed access to the records without the student's consent, provided the student is considered a dependent under section 152 of the Internal Revenue Code.

A school official is a person employed by the Board as an administrator, supervisor, teacher/instructor (including substitutes), or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board; a person or company with whom the Board has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks (including volunteers).

"Legitimate educational interest" is defined as a "direct or delegated responsibility for helping the student achieve one (1) or more of the educational goals of the District" or if the record is necessary in order for the school official to perform an administrative, supervisory, or instructional task or to

perform a service or benefit for the student or the student's family.

The Board authorizes the administration to:

- forward student records, including disciplinary records with respect to any current suspension and expulsion, upon request to a private or public school or school district in which a student of this District is enrolled, seeks or intends to enroll, or is instructed to enroll, on a full-time or part-time basis, upon condition that a reasonable attempt is made to notify the student's parents of the transfer, of their right to receive a copy of the record if desired, and of their right to have a hearing to challenge the content of the record;
- provide "personally-identifiable" information to appropriate parties in connection with an emergency if such knowledge is necessary to protect the health and safety of the student or other individuals;
- report a crime committed by a child with a disability to appropriate authorities and to transmit copies of the student's special education and disciplinary records to the authorities for their consideration;
- request each person or party requesting access to a student's record to abide by Federal regulations and State laws concerning the disclosure of information.

The Board will comply with a legitimate request for access to a student's records within a reasonable period of time but not more than forty-five (45) days after receiving the request. Upon the request of the viewer, a record shall be reproduced, unless said record is copyrighted, or otherwise restricted, and the viewer may be charged a fee equivalent to the cost of handling and reproduction. Based upon reasonable requests, viewers of educational records will receive explanation and interpretation of the records.

The Board shall maintain a record of each request for access and each disclosure of personally identifiable information. Such disclosure records will indicate the student, person viewing the record, their legitimate interest in the information, information disclosed, date of disclosure, and date parental/eligible student consent was obtained.

Only "directory information" regarding a student shall be released to any person or party, other than the student or his/her parent, without the written consent of the parent, or, if the student is an eligible student, without the written consent of the student, except to those persons or parties stipulated by the Board's policy and administrative guidelines and/or those specified in the law.

#### **W. Directory Information**

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

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

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

In accordance with Federal and State law, the Board shall release the names, addresses, and telephone listings of secondary students to a recruiting officer for any branch of the United States Armed Forces or an institution of higher education who requests such information. A secondary school student or parent of the student may request in writing that the student's name, address, and telephone listing not be released without prior consent of the parent(s)/eligible student. The recruiting officer is to sign a form indicating that "any information received by the recruiting officer shall be used solely for the purpose of informing students about military service and shall not be released to any person other than individuals within the recruiting services of the Armed Forces." The Superintendent is authorized to charge mailing fees for providing this information to a recruiting officer.

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

The Board may disclose "directory information" on former students without student or parental consent.

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

The Superintendent is directed to prepare administrative guidelines so that students and parents are adequately informed each year regarding their rights to:

- inspect and review the student's educational records;
- request amendments if the parent believes the record is inaccurate, misleading, or violates the student's privacy rights;
- challenge Board noncompliance with a parent's request to amend the records through a hearing;
- file a complaint with the Department of Education;
- obtain a copy of the Board's policy and administrative guidelines on student records.

The Superintendent shall also develop procedural guidelines for:

- the proper storage and retention of records including a list of the type and location of records;
- informing Board employees of the Federal and State laws concerning student records.

The Board authorizes the use of the microfilm process or electromagnetic processes for the recording , filing, maintaining, and preserving of records.

No liability shall attach to any member, officer, or employee of this Board as a consequence of permitting access or furnishing student records in accordance with this policy and regulations.

R.C. 9.01, 149.41, 149.43, 1347 et seq., 3113.33, 3319.321  
34 C.F.R. Part 99  
20 U.S.C., Section 1232f through 1232i (FERPA)  
26 U.S.C. 152  
20 U.S.C. 1400 et seq., Individuals with Disabilities Education Act  
20 U.S.C. 7908

## BEHAVIOR CODE OF CONDUCT

### A. General Statement

The following rules and standards set forth apply to conduct on school premises, on school buses, involving school property, off school premises which directly affects other students and adult personnel of the school, and conduct at school functions of any type.

This code shall also be inclusive for the right to exercise authority and for personal and property protection of administrators, teachers, librarians or media clerks, substitute teachers, teacher aides, monitors, authorized volunteers, tutors, secretaries, cooks, custodians, bus drivers, visitors, or other authorized school personnel. Any harassment, injury, or acts of vandalism directed at any school personnel outside of the school day or off school property shall also be subject to action under authority of this code.

Any conduct which causes or which creates a likelihood of disrupting or interfering with any school function, activity, purpose or any conduct which threatens or which creates a likelihood of threatening the health, safety, well-being, or the rights of other students and adult personnel is prohibited.

**The preceding general standard is to be used as a guide by all students. Not all acts of misconduct can be itemized. The following is an enumeration of the main areas of misconduct which shall result in disciplinary action, including, but not limited to, detentions, parental contact, class suspension, emergency removal, and expulsion from curricular or extracurricular activities.**

The authorization of student codes of conduct to include discipline for misconduct which occurs off school property to the extent that (1) The misconduct is connected to activities or incidents which have occurred on property owned or controlled by the Board of Education, and (2) misconduct by a pupil that, regardless of where it occurs, is directed at a district official or employee, or the property of such official or employee.

### B. Areas in Which Disciplinary Control of Pupils is to be Exercised

Students are subject to school disciplinary action up to and including suspensions and expulsion as specified herein for all actions, which directly affect the good order, efficiency, morale, management and welfare of the school. Although primary emphasis will be directed to activities taking place in the school or activities taking place on or near the school grounds, any student action on or off school property which directly affects the school will be subject to disciplinary action. Areas of disciplinary control shall include:

- While in the school, on school grounds, or in sight of school premises during and immediately before or immediately after the school hours.
- While on school-owned and operated buses or other school-owned or operated vehicles, waiting at bus stops, walking to and from school bus stops or walking to and from school.
- While engaged in or attending school-related activities on or off school grounds, including trips in state, out-of-state, out-of-country.
- While on school grounds, at any time when the school is being used by school or school-related groups.
- While engaging in any conduct which will directly affect the good order, efficiency, morale, management, and welfare of the school.

### C. Disciplinary Procedures

- **Loss of Recess**
- **P.M. Detentions:** Students are to report to the assigned School Area (office) between 2:50-3:00 p.m. on the day assigned. They are to bring their own assignments to work on during this one hour period. They are to provide their own transportation to and from the session.
- **Controlled ISSC:** In-School Suspension assignment by block. Utilizing student lunch blocks or the block of the specific infraction.
- **Wednesday School:** 3:00-6:00 p.m. Students are to report to the assigned School Wednesday Area (office) between 2:50-3:00 p.m. on the day assigned. They are to bring their own assignments to work on during this three-hour period. They are to provide their own transportation to and from the session. Wednesday school will end at 6:00 p.m.
- **ISSC – All Day In-School Suspension.** Students will receive credit for all regular class assignments and that work will be sent to the student to be completed during their assigned day(s).
- **Out-of-School Suspensions/Expulsions:** See Suspension in the Student Handbook. Students will not receive credit for work missed during out-of-school suspension assignments.

**NOTE:** In the event of a calamity day (snow day) assigned disciplinary procedures will be counted as served. For example, if a student is suspended on Friday for the following Monday and that Monday is a snow day, the student will return to school on Tuesday and the day of suspension will be deemed as served.

## D. Discipline Offenses

### ▪ **Marijuana, Narcotics, Alcoholic Beverages, and Other Mood-Altering Substances**

Drug Prevention Policy: The Board of Education recognizes that the misuse of drugs is a serious problem with legal, physical, and social implications for the whole school community.

The Board acknowledges the illness termed chemical dependency. If it appears that chemical dependency exists, the Board recognizes that it must share these concerns with the family and student involved. The Board's intention is to create an atmosphere of openness and understanding. It should then be the parents' and the student's responsibility to seek qualified counsel and inform the school of what corrective action is being taken. The school's responsibility is to support the family in this endeavor. If initial corrective efforts are ineffective, the case will be reviewed and suitable action will be taken on an individual basis.

Referral to counseling and other support services does not insulate students from disciplinary action for violation of this policy or the Code of Conduct.

As the educational institution of this community, the schools should strive to prevent drug abuse and help drug abusers by educational, rather than punitive, means.

- all dangerous controlled substances as so designated and prohibited by Ohio statutes;
- all chemicals which release toxic vapors;
- all alcoholic beverages and/or alcohol based products;
- any prescription, patent or supplement drug, except those for which permission to use in school has been granted pursuant to Board policy;
- anabolic steroids;
- any substance that is a "look-alike" to any of the above.

For purposes of this policy, "drugs" shall mean: The Board prohibits the use, possession, concealment, or distribution of any drug or any drug-related paraphernalia as the term is defined by law, or the misuse of a product containing a substance that can provide an intoxicating or mood-altering effect on school grounds, on school vehicles, and at any school-sponsored event.

It further establishes a drug-free zone within 1000 feet of any facility used by the District for educational purposes.

The Superintendent shall prepare guidelines for the identification, amelioration, and regulation of drug use in the schools. Such guidelines shall:

- emphasize the prevention of drug use;
- provide for a comprehensive, age-appropriate, developmentally-based drug and alcohol education and prevention program which is based upon scientific and educational data;
- include a statement to students that the use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful;
- provide standards of conduct that are applicable to all students and which clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students on school premises or as a part of any school activity;
- prohibit students to be under the influence of illicit drugs or alcohol on school premises or at any school-related activity;
- include a clear statement that disciplinary sanctions, up to and including expulsion and referral for prosecution, will be imposed on students who violate the school standards of conduct and a description of those sanctions. The sanctions may include, together with punitive action, voluntary referral to appropriate persons or agencies for screening and assessment. Such referral may only be made to qualified and properly licensed individuals or programs;
- provide information about any drug and alcohol counseling and rehabilitation program and reentry programs available to students and provide procedures to direct students and their parents to the appropriate programs;
- require that all parents and students be given a copy of the standards of conduct regarding the unlawful possession, use, or distribution of illicit drugs and alcohol by students;
- require the notification to parents and students that compliance with the standards of conduct is mandatory;
- provide a biennial review of the School District's program to determine its effectiveness and implement changes as needed and to ensure that disciplinary sanctions are consistently enforced;
- may provide for a student assistance program which includes guidelines for prevention, intervention, referral, treatment, and after-care. Such a program must be comprehensive in nature addressing all issues affecting students' academic, social, and emotional well-being in the educational setting which may negatively affect behavior and interfere with their ability to learn;
- establish means for dealing with students suspected of drug use or suspected of possessing or distributing drugs in school and provide that the District's policy and administrative guidelines on Search and Seizure Policy 5771 and AG 5771, Suspension and Expulsion Policy 5610 and AG 5610, and Permanent Exclusion Policy 5610.01 and AG 5610.01 are complied with fully;
- assess student perception and usage.

R.C. 2925.37, 3313.60(E), 3313.661, 3313.662, 3313.752, 3313.95, 3319.012

Public Law 101 - Drug-Free Schools and Communities Act of 1986

20 U.S.C. 3171 et seq.

20 U.S.C. 3224A

Student Assistance Policy: In keeping with its concern for the safety and well-being of both students and staff and for maintaining a school environment that is conducive to learning, the Board of Education has adopted policies related to student conduct in the school setting and has authorized disciplinary measures for the violation of these policies.

The Board seeks to maintain a balance between maintaining a proper educational environment and a compassion for students who suffer from

or are victims of intemperate, immoral, or illegal behavior. Educational programs have been established to promote healthful, productive living, and discipline shall be maintained to protect students and staff from actions that disrupt teaching and learning. However, the Board recognizes that students may experience difficulties that educational programs and sound discipline may not prevent, and that other forms of assistance need to be available through the school.

The Superintendent is authorized to establish one (1) or more assistance programs for students which provide for effective intervention in areas such as substance abuse, crisis situations, and other situations which have impact on students' emotional, mental, and/or social well-being and affect their ability to benefit from educational experiences. Administrative guidelines are to be prepared which may provide that the rights of both parents and students are protected.

**Consequences may include but are not limited to the following:**

- For possession or concealing: 10 day out-of-school suspension and recommendation for expulsion.
- For selling or transmitting: 10 day out-of-school suspension and recommendation for expulsion.
- For use: 10 day out-of-school suspension and recommendation for expulsion.

**NOTE:** In all cases, parents and authorities are notified. In cases where a student or students have used, his/her condition may require notifying the rescue squad and his/her being taken to the hospital.

▪ **Counterfeit Controlled Substances**

- Any drug that bears, or whose container or label bears, a trademark, trade name, or other identifying mark used without authorization of the owner or rights to such trademark, trade name or identifying mark.
- Any unmarked or unlabeled substance that is represented to be a controlled substance manufactured, processed, packed, or distributed by a person other than the person that manufactured, processed, packed or distributed it.
- Any substance that is represented to be a controlled substance but is not a controlled substance or is a different controlled substance.
- Any substance other than a controlled substance that a reasonable person would believe to be a controlled substance because of its similarity in shape, size, and color, or its markings, labeling packaging, distribution, or the price for which it is sold or offered for sale.

**Consequences may include but are not limited to the following:**

- For possession or concealing: 10 day out-of-school suspension and recommendation for expulsion.
- For selling or transmitting: 10 day out-of-school suspension and recommendation for expulsion.
- For use: 10 day out-of-school suspension and recommendation for expulsion.

**NOTE:** In all cases, parents and authorities are notified. In cases where student is under the influence, his/her condition may require notifying the rescue squad and his/her being taken to the hospital.

▪ **Smoking or Possession of Tobacco**

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

For purposes of this policy, "use of tobacco" shall mean all uses of tobacco, including cigarettes, cigars, pipe tobacco, chewing tobacco, snuff, or any other matter or substances that contain tobacco, in addition to papers used to roll cigarettes.

In order to protect students and staff who choose not to use tobacco from an environment noxious to them, the Board prohibits the possession, consumption, purchase or attempt to purchase and/or use of tobacco products by students on Board premises, in Board-owned vehicles, within any indoor facility owned or leased or contracted for by the Board, athletic facility, and used to provide education or library services to children, and at all Board-sponsored events. Smoking clove cigarettes or other substances is also prohibited.

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

**NOTE:** In all cases, parents and authorities are notified. In cases where student is under the age of 18 a citation will be issued.

▪ **Theft, Vandalism and/or Destruction of Property**

Care of School Property Policy: The Board of Education believes that the schools should help students learn to respect property.

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

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

The Board authorizes the imposition of fines for the loss, damage or destruction of school equipment, apparatus, musical instruments, library material, textbooks, and for damage to school buildings and reserves the right to withhold credits from any student whose payment of such fine is in arrears.

The Board may report to the appropriate juvenile authorities any student whose damage of school property has been serious or chronic in nature.

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

The Superintendent shall develop administrative guidelines to implement:

**Consequences for Aiding may include but are not limited to the following:**

- Up to a 5 day suspension from school and a recommendation for expulsion.

- **Hazing** (For Board of Education Policy see pg. 16)

**Consequences for Students Hazing other Students may include but are not limited to the following:**

- Specific disciplinary measure will be determined on a case-by-case basis and could possible result in a suspension. The administration has full discretion in these matters.

- **Harassment** (For Board of Education Policy see pg. 13)

**Consequences may include but are not limited to the following:**

- Discipline for harassment will be cumulative and progressive applying all levels of discipline ranging from detentions/in-school suspension to 10 day out-of-school suspension and a possible recommendation for expulsion as the student's behavior and previous record would dictate. The administration has full discretion in these matters.

- **Bullying** (For Board of Education Policy see pg. 16)

Bullying behavior is when one child, or a group of children, repeatedly and over time, hurts another child through their actions and words. It is repeated pattern of behavior.

**Consequences may include but are not limited to the following:**

- Discipline for harassment will be cumulative and progressive applying all levels of discipline ranging from detentions/in-school suspension/Wednesday School to 10 day out-of-school suspension and a possible recommendation for expulsion as the student's behavior and previous record would dictate. The administration has full discretion in these matters.

- **Fighting**

A student shall not intentionally cause or attempt to cause physical injury by fighting or otherwise intentionally behave in such a way as could reasonably cause physical injury to a school employee, student, or visitor. Fighting among two or more students on or near the school property, or while in transit to and from school, including buses, or to any school activity, is prohibited. Also, students will not provoke fights between other students.

**Consequences may include but are not limited to the following:**

- Specific disciplinary measure will be determined on a case-by-case basis using the discipline procedures listed in the conduct section. The administration has full discretion in these matters.

- **Assault - Physical and Verbal**

A student shall not cause physical or emotional injury or behave in such a manner which could threaten to cause physical or emotional injury to school staff, other students, or others.

Threatening, intimidating, "Hate Speech", causing or attempting to cause physical or emotional injury or harm to any student, teacher, adult staff member or any other person on school property or at school events on or off school property is prohibited.

"HATE SPEECH" is defined as sexually harassing language, racist language, fighting words, or any language which is reasonably perceivable as disruptive to the educational process or to the comfort of all persons in the educational setting whether on school property or during school events on or off school property.

**Consequences may include but are not limited to the following:**

- Specific disciplinary measure will be determined on a case-by-case basis using the discipline procedures listed in the conduct section. The administration has full discretion in these matters.

- **Intimidation**

A student shall not threaten with physical violence or coerce by any means any student, teacher, or other school employee or visitor. A student shall not urge another student or person to threaten with physical violence or coerce by any means any student, teacher, or other school employee or visitor. Intimidation shall include but is not limited to threats to obtain money or any other item of value from another student or person.

**Consequences when directed towards a Student may include but are not limited to the following:**

- Specific disciplinary measure will be determined on a case-by-case basis using the discipline procedures listed in the conduct

section. The administration has full discretion in these matters.

**Consequences when directed towards a Staff Member may include but are not limited to the following:**

- Specific disciplinary measure will be determined on a case-by-case basis using the discipline procedures listed in the conduct section. The administration has full discretion in these matters.

▪ **False Reporting of Fires, Bomb Threats, and Tampering with Fire and Other Safety Equipment**

No student shall submit or urge any other student or person to submit a false fire alarm or false report that a bomb or other explosive device is located within any school building or administrative building. No student shall interfere with, tamper with, or otherwise reduce the effectiveness or accessibility to fire extinguishers, fire hoses, fire alarms, or other safety equipment.

**Consequences may include but are not limited to the following:**

- Specific disciplinary measure will be determined on a case-by-case basis using the discipline procedures listed in the conduct section. The administration has full discretion in these matters.

**NOTE:** The Fire Marshall may include police at any level of offense.

▪ **Setting Fires, Planting Bombs, Causing Damaging Explosions**

No student shall set a fire, plant a bomb, or cause a damaging explosion, urge or aid any other person in doing the same in school or anywhere on school property. Nor shall any student possess or use any incendiary device including but not limited to cigarette lighters.

**Consequences may include but are not limited to the following:**

- Up to a 10 day out-of-school suspension plus repayment for loss or damage plus referral to fire marshal and police plus possible recommendation for expulsion.

**NOTE:** The Fire Marshall may include police at any level of offense.

▪ **Dangerous Weapons and Instruments**

A student shall not possess, handle, transmit, or conceal any firearm, knife, explosive, or any object which might be considered a dangerous weapon or instrument of violence.

**Consequences may include but are not limited to the following:**

- Circumstances will dictate the degree of penalty imposed. The very least penalty would be confiscation of the instrument with parents being notified. The most serious consequence could be recommendation for expulsion plus involvement of the police.

▪ **Fireworks**

No student shall:

- Expend fireworks in school or on school premises.
- Possess or transport commercial fireworks or materials that could easily be converted to use in creating explosive-type devices.
- Aid any other student or person expend fireworks in school or on school premises.
- Construct or help another student or person to construct an explosive-type device.
- Set a smoke or "stink" bomb or urge or aid any other student or person in setting a smoke or "stink" bomb in school or on school premises.

**Consequences may include but are not limited to the following:**

- Possession of fireworks: Up to 10 days in-school suspension.
- Expending fireworks: 1<sup>st</sup> offense: Up to 5 days in-school suspension; 2<sup>nd</sup> offense: up to 10 days out-of-school suspension plus possible recommendation for expulsion.
- Possession of explosives: Up to a 10 day out-of-school suspension with possible recommendation for expulsion plus referral to police.
- Expending, constructing, or helping to expend or construct explosive devices or materials: 10 days out-of-school suspension plus recommendation for expulsion plus referral to police plus repayment for damages.

**Note:** All of the above-mentioned infractions listed in this section may result in the notification of the police/fire authorities. Certain fireworks may fall under the Jurisdiction of the Weapons Policy.

▪ **Gambling**

Gambling on school premises is prohibited.

**Consequences may include but are not limited to the following:**

- Confiscation of cards, money, and tokens representing money plus notification of parents. Specific disciplinary measures will be determined on a case-by-case basis. The administration has full discretion in these matters.

▪ **Removing or Altering Forms and/or Records**

No student shall change, alter, or modify, or attempt to change, alter, or modify any record, document or form required to be submitted to, or used, in the operation of the schools. No student shall knowingly forge any writing of another without his/her authority or forge any writing so that it purports to be genuine when it is actually false.

**Consequences may include but are not limited to the following:**

- Administrative/Teacher judgment will be used.

▪ **Cheating and Plagiarizing**

No student shall take the ideas, writing or work, etc., from another person and pass it on as their own work.

**Consequences may include but are not limited to the following:**

- Administrative/Teacher judgment will be used.

▪ **Unauthorized Sale or Distribution**

Selling or distribution, or attempting to sell or distribute any object or substance which has not been authorized for sale or distribution by the building principal to any person on school owned property is prohibited.

**Consequences may include but are not limited to the following:**

- Depending upon the item or substance, the penalty could be as severe as a 10 day out-of-school suspension with a recommendation for expulsion.

▪ **Loitering**

Students shall not loiter at any time on school grounds, in buildings, or on adjacent property.

**Consequences may include but are not limited to the following:**

- The judgment of the administration will be used. Specific disciplinary measures will be determined on a case-by-case basis. The administration has full discretion in these matters.

▪ **Profanity, Obscene Language and Actions**

Using profane language, indecent, or obscene language, either verbally, in writing, or by action toward any student, staff member, or in the presence of these people including gestures, acts, signs, pictures or publications is prohibited.

**Consequences may include but are not limited to the following:**

- Profanity will not be tolerated. Administrative judgment will be based on students' previous disciplinary record. The administration has full discretion in these matters.

▪ **Insubordination, Disrespect, and/or Defiance**

To insult or in other manner show disrespect or defiance either verbally or in writing towards any member of the school staff is prohibited. A student shall not fail to comply with the directives of any teacher, student-teacher, substitute teacher, aide, bus driver, principal, or other authorized supervisory personnel. Any request made by these individuals must be promptly complied with by all pupils. Failure to abide by corrective measures such as detention for previous acts of misconduct is also insubordination. Detentions which accumulate and remain unserved will be handled in Consequences for Detentions section.

**Consequences may include but are not limited to the following:**

- Disrespect will not be tolerated. Administrative judgment will be based on students' previous disciplinary record. The administration has full discretion in these matters.

▪ **Disruption of School**

A student shall not use violence, force, noise, coercion, threat, intimidation, fear, passive resistance, or any other conduct intentionally causing the substantial and material disruption or obstruction of any lawful mission, process, or function of the school. Neither shall he/she urge other students to engage in such conduct for the purpose of causing the substantial and material disruption or obstruction of any lawful mission, process, or function of the school if a substantial and material disruption is reasonably certain to result from his urging.

Disruption of school shall include, but is not limited to, the following type of behavior:

- Unauthorized occupying any school building, school grounds, or part thereof with intent to deprive others of its use.
- Unauthorized blocking the entrance or exit of any building or corridor or room therein, with intent to deprive others of lawful access to or from, or use of, the building or corridor or room.
- Prevention of or attempting to prevent by any act the convening or continued function of any school, class, or activity of or lawful meeting or assembly on the school campus.
- Preventing students or other authorized persons from attending a class or school activity.
- Except under direct instruction of the principal or his/her designee, blocking normal pedestrian or vehicular traffic on a school campus.
- Displaying a belligerent, defiant and/or insubordinate manner in refusing to comply with reasonable requests of authorized school personnel.

- Using banners, signs, symbols, and publications to incite disruptive behavior.
- Assembling spontaneously or by plan for the purpose of marching, a sit-down or any other form of protest whether violent or passive while classes are being held during the school day.

**Consequences may include but are not limited to the following:**

- Administrative judgment will be based on students' previous disciplinary record. The administration has full discretion in these matters

▪ **Horseplay/Class Disruption**

Students shall not engage in immature acts such as pushing in the halls, throwing any object and similar action which should result in injury to others, continuously and intentionally making noise or acting in any manner so as to interfere seriously with the teacher's ability to conduct his/her class, supervise a study hall, or conduct any other proper school function.

**Consequences may include but are not limited to the following:**

- Administrative judgment will be based on students' previous disciplinary record. The administration has full discretion in these matters.

▪ **Student Dress**

The development and adoption of this code is the result of the combined efforts and recommendations of our students, faculty, parents, and staff. We believe this code is in the best interest of our schools and community, and we believe it will promote health and safety and the continued fine appearance and general conduct of the Perry students. These provisions are designed to serve as general guidelines for the appearance and conduct of the students. In the absence of specific rules or regulations, it has been and shall continue to be, the responsibility of each student to appear in a manner consistent with the public school setting; however, the administration reserves the right to determine what is and what is not appropriate when clothing styles do not fall within the delineated guidelines. Staff members shall require student appearance that is neither disruptive nor detrimental to any aspect of the educational program of the Perry Schools.

The student shall be clean and well groomed and the clothing of Perry students shall be neat and clean. Cleanliness is for the protection and health of all persons.

- **Symbolic Garments:** Students are not permitted to wear any clothing, which displays alcoholic beverages or other illegal substances, nor display offensive badge, placard, or other offensive written or symbolic material. Offensive shall mean what the majority of adult age Perry residents would consider offensive obscene, or definitely not suitable for the school setting.
- **Outerwear:** Caps, sweatbands, or other apparel designed for outdoor wear should not be worn in the classroom.
- **Clothing, General:** Shorts may be worn until October 31<sup>st</sup> and beginning April 15<sup>th</sup>. Shorts may not be worn between those dates. No students shall wear, bleached, torn, see-through, offensively patched, or frayed clothing. For safety, hems or cuffs of pants and slacks should not touch the floor. Undergarments should not be exposed at any time.
- **Shirts and Tops:** Tank tops should not be worn. All tops should be of a length that covers the body; no exposed midriff should be permitted.
- **Footwear:** Because they damage floors, no cleated boots, cleated shoes, heellies or overshoes are to be worn. It is recommended that socks be worn for health and safety reasons. **Students are not permitted to wear flip flops or open toe sandals.**
- **Hair:** The school requires that the hair be groomed neatly and clean. Long hair can be a hazard to the wearer in labs, cooking, and shops. Instructors in these areas are free to impose on students the use of hair ties, hairnets, or other such means to keep long hair away from flame, food, or machinery. Hair clips and curlers are not permitted at any time. Students should confine hair grooming to the restroom areas.
- **Winter Weather Dress:** Unless weather is extremely bad or a wind chill below 20 degrees, children will go outdoors for recess. Therefore children are required to wear boots, hats, gloves and snow pants when outside for recess. All outdoor apparel will be taken off during class.

**Consequences may include but are not limited to the following:**

- 1<sup>st</sup> offense: Student will be asked to change into appropriate clothing.
- 2<sup>nd</sup> offense: Phone call will be made to parent/guardian and/or parent will be asked to bring a change of clothing for the student.

**NOTE:** Flagrant and/or persistent violations of these rules and regulations will be viewed as insubordination and treated as such under the established Perry Schools discipline code.

▪ **Identification or Falsely Reporting Incidents**

All students must promptly, upon request, identify themselves to proper school authorities in a manner established by those authorities in school buildings, on school grounds, or at school-sponsored events. Conversely, making accusations, arguing testimony to school personnel which may seriously affect the welfare of others is prohibited and will result in discipline which could include suspension from school.

**Consequences may include but are not limited to the following:**

- Failure to respond promptly and accurately with this request can be considered insubordination and consequences would be the same as for insubordination.

▪ **Extracurricular**

Students at school-sponsored extracurricular and/or off-campus events (including, but not limited to, field trips) shall be governed by school rules and regulations and are subject to the authority of school officials. Failure to obey the lawful instructions of school officials may result in

the loss of eligibility to attend school-sponsored off-campus events and/or suspension and expulsion from school.

▪ **Unlawful Behavior**

No student shall be involved in any conduct on school premises or during a school function or event which violates local, state, or federal law, where such conduct or the likelihood of engaging in such conduct poses a clear and present danger to the health, welfare, or safety of other students, teachers, or other employees or visitors or materially and substantially interferes with or threatens to materially or substantially interfere with the orderly operation of the school. School disciplinary action will be in addition to any action civil or juvenile authorities choose to take. Unlawful acts may include, but are not limited to:

- Assault, battery, larceny, robbery, malicious mischief, unlawful assembly, disturbing public assembly, malicious threats, affrays, arson, malicious use of the telephone, false fire alarms or extortion, possession or use or sale of controlled substances, possession or use or sale of dangerous devices.

**Consequences may include but are not limited to the following:**

- Subject to suspension for a length of time to be determined by the administration based upon the circumstances of the event.

▪ **Truancy (Unexcused Absence)**

Whenever a student misses a school day or any part of a school day (including tutorial classes) without the knowledge and permission of both his/her parent and school administration the student shall be charged with truancy in all cases of truancy, a student cannot make up his/her work for credit and zeroes shall be entered in the grade book.

- **Excused Absence:** Absences for illness or death in the immediate family are considered as legal excuses for absence. Other reasons which are considered to be family emergencies may be excused by the school administration. When the student is absent from school, a telephone call to the elementary school office by a parent or guardian at 440259-2781 **MUST** be made before 8:45 a.m. If the student wishes their assignments for that day, please request them at this time. The telephone call constitutes an excused absence and no note is necessary upon return to school. Absences not reported by a telephone call the day the student is absent or a written note from the parent or legal guardian upon the student's return to school, will be counted as an "Unexcused Absence". **Make-Up Work:** See this Handbook.
- **Pre-Arranged Absence:** If you must miss school for reasons other than personal illness or family emergencies such as for field trips, family events, school projects, etc., you must:
  - Present, at least two school days in advance, a note from your parent or legal guardian explaining the reason and the dates you will be absent.
  - Present the appropriate form from the sponsoring teacher or office to all your teachers at least two school days in advance of the event which will make you absent.
  - For events which will take you out of school for more than two school days, you must present the appropriate form to all your teachers the same number of school days in advance of the event as the number of school days the event will cause you to miss.
- **Permission to Leave Building and/or Class:** Permission to leave the building or class can only be granted by the principal or the assistant principal. Only in extreme emergencies will permission be granted to leave the building. In any case, all students leaving school must notify their parent or guardian prior to leaving.
- **Unexcused Absence:** Any type of unexcused absence, such as truancy, suspension, failure to submit parental excuse, etc., causes the student to be reported to their teacher as unexcused and not be allowed to make up any work for credit for the time they were unexcused. All work can be done but will be marked as zero in the teacher's grade book. A record of unexcused absences shall be kept on each student. Parents will be notified of each unexcused absence which is a result of not submitting a note. Also students will be referred to the office for conferencing and can be subject to class cutting or truancy punishments.
- **Excessive Absence:** After 15 days' absence, it will be necessary for the student to present a medical excuse from a doctor indicating the reasons for the absence. Absences beyond this point will be considered unexcused if the doctor's report is not presented within the same number of days as the student was absent. Absence beyond a total of 15 will be investigated by the school's home-liaison office, parent conferences will be held and can possibly be reported to the attendance office for possible processing as unexcused, excessive absence, with the Lake County Juvenile Court.

**Consequences may include but are not limited to the following:**

- Specific disciplinary measures will be determined on a case-by-case basis. The administration has full discretion in these matters.

▪ **Tardiness**

Students who arrive after the 8:50 a.m. tardy bell for reasons not authorized by the school administration shall be counted tardy to school. Students who are tardy to any class shall have their names submitted on the daily attendance summary and shall be noted as being tardy to class.

All tardies to school are recorded and subject to the Student Code of Conduct, except students arriving late because they had a medical appointment. In this case, however, students must have arranged by parental phone call the day prior to arriving late. Students wishing to arrive late because of a medical appointment will then be given a slip the day prior to arriving tardy which must be signed by the doctor (office) and then presented to the middle school office upon arriving tardy to school. When this is done, students will not be charged with a tardy. Thus, if arrangements are not made in advance and an excuse slip is not granted in advance to arrive tardy, a student will be charged with a tardy even though they may have been at a medical appointment.

- **To School:** Any student who is tardy to school at any time during the school day must report to the office before going to any class.
- **To Class:** Teacher and office consequences will be imposed. See this Handbook. It is the student's responsibility to report to school on time. School begins at 8:50 a.m.

Our Transportation Department has shown excellent delivery time of all our students. Thus, there is no reason for students who ride the bus to be late. Under unusual conditions buses can become late; students who ride the bus and who are late will be excused automatically. Late bus students are always to report to the office to sign in as an excused tardy arrival so your permanent attendance can be properly corrected.

- **Make Up Work:** See this Handbook.
- **Early Dismissals:** All early dismissals must be phoned in by parent or guardian.
  - Early dismissals for medical care purposes will be granted whenever deemed necessary by parents. Students dismissed early for medical reasons must have parent or guardian phone for a medical early dismissal the day before, if the student will not be in school for 8:50 a.m. or prior to 9:30 a.m. if the dismissal is to be sometime during the day where the student will leave after he has been present. Medical dismissals shall be granted with an office issuance of a Medical Early Dismissal Authorization. You are required to have your appointment verified by having your Dismissal Authorization signed and a phone number noted so that it can be checked if necessary. Your Medical Early Dismissal Authorization must then be returned to the office upon your return to school. Failure to submit your Medical Early Dismissal Authorization will result in the dismissal being transferred to your pre-arranged absence requests. Excessive failure to return Medical Early Dismissal Authorization form can result in no further medical dismissals being granted.
  - Early dismissals for family needs will be granted on an as needed basis. Parents are to use these allowable dismissals with care. These early dismissals are granted only by parent or guardian phoning the school and stating time and purpose for the dismissal. No notes will be accepted. Emergency extensions for personal or family problems beyond the allowable ten per year must be requested by the parent or guardian, in person, with Principal or Assistant Principal. Extensions for extreme situations will be granted only with the permission of either of these two people.
  - Procedure for Student: Students will be given written early dismissal authorization from the office after parental call is received. The early dismissal authorization is to be shown to the classroom teacher for release at that stated time. This written authorization must then be brought to the office.

**SPECIAL NOTE:** It is common attendance practice to periodically spot check early dismissal requests. Parents and medical appointments will be checked. Students who falsify an early dismissal request will be dealt with in accordance with the Student Code section labeled Removing or Altering forms, and/or Records. This section of the Student Code notes that falsifying correspondence directed to them is prohibited.

**Consequences may include but are not limited to the following:**

- Specific disciplinary measures will be determined on a case-by-case basis. The administration has full discretion in these matters.
- **Miscellaneous**
  - No hard sole shoes are permitted on the gym floor.
  - Open display of affection between students is the business of the school personnel during school activities, on school grounds anytime, and on school buses. It is felt that this behavior is of a private nature and belongs in a private setting. School officials shall take whatever steps are necessary to encourage students to refrain from such activity during school hours.
  - Electronic devices (i.e. cell/camera phones, MP-3, I-Pods and the like), are to be turned off, kept out of sight, and not used during the school day or in school buildings. Violation of this rule will result in disciplinary action and confiscation of the cell/camera phone and above named items. Confiscated electronic devices will be returned to the owner at the end of the day, provided there are not concerns with the contents of the cell/phone or electronic device. On a second cell/camera phone or electronic device violation, the device will be confiscated and kept by the administration until the student's parent claims it from the office. Contents of cell/camera phones or electronic devices may be searched if there exists a reasonable suspicion that it may have been used in an activity prohibited by the Code of Conduct.

**SPECIAL NOTE:** Other possible student conduct, persistent disobedience, or gross misconduct may also serve as grounds for suspension or expulsion as provided by law. Any violation of the law will result in the notification of the school resource office (SRO) for possible legal action.

## **E. Transportation Department**

Riding to school on a school bus is a privilege not a right.

The Perry Local Schools Transportation Department operates on a philosophy that appropriate behavior in school vehicles is expected for the safety of all riders. Inappropriate and/or unsafe behavior will be addressed in a timely manner to prevent accidents or injuries, or other harmful outcomes. Transportation to and from school is part of the school day, and all of the rules governing student behavior are in force. The bus is an extension of the schoolroom. The issue of safety requires that students be on their best behavior while in school vehicles. To assist in maintaining a safe and orderly environment on the busses, the use of security camera may be employed on some busses. Students, parents and school employees must understand that rules are to be consistently and fairly enforced and obeyed. Misbehavior such as rudeness, pushing, fighting, throwing objects, profanity, verbal abuse, obscenity, bullying, threatening, vandalism, destruction of property, use of tobacco, narcotics and other offenses will be dealt with according to the student code of conduct and may also result in the suspension of transportation services.

### ▪ **Student Conduct on School Buses and Other Authorized Vehicles**

The following rules were taken from Ohio Administrative Code 3301-83-08 through 3301-83-13 to ensure the safety and welfare of the students, the bus operators and other drivers on the road.

- Pupils shall arrive at the bus stop five minutes before the bus is scheduled to arrive.
- Pupils must wait in a location clear of traffic, away from the bus stop.
- Behavior at school bus stop must not threaten life, limb, or property of any individual.

- Pupils must go directly to an available or assigned seat so the bus may safely resume motion.
- Pupils must remain seated, keeping aisles and exits clear.
- Pupils must observe classroom conduct and obey the operator promptly and respectfully.
- Pupils must not use profane language.
- Pupils must refrain from eating and drinking on the bus except as required for medical reasons.
- Pupils must not use tobacco on the bus.
- Pupils must not have alcohol or drugs in their possession on the bus, except for prescription medication required for a pupil.
- Pupils must not throw or pass objects on, from, or into the bus.
- Pupils may carry on the bus only objects that can be held in their laps.
- Pupils must leave or board the bus at locations to which they have been assigned, unless they have parental and administrative authorization to do otherwise.
- Pupils must not put head or arms out of the bus windows.
- When a bus is stopped for any railroad track, all passengers must be silent until the crossing is completed.
- Each pupil shall be assigned a residence side designated place of safety. Operator must account for each pupil at a designated place of safety before leaving. Pupils are not to proceed to their residence until the school bus has departed.
- Students must board their assigned bus at their assigned schools.

#### ▪ **Misbehavior on the Bus**

The Transportation Supervisor and /or Principal are authorized to suspend, expel or immediately remove pupils from bus riding privileges. A Bus Conduct Report is sent to a pupil's home when a rule violation occurs. A pupil's continual misbehavior, accompanied by Bus Conduct Reports, can result in up to thirty days of riding suspension or termination of school bus privileges for the remainder of the school year.

#### ▪ **Discipline**

When misbehavior issues with a student arise, the following steps will be followed:

- When possible, the operator should solve the problem.
- Drivers should use positive reinforcements for good behavior. No more than three verbal warnings will be given.
- If verbal warnings do not resolve the behavior, the operator will call the parents/guardians to request their assistance with the student's disruptive behavior.

#### **Consequences may include but are not limited to the following:**

- **First Offense:** When the operator is unable to solve the problem, they will turn in a completed Bus Conduct Report to the Transportation Supervisor. This report will include information of steps that will be taken should a Second Offense occur. It will be signed by the Transportation Supervisor, and sent to the student's principal and to the student's home.
  - The Transportation Supervisor will call the parent/guardian again requesting assistance with the disruptive behavior.
  - Included is a request to Parent(s)/Guardian(s) to notify Transportation that the Report was received.
- **Second Offense:** Student will meet, with the operator and/or the Transportation Supervisor, to discuss the violation and the consequences. The Transportation Supervisor will notify the parents and/or guardians regarding the disciplinary disposition and steps that will be taken should a Third Offense occur. A suspension of three (3) days of bus riding privileges is initiated, to start the morning after the parent(s)/guardian(s) are notified.
- **Third Offense:** Student will meet with the operator and/or the Transportation Supervisor, to discuss the violation and the consequences. The Transportation Supervisor will notify the parents and/or guardians regarding the disciplinary disposition. A suspension of ten (10) days of bus riding privileges is initiated, to start the morning after parent(s)/guardian(s) are notified. A meeting will then be scheduled to take place prior to the end of the assigned suspension consisting of the following individuals: the Transportation Supervisor, the operator, the parent(s)/guardian(s), and the student. The purpose of this meeting will be for the student to provide assurance of future good behavior, and to establish appropriate safeguards to assure that the student will obey bus rules.
- **Fourth Offense:** Student will meet with the operator and the Transportation Supervisor or Building Administrator to discuss the violation and the consequences. The Transportation Supervisor or Building Supervisor will notify the parents and/or guardians regarding the disciplinary disposition. A suspension of thirty-days (30) of bus riding privileges is initiated, to start the morning after parent(s)/guardians are notified. A hearing will be scheduled at the end of this extended suspension with the individuals listed above and the parent(s). The purpose of this hearing will be for the student to provide assurance of future good behavior, and to establish safeguards to assure that the student will obey school bus rules. The Transportation Supervisor and Building Administrator will decide on the appropriate course of action. Should the Transportation Supervisor and Building Administrator receive adequate assurances from the student, bus privileges will be immediately reinstated. In the event the Transportation Supervisor and Building Administrator decides that adequate assurances are not in place, school bus privileges will be terminated for the remainder of the school year.
- **Extreme Cases:** The Transportation Supervisor and Principal have the reserved right to invoke immediate suspension of bus services for the first offense in order to assure the safety of students, staff and the public. Notice must be given as soon as practicable of a hearing, which must be held within seventy-two hours of the removal. In cases of suspension or termination of bus service, the parents must provide the student with transportation to and from school.

#### ▪ **Students with Disabilities**

Perry Local Schools is required to provide a free and appropriate public education to students who are identified with a disability (FAPE). The Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act and Ohio law require FAPE. These statutes and administrative regulations limit school district actions in certain respects.

The district may not suspend a student identified by the district as a student with a disability for more than ten (10) consecutive days or for more than ten (10) days in the aggregate if the removal constitutes a change in placement. Thus, any suspension of a disabled student must be brought to the attention of the Coordinator of Special Education immediately. It may be necessary to convene an individualized education plan ("IEP") team

meeting or 504 team meeting in order to review the discipline of a disabled child. In no event will any student with a disability be removed from riding privileges for more than ten (10) days, except when the safety or health of the student or others is in jeopardy. In any event, the Coordinator of Special Education will be informed immediately of any suspension of bus privileges involving a disabled child.

▪ **Bus Passes**

At Perry Elementary School we place a very high priority on the safety of our children. In addition, we also place a very high value on developing positive relationships with our parent/guardians, and work hard to customize our responses to meet the needs of kids and their families.

Sometimes meeting the needs of a child's safety requires school procedures that may not make sense to parents/guardians. One such example may be the bus pass procedure for a transportation change we use at Perry Elementary School. In our attempt to balance student safety when kids are being transported to and from school with meeting the changing transportation needs families, certain procedures must be in place.

○ **Permanent Bus Pass (for periods longer than one week)**

- In the event that your family has a change in schedule, i.e. a parent/guardian changes jobs, the family or babysitter moves to a different house, etc. we are asking that parents/guardians complete and submit the Request for Transportation Change Form to make a permanent schedule change for their child. The process for changing your child's transportation arrangements requires obtaining a bus pass using the following procedure.

1. Determine a schedule that will be the same each week.
2. Fill out the request for transportation form.
3. Hand the form in to the elementary office- where it will be copied and sent to the transportation office.

This will provide ample time for the information to be changed in the transportation office, the elementary office, as well as in the classroom. The classroom teacher will give the student the actual bus pass. Please note that beginning with the 2008-2009 school year, Perry Local Schools will not be issuing daily bus transportation changes.

○ **Emergency Bus Pass (for one-day period)**

- In the event of an emergency that requires a change in transportation, please notify the Perry Elementary School office and the appropriate measures will be taken to accommodate the need. Examples of an emergency include a medical emergency, family emergency, emergency related to an accident, etc.
- Parents are reminded to coordinate and make arrangements with family members or neighbors in the event that a transportation change is needed for non-emergency reasons. Please note that beginning with the 2008-2009 school year, the Perry Local Schools will not be responsible for changing a student's bus transportation for non-emergency reasons.
- **FOR THE SAFETY OF THE CHILDREN WE ARE NOT ABLE TO ACCEPT ANY BUS PASS REQUESTS OVER THE PHONE. ALL REQUESTS MUST BE MADE IN WRITTEN FORM.**

▪ **Suspension of bus riding/transportation privileges**

Students on a bus or other authorized Board of Education transportation vehicles are under the authority of and directly responsible to the bus/vehicle operator. The driver has the authority to enforce the established regulations for bus/vehicle conduct. Disorderly conduct or refusal to submit to the authority of the operator will be sufficient reason for refusing transportation service to any student.

A student may be suspended from school bus/vehicle riding privileges for all or part of a school year for any violation of established regulations for bus conduct and/or for conduct occurring on the bus/vehicle in violation of the Student Code of Conduct/Student Discipline Code.

Before a suspension from bus/vehicle riding privileges is imposed, the Superintendent or other designated District personnel will provide a student with notice of an intended suspension and an opportunity to appear before the Superintendent or other designated District personnel. Disciplinary suspension periods will be commensurate with the infraction(s) committed as determined by the Superintendent or designated District personnel.

Any additional guidelines regarding conduct on school buses/vehicles, as well as general information about the school transportation program, will be made available to all parents and students and posted in a central location.

R.C. 3319.41, 3327.01, 3327.014  
A.C. 3301-83-08

## NOTIFICATION OF RIGHTS AND FORMS

### A. Family Educational Rights and Privacy Act (FERPA)

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

- The right to inspect and review the student's education records within 45 days of the day the School receives a request for access. Parents or eligible students should submit to the School principal or Director of Special Education a written request that identifies the record(s) they wish to inspect. The School official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
- The right to request the amendment of the student's education records that the parent or eligible student believe are inaccurate. Parents or eligible students may ask the School to amend a record that they believe is inaccurate. They should write the School principal or Director of Special Education, clearly identify the part of the record they want changed, and specify why it is inaccurate. If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
- The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the School has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.
- The release of a student's educational records is governed by FERPA and Section 3319.321 of the Ohio Revised Code. Both FERPA and Ohio law allow the release of "directory information" without prior consent, unless the parent/guardian or eligible student (age 18 or older) requests, in writing, that directory information not be disclosed. The District considers the following information "directory information":
  - Student's name;
  - Student's address;
  - Telephone number (s);
  - Student's date and place of birth;
  - Major field of study;
  - Participation in officially recognized activities and sports;
  - Student's weight and height for members of athletic teams;
  - Dates of attendance ("from and to" dates of enrollment);
  - Student's achievement awards or honors;
  - Date of graduation;
  - Student's grade; and
  - The most recent educational agency or institution attended.

Additionally, authorized District employees may videotape and/or photograph students engaged in classroom and extracurricular programs, activities and other school functions. Videotapes and/or photographs may be shared with the public through the District's newsletters, reports, web site or other District communications, unless the parent/guardian or eligible student requests, in writing, that videotapes or photographs of the student not be publicized.

The District, directly or through Infinite Campus, will also release personally identifiable student information to another school, school system or institution of postsecondary education in which a student seeks or intends to enroll or that is providing services to the student upon receiving a request from the institution. Parents/guardians or eligible students will receive a copy of all information disclosed upon request.

- The right to file a complaint with the U.S. Department of Education concerning alleged failures by Perry Local Schools to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:  
Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-4605

### B. Protection of Pupil Rights Amendment (PPRA)

The Protection of Pupil Rights Amendment (PPRA) affords parents and students who are 18 or emancipated minors ("eligible students") certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

- Consent before students are required to submit to a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED):
  - Political affiliations or beliefs of the student or student's parent;
  - Mental or psychological problems of the student or student's family;
  - Sex behavior or attitudes;
  - Illegal, anti-social, self-incriminating, or demeaning behavior;
  - Critical appraisals of others with whom respondents have close family relationships;
  - Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;

- Religious practices, affiliations, or beliefs of the student or parents; or
- Income, other than as required by law to determine program eligibility.
- Receive notice and an opportunity to opt a student out of:
  - Any other protected information survey, regardless of funding; attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
  - Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.
- Inspect, upon request and before administration or use:
  - Protected information surveys of students;
  - Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
  - Instructional material used as part of the educational curriculum.

Perry Local Schools will develop and adopt policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. Perry Local Schools will directly notify parents and eligible students of these policies at least annually at the start of each school year and after any substantive changes. Perry Local Schools will also directly notify parents and eligible students, such as through U.S. Mail or email, at least annually at the start of each school year of the specific or approximate dates of the following activities and provide an opportunity to opt a student out of participating in:

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

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

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