

Book Neola Policy Templates for Catch Up  
Section Board Approved Policies 8000s  
Title Vol. 42, No. 1 - August 2023 Revised VOLUNTEERS  
Code po8120  
Status

**Revised Policy - Vol. 42, No. 1**

**8120 - VOLUNTEERS**

The Board of Education recognizes that certain programs and activities can be enhanced through the use of volunteers who have particular knowledge or skills that will be helpful to members of the professional staff responsible for the conduct of those programs and activities.

The Superintendent shall be responsible for recruiting community volunteers, reviewing their capabilities, and making appropriate placements. The District shall not be obligated to make use of volunteers whose abilities are not in accord with District needs.

**Volunteers for Athletic Activities**

Volunteers who direct, supervise, or coach a student activity program that involves athletics, routine or regular physical activity, or activities with health and safety considerations may be required to obtain a pupil activity permit issued by the Ohio Department of Education (ODE). As provided in ODE guidance, the District shall determine which staff members need to have a permit. However, in accordance with OHSAA General Regulations, coaches, paid and/or volunteer, in grades seven (7) through twelve (12) who do not possess the Pupil Activity Program/Coaching Permit shall not be permitted to coach at any level at an OHSAA member school. Such qualifications shall include completion of a sudden cardiac arrest training course approved by the Department of Health, in accordance with R.C. 3319.303. The qualifications shall also include completion of a student mental health training course approved by the Department of Mental Health and Addiction Services. The mental health training course may be combined with or part of another training course. Such training must be completed each time the individual applies for or renews a Pupil Activity Program Permit. Individuals who have applied for a Permit but who have not yet been issued a valid credential shall not be permitted to interact with athletes, even under the supervision of a credentialed coach, until the Pupil Activity Permit number is formally issued.

These volunteers will submit to a background check and take courses as may be required by the Ohio Department of Education.

The cost of obtaining the permit will be ~~{CHOOSE ONE (1) OF THE OPTIONS} (-) at the Board's expense {OR} (X) at the volunteer's expense {END OF OPTION}.~~

**General Requirements**

The Superintendent is to inform each volunteer that they:

- A. are required to abide by all Board policies and District guidelines while on duty as a volunteer (including, but not limited to, the volunteer's obligation to keep confidential and not release or permit access to any and all student personally identifiable information to which they are exposed except as authorized by law);
- B. will be covered under the District's liability policy but the District can not provide any type of health insurance to cover illness or accident incurred while serving as a volunteer, nor is the person eligible for workers' compensation;
- C. will be asked to sign a form releasing the District of any obligation should the volunteer become ill or receive an injury as a result of their volunteer services;
- D. may not accept compensation from any third party or source including, but not limited to, booster, parent, or other District support organizations for the performance of their official duties as a volunteer on behalf of the Board.

Furthermore, the Superintendent shall inform all volunteers who work or apply to work unsupervised with children on a regular basis of the need to display appropriate behavior at all times, and that

~~{CHOOSE OPTION #1 OR #2}~~

~~{ } OPTION #1~~

~~they may be required to provide a set of fingerprints at any time so that a criminal records check can be conducted. If a criminal records check is then conducted, it will be done as a condition of continued service as a volunteer and will be at ( ) the Board's [OR] ( ) the volunteer's [END OF OPTION] expense.~~

] [OPTION #2]

they will have to provide a set of fingerprints so that a criminal records check can be conducted ( ) at the Board's expense (  ) and that they will have to pay the costs associated with the criminal records check [END OF OPTION] either before they can begin their duties or as a condition of continued service as a volunteer at the discretion of the Board.

[END OF OPTIONS]

If a criminal records check indicates that a volunteer has been convicted of or pleaded guilty to any of the offenses listed below and/or described in R.C. 109.572 (A)(1), ~~{CHOOSE ONE (1) OF THE OPTIONS BELOW, SEE NOTE}~~

(  ) the volunteer will be informed either that the Board is no longer interested in maintaining their volunteer service or that the volunteer will be assigned to duties for which they will not work unsupervised with children.

~~( ) the volunteer will be informed that the Board will be notifying the parents of school children that they have been convicted of one (1) of the offenses listed below and/or described in R.C. 109.572 (A)(1). Said notification of parents will identify the volunteer by name and will indicate that the Board has decided to continue to let the volunteer work with school children unsupervised on a regular basis. This notification shall be given to the parents on the date that the Board decides to continue to use the individual as a volunteer or the date when service to school children by the individual commences, whichever is later. [NOTE: THIS CHOICE IS NOT RECOMMENDED]~~

~~[END OF OPTIONS]~~

The Superintendent shall inform each volunteer of the District's appreciation for their time and efforts in assisting in the operation of the schools and for their understanding with regard to the need for all volunteers to be subject to possible criminal records check.

#### Offenses

No person is to be accepted or maintained ~~[NOTE: THIS SHOULD BE MODIFIED IF SECOND OPTION IN PRECEDING SECTION IS ELECTED]~~ as a volunteer if they have been convicted of any of the following offenses:

- A. aggravated murder, murder, voluntary manslaughter, involuntary manslaughter
- B. felonious assault, aggravated assault, assault
- C. failing to provide for a functionally impaired person
- D. aggravated menacing
- E. patient abuse or neglect
- F. kidnapping, abduction, child stealing, criminal child enticement
- G. rape, sexual battery, corruption of a minor, gross sexual imposition, sexual imposition, importuning, voyeurism, public indecency, felonious sexual penetration, compelling prostitution, promoting prostitution, procuring prostitution, disseminating matter harmful to juveniles, pandering obscenity, pandering obscenity involving a minor, pandering sexually oriented matter involving a minor, illegal use of a minor in nudity-oriented material or performance
- H. aggravated robbery, robbery
- I. aggravated burglary, burglary

- J. abortion without informed consent
- K. endangering children
- L. contributing to the delinquency of children
- M. domestic violence
- N. carrying concealed weapons, having weapons while under disability, improperly discharging firearm at or into a habitation or school
- O. corrupting another with drugs
- P. trafficking in drugs
- Q. illegal manufacture of drugs or cultivation of marijuana
- R. funding of drug or marijuana trafficking
- S. illegal administration or distribution of anabolic steroids
- T. drug possession offenses (that are not a minor drug possession offense)
- U. placing harmful objects in or adulterating food or confection
- V. ~~(-) a felony~~
- W. ~~(-) an offense of violence~~
- X. ~~(-) a theft offense (as defined in R.C. 2913.01)~~
- Y. ~~(-) a drug offense (as defined in R.C. 2925.01, that is not a minor misdemeanor)~~

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A.C. 3301-27-01

R.C. 109.572, 109.574-7, 121.401-2, 3313.203, 3319.321, 3327.16

20 U.S.C. 1232g

34 C.F.R. Part 99

OHSAA Bylaw 6-1-2; General Regulation 4



Book	Neola Policy Templates for Catch Up
Section	Board Approved Policies 8000s
Title	MANDATORY REPORTING OF MISCONDUCT BY LICENSED EMPLOYEES
Code	po8141
Status	
Adopted	November 9, 2009

#### **8141 - MANDATORY REPORTING OF MISCONDUCT BY LICENSED EMPLOYEES**

The Board of Education recognizes its responsibility to effectively address employee misconduct and, where determined appropriate, to provide a measured disciplinary response consistent with due process. In addition, with respect to licensed professional staff members, matters of misconduct, including guilty pleas and/or conviction of certain crimes (including intervention in lieu of conviction and/or pre-trial diversion programs) enumerated by law and/or conduct which is unbecoming to the teaching profession under certain specific circumstances, will be reported by the Superintendent (or Board President if the Superintendent or Treasurer are determined to have engaged in such misconduct) to the Ohio Department of Education.

#### **Definitions**

"Licensed professional staff member" refers to Board employees who hold an educator's license or certification with the Ohio Department of Education (ODE) (including the Treasurer and Business Manager), educational assistants (aides with a permit and paraprofessionals with a license from ODE), individuals holding a one (1) year conditional teaching permit in the area of intervention specialist or seeking an alternative educator license, and those individuals who do not hold a valid educator's license but who are employed by the Board under a Pupil Activity Program Permit.

The definition of "conduct unbecoming the teaching profession" is set forth in the *Licensure Code of Professional Conduct for Ohio Educators* enacted by the Ohio State Board of Education and includes:

- A. crimes or misconduct involving minors;
- B. crimes or misconduct involving school children;
- C. crimes or misconduct involving academic fraud;
- D. crimes or misconduct involving the school community;
- E. making, or causing to be made, any false or misleading statement or concealing a material fact in obtaining the issuance or renewal of any educator licensing documents;
- F. the violation of the terms and conditions of a consent agreement with the State Board of Education;
- G. a plea of guilty to or a finding of guilt or conviction upon any offense enumerated under R.C. 3319.39, or a judicial finding for intervention in lieu of conviction and/or participation in a pre-trial diversion program relating to any of the offenses listed therein;
- H. a failure to adhere to the Licensure Code of Professional Conduct for Ohio Educators enacted by the Ohio State Board of Education.

#### **Reporting Professional Misconduct**

The Superintendent will file a report to the Ohio Department of Education, on forms provided for that purpose, matters of misconduct on the part of licensed professional staff members, under any of the following circumstances:

- A. When the Board obtains knowledge that a licensed professional staff member has pled guilty, has been found guilty, or has been convicted, and/or subject to a judicial finding for intervention in lieu of conviction and/or participated in

a pre-trial diversion program for a crime specified in R.C. 3319.31(B)(2) or R.C. 3319.39(B)(1), including but not limited to any felony, any misdemeanor sex offense, any offense of violence, any theft offense and any drug abuse offense that is not a minor misdemeanor.

- B. When the Board has initiated termination or non-renewal proceedings against a professional staff member who is reasonably believed to have committed an act that is unbecoming to the teaching profession.
- C. When the professional staff member has resigned under threat of termination or non-renewal for any of the reasons set forth in paragraphs A and B above.
- D. When the professional staff member has resigned during the course of an investigation of alleged misconduct which is reasonably believed to be unbecoming to the teaching profession.

#### **Reporting Professional Misconduct – Dual Licensure**

In addition to required misconduct reporting to the Ohio Department of Education, the Board designates the Superintendent to file reports of misconduct with any other State Professional Board if an employee is required to hold a license or certificate issued by that Board to practice in the school setting. This applies to pupil services employees including school nurses, audiologists, social workers, speech-language pathologists, occupational therapists, assistant occupational therapists, physical therapists, and physical therapy assistants, as well as registered nurses, licensed practical nurses, medication aids, and certified community health workers.

#### **Misconduct by Superintendent or Treasurer**

If the employee to whom any of the above conditions apply is either the Superintendent or Treasurer, the Board President shall make the report required under this policy and in accordance with R.C. 3319.313.

#### **Failure to File Report/Filing of False Report**

The Board acknowledges that if the Superintendent (or Board President, where applicable) knowingly fails to file a required report of misconduct by a licensed educator or cause a false report of misconduct by a licensed employee of the Board to be filed, they will be subject to criminal penalties under law. In addition, failure to file a required report will subject the designated reporter to a potential denial, limitation, suspension or revocation of the educator license of such designated reporter.

#### **Investigation Reports Regarding Professional Misconduct**

Reports of any investigation regarding whether or not a professional staff member has committed an act or offense for which the Superintendent or Board President is required to make a report to the Ohio Department of Education, as set forth above, shall be kept in the personnel file of the professional staff member. Should the Ohio Department of Education determine that the results of that investigation do not warrant initiating an action suspending, revoking, or otherwise limiting that professional staff member's license or permit, the report(s) of any investigation will be moved to a separate public file.

#### **Suspension From Duties Involving Care, Custody or Control of a Child**

In accordance with Policy 3138 and Policy 4138, the Superintendent, Treasurer, or Board (depending upon the position of the employee being charged) shall immediately suspend a licensed employee from all duties that require the care, custody, or control of a child during any pending criminal action for which that person has been arrested, summoned and/or indicted for any crimes listed under R.C. 3319.31(C).

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Legal R.C. 3319.31, 3319.311, 3319.313, 3319.317, 3319.39, 3319.392, 3319.40  
A.C. 3301-73-21

Book Neola Policy Templates for Catch Up  
Section Board Approved Policies 8000s  
Title CRIMINAL HISTORY RECORD CHECK FOR CONTRACTED SCHOOL SERVICES  
Code po8142  
Status  
Adopted November 9, 2009

**8142 - CRIMINAL HISTORY RECORD CHECK FOR CONTRACTED SCHOOL SERVICES**

In accordance with State law, the Board of Education requires a criminal background check including information from the Bureau of Criminal Identification and Investigation (BCII) and the Federal Bureau of Investigation (FBI) of each person employed by a private company under contract with the Board to provide essential school services and who will work within the District in a position which does not require a license issued by the State Board of Education, is not for the operation of a vehicle for student transportation, but does involve routine interaction with a child or regular responsibility for the care, custody or control of a child.

"Essential school services" is defined to mean services provided by a private company that the Board or Superintendent has determined are necessary for the operation of the District and that would need to be provided by employees of the District if the services were not provided by the private company. No such individual, employed by a private company to provide essential school services under a contract with the Board, shall be permitted to work within the District unless one of the following applies to the individual:

A. The private company provides proof of either of the following to the Superintendent:

1. that the individual has been the subject of a criminal records check in accordance with R.C. 3319.39 within the last five (5) years immediately prior to the date on which the person will begin working in the District; and
2. that the criminal records check indicates that the individual has not been convicted of or pleaded guilty to any offense described in R.C. 3319.39(B)(1); or

B. During any period of time in which the individual will have routine interaction with a child or regular responsibility for the care, custody, or control of a child, the Superintendent has arranged for a District employee to be present in the same room with a child or, if outdoors, within a thirty (30) yard radius of the child or to have visual contact with the child.

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Legal R.C. 3319.392



Book Neola Policy Templates for Catch Up  
Section Board Approved Policies 8000s  
Title Vol. 42, No. 1 - August 2023 Revised SCHOOL CALENDAR  
Code po8210  
Status  
Adopted November 9, 2009  
Last Revised October 9, 2014

**Revised Policy - Vol. 42, No. 1**

**8210 - SCHOOL CALENDAR**

The Board of Education recognizes that the preparation of a calendar for the instructional program of the schools is necessary for orderly educational planning and for the efficient operation of the District.

The Board shall determine (  ) annually (  ) biannually ~~[END OF OPTION]~~ the total number of hours when the schools will be in session for instructional purposes with students in attendance - including scheduled classes, supervised activities, and approved education options for the upcoming school year(s). When recommending a school calendar to the Board for its consideration and approval, the Superintendent shall analyze and address the factors identified in AG 8210.

At least thirty (30) days prior to adopting a school calendar, the Board shall hold a public hearing on the school calendar addressing topics that include, but are not limited to, the total number of hours in a school year, length of the school day, and beginning and end dates of instruction. "School day" means the time during a calendar day that a school is open for instruction pursuant to the Board-adopted schedule.

When establishing the school calendar, the Board requires that an observance be scheduled each year on or about Veterans Day to convey the meaning and significance of that day to all students and staff. The observance shall be at least one (1) hour or, in schools that schedule class periods of less than one (1) hour, at least one (1) standard class period. The Board will determine the specific activities that constitute the observance in each school in the District after consultation with the school administrators.

While the Superintendent may close schools due to disease, epidemic, hazardous weather conditions, law enforcement emergencies, damage to a school building, utility failure rendering the school building unfit for school use, or inoperability of school buses or other equipment needed for school operations (collectively, "a calamity"), the schools nevertheless must be in session with students in attendance for at least the minimum number of hours required by Ohio law.

The Superintendent is authorized to develop and implement a plan for a virtual education delivery model in order to make up hours in that school year on which it is necessary to close school due to disease, epidemic, hazardous weather conditions, law enforcement emergencies, inoperability of school buses or other equipment necessary to the school's operation, damage to a school building, or other temporary circumstances due to utility failure rendering the school building unfit for use.

Each plan will be designed to ensure a continuity of learning for students during a school closure and will include the following:

- A. a statement that the qualifying school, to the extent possible, will provide for teacher-directed synchronous learning in which the teacher and students are interacting in real-time on a virtual learning platform during the closure;
- B. a description of the District's attendance requirements, including how participation of students be tracked and documented and how the school will reach out to students to ensure engagement during a closure;
- C. a description of how equitable access to quality instruction will be ensured, including for vulnerable populations such as students with disabilities and English Learners;

- D. ~~the process that the District will use to notify staff, students, and parents that the school will be using online delivery of instruction;~~
- E. ~~information on how teachers may be contacted during the closure, including via email, telephone, and/or the District's designated online platforms;~~
- F. ~~a description of how the qualifying school will meet the technology-related needs of staff and students for online delivery of instruction;~~

~~The maximum number of hours that may be made up in this manner is the number of hours that are equivalent to three (3) school days.~~

~~[ ] The Superintendent is authorized to develop and implement a plan to require students to access and complete classroom lessons posted on the District's web portal or website in order to make up hours in that school year on which it is necessary to close school due to a calamity. The maximum number of hours that may be made up in this manner is the number of hours that are equivalent to three (3) school days.~~

The plan must include the written consent of the teachers' union and address all of the requirements set forth in R.C. 3313.482. ~~The plan may also include distribution of "blizzard bags" which are paper copies of the lessons posted online.~~ The plan must be approved by the Board by August 1st of each school year.

~~[ ] The school calendar and the number of hours of student instruction shall be consistent with the provisions of the collective bargaining agreements entered into between the Board of Education and its employees.~~

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R.C. 3313.602, 3313.48, 3313.62, 3313.63, 3317.01 (B), 3313.482

**Book** Neola Policy Templates for Catch Up  
**Section** Board Approved Policies 8000s  
**Title** SCHOOL DAY  
**Code** po8220  
**Status**  
**Adopted** November 9, 2009

**8220 - SCHOOL DAY**

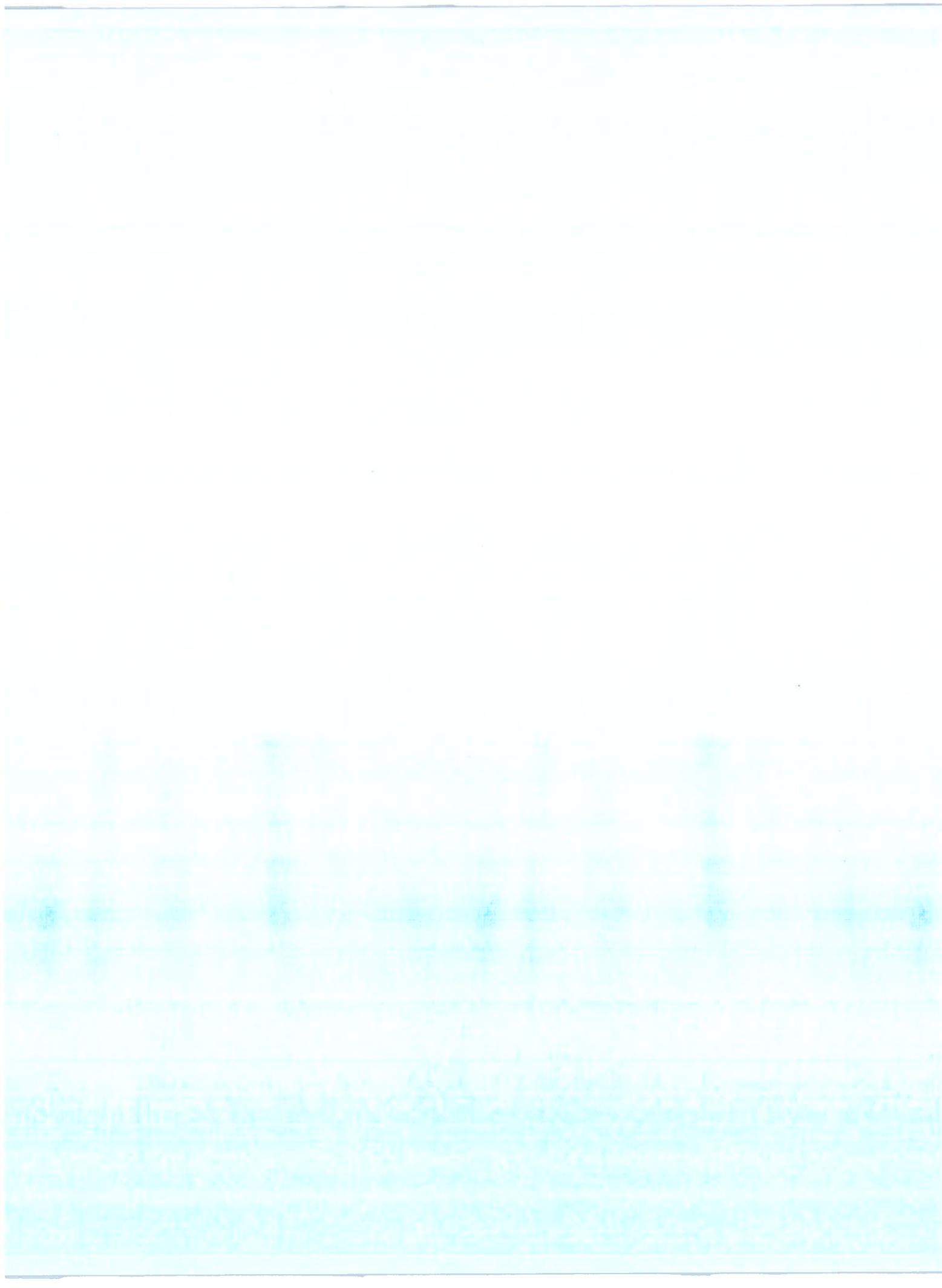
The Board of Education authorizes the school day to be arranged and scheduled by the administration. It is to offer the maximum education for the time spent within the limitations of school facilities and the laws and regulations of the State.

The Superintendent may close the schools, delay the opening of school, or dismiss school early when such alteration in the regular session is required for the protection of the health and safety of students and staff members. S/He shall prepare administrative guidelines for the proper and timely notification of concerned persons in the event of any emergency closing of the schools.

**§ ]** The Superintendent shall have the authority to determine which school-related activities may be conducted if the schools are closed for a period of time. S/He shall prepare appropriate guidelines for communication to students, parents, and others regarding the scheduling and the conduct of such activities.

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**Legal** R.C. 3313.48, 3317.01



Book Neola Policy Templates for Catch Up  
Section Board Approved Policies 8000s  
Title Vol. 41, No. 2 - Technology Update - January 2023 Revised INFORMATION SECURITY  
Code po8305  
Status

**Revised Policy - Vol. 41, No. 2**

**8305 - INFORMATION SECURITY**

The District collects, classifies, and retains data/information from and about students, staff, vendors/contractors, and other individuals, about programs and initiatives undertaken by the school system, and about and related to the business of the District. This data/information may be in hard copy or digital format and may be stored in the District or offsite with a third party provider.

as well as contractors, vendors, and their employees, ~~[[END OF OPTION]]~~ granted access to data/information retained by the District are required to certify annually that they shall comply with the established information security protocols pertaining to District data/information. Further, all individuals granted access to Confidential Data/Information retained by the District must certify annually that they will comply with the information security protocols pertaining to Confidential Data/Information. Completing the appropriate section of the Staff Technology Acceptable Use and Safety form ~~(Form 7540-04-F1)~~ shall provide this certification.

All Board members, staff members/employees, students, contractors/vendors, and visitors who have access to Board-owned or managed data/information must maintain the security of that data/information and the District Information & Technology Resources on which it is stored.

If an individual has any questions concerning whether this Policy and/or its related administrative guidelines apply to him/her/them or how they apply to him/her/them, the individual should contact the District's Technology Director or Information Technology Department/Office.

The Superintendent shall develop administrative guidelines that set forth the internal controls necessary to provide for the collection, classification, retention, access, and security of District Data/Information.

Further, the Superintendent is charged with developing procedures that can authorized to develop procedures that would be implemented in the event of an unauthorized release or breach of data/information. These procedures shall comply with the District's legal requirements if such a breach of personally-identifiable information occurs.

The Superintendent shall require staff members to participate in training related to the internal controls applicable to the participation of staff members in appropriate training related to the internal controls pertaining to the data/information that they collect and have access to, to which they have access, and for which they are would be responsible for the security protocols.

Third party contractors/vendors who require access to Confidential Data/Information collected and retained by the District will be informed of relevant Board policies that govern access to and use of Information & Technology Resources, including the duty to safeguard the confidentiality of such data/information.

Failure to adhere to this Policy and its related administrative guidelines may put data/information collected and retained by the District at risk. Employees who violate this policy and/or its related administrative guidelines may be disciplined, the administrative guidelines promulgated consistent with this policy may have disciplinary consequences imposed, up to and including termination of employment and/or referral to law enforcement. Students who violate this Policy and/or its related administrative guidelines will be disciplined, AGs will be subject to disciplinary action, up to and including expulsion and/or referral to law enforcement. (x) Contractors/vendors/vendors who violate this Policy and/or its related administrative guidelines AGs may face termination of their business relationships with and/or legal action by the District. ~~[[END OF OPTION]]~~ Parents and visitors who violate this Policy and/or its related administrative guidelines AGs may be denied access to the District's Information & Technology Resources.

~~The Superintendent shall conduct ( ) an annual ( ) a periodic [END OF OPTION] assessment of risk related to the access to and security of the data/information collected and retained by the District.~~

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Book                      Neola Policy Templates for Catch Up  
Section                    Board Approved Policies 8000s  
Title                        PUBLIC RECORDS  
Code                        po8310  
Status  
Adopted                    November 9, 2009

### 8310 - PUBLIC RECORDS

The Board of Education is responsible for maintaining the public records of this District and to make such records available to residents of Ohio for inspection and reproduction (  ) in strict adherence to the State's Public Records Act.

The Board will utilize the following procedures regarding the availability of public records. "Public records" are defined as any document, device, or item, regardless of physical form or characteristic, including an electronic record created or received by or coming under the jurisdiction of the Board or its employees, which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the District. "Electronic record" is defined as a record created, generated, sent, communicated, received, or stored by electronic means. "Public records" do not include medical records, documents containing genetic information, trial preparation records, confidential law enforcement investigatory records, records the release of which is prohibited by State or Federal law, and any other exceptions set forth in R.C. 149.43. Confidential law enforcement investigatory records, medical records, and trial preparation records are as defined in R.C. 149.43. No public records, including, but not limited to personnel records, personnel files, or staff directories or student records shall include the actual/confidential addresses of students, parents, or employees who are participating in the Safe at Home/Address Confidentiality Program administered by the Secretary of State. Such public records and student records shall only contain the address designated by the Secretary of State to serve as the student's, parent's or employee's address.

The District's public records shall be organized and maintained so that they are readily available for inspection and copying. As such, public records will be available for inspection during regular business hours, with the exception of published holidays. The District's public records shall be promptly prepared and made available for inspection. A reasonable period of time may be necessary due to the volume of records requested, the proximity of the location where the records are stored, and/or for the District to review and redact non-public/confidential information contained in the record. Upon request, a person may receive copies of public records, at cost, within a reasonable period of time.

Each request for public records shall be evaluated for a response at the time it is made. Although no specific language is required to make a request, the requester must minimally identify the record(s) requested with sufficient clarity to allow the District to identify, retrieve, and review the record(s). If a requestor makes an ambiguous or overly broad request or has difficulty in making a request for inspection or copies of public records such that the District's Record Officer cannot reasonably identify what public records are being requested, the District Record Officer or designee may deny the request but shall provide the requestor with an opportunity to revise the request by informing the requestor of the manner in which records are maintained by the District and accessed in the ordinary course of business. The request for records need not be in writing. The requestor shall not be required to provide his/her identity or the intended use of the requested public record(s).

At the time of the request, the records custodian shall inform the person making the request of the estimated length of time required to gather the records. All requests for public records shall be satisfied or acknowledged by the District promptly following the receipt of the request. If the request for records was in writing, the acknowledgement by the District shall also be in writing.

 1 Any request deemed significantly beyond routine, such as seeking a voluminous number of copies and/or records, or requiring extensive research, the acknowledgement shall include the following:

- A. an estimated number of business days necessary to satisfy the request
- B. an estimated cost if copies are requested

C. any items within the request that may be exempt from disclosure

~~[Note Contained in Ohio Attorney General Model Policy.]~~

The Superintendent is authorized to grant or refuse access to the records of this District in accordance with the law. Any denial, in whole or in part, of a public records request must include an explanation, including legal authority. If portions of a record are public and portions are exempt, the exempt portions are to be redacted and the rest released. If there are redactions, the requester must be notified of the redaction and/or the redaction must be plainly visible, and each redaction must be accompanied by a supporting explanation, including legal authority. If the request for records was in writing, the explanation shall also be in writing.

A person may obtain copies of the District's public records upon payment of a fee. A person who requests a copy of a public record may request to have said record duplicated on paper, on the same medium on which the District keeps the record, or on any other medium in which the custodian of records determines that said record reasonably can be duplicated as an integral part of normal operations. A person who requests a copy of a public record may choose to have that record sent to him/her by United States mail or by other means of delivery or transmission provided the person making the request pays in advance for said record as well as the costs for postage and the mailing supplies.

The number of records requested by a person that the District will transmit by U.S. mail shall be limited to ten (10) per month, unless the person certifies, in writing to the District, that the person does not intend to use or forward the requested records, or the information contained in them, for commercial purposes. "Commercial" shall be narrowly defined and does not include reporting or gathering news, reporting gathering information to assist citizen oversight or understanding of the operation or activities of the District, or nonprofit educational research. (R.C. 149.43(B)(7))

Those seeking public records will be charged only the actual cost of making copies.

The charge for paper copies is five cents (\$. 05 ) per page.

The charge for download computer files to a compact disk/USB is \$ 1.00 per disc/USB.

There is no charge for documents e-mailed.

Documents in electronic mail format are records as defined by the Ohio Revised Code when their content relates to the business of the District (i.e., they serve to document the organization, functions, policies, decisions, procedures, operations, or other activities of the District). E-mail shall be treated in the same fashion as records in other formats and shall follow the same retention schedule.

Records in private e-mail accounts are subject to disclosure if their content relates to public business, and all employees or representatives of the District are responsible for retaining e-mails that meet the definition of public records and copying them to their District e-mail account(s) and/or to the records custodian.

The records custodian shall treat such e-mail/records from private accounts as records of the District. These records shall be filed appropriately, retained in accordance with the established schedules, and made available for inspection and copying in accordance with the Public Records Act.

Private e-mail, electronic documents, and documents ("private records") that do not serve to document the District's organization, functions, policies, decisions, procedures, operations or other activities are not public records. Although private records do not fall under Policy 8310 or AG 8310A, they may fall under Policy 8315 - "Information Management" and/or AG 8315 - "Litigation Hold Procedure".

No public record may be removed from the office in which it is maintained except by a Board officer or employee in the course of the performance of his/her duties.

Nothing in this policy shall be construed as preventing a Board member, in the performance of his/her official duties, from inspecting any record of this District, except student records and certain confidential portions of personnel records.

A School District Records Commission shall be established consisting of the Board President, Treasurer, and Superintendent of Schools in accordance with law to judge the advisability of destroying District records. Record retention schedules shall be updated regularly and posted prominently. The Commission shall meet at least once every twelve (12) months.

The Superintendent shall provide for the inspection, reproduction, and release of public records in accordance with this policy and with the Public Records Law. Administrative guidelines shall be developed to provide guidance to District employees in responding to public records requests. The Superintendent shall require the posting and distribution of this policy in accordance with statute.

**Legal**

**R.C. 9.01, 102.03(B), 111.41, 111.42, 111.43, 111.46, 111.47, 111.99**

**R.C. 149.011, 149.41, 149.43, 1306.01, 1347 et seq., 3313.26**

**R.C.3319.32, 3319.321**

**20 U.S.C. 1232g**

**42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act**

**29 C.F.R. Part 1635**



Book Neola Policy Templates for Catch Up  
Section Board Approved Policies 8000s  
Title Vol. 41, No. 2 - Technology Update - January 2023 Revised INFORMATION MANAGEMENT  
Code po8315  
Status  
Adopted November 9, 2009

**Revised Policy - Vol. 41, No. 2**

**8315 - INFORMATION MANAGEMENT**

The Board of Education recognizes its responsibility, in certain circumstances, to maintain information created, maintained, or otherwise stored by the District outside the 'Records Retention Schedule' in AG 8310A. In such situations, a 'Litigation Hold' procedure will be ~~used~~ utilized to identify and preserve information relevant to a specific matter. 'Information' includes both paper documents and electronically stored information ('ESI'). When implementing the 'Litigation Hold,' the District will identify individuals in possession or custody of paper documents, ESI, and electronic media containing ESI, and inform them of their obligation to preserve the documents and ESI outside the 'Records Retention Schedule' in AG 8310A. The District will also identify third parties with custody or control over paper documents, ESI, or electronic media storing ESI, and request them to preserve that information. All information falling within a 'Litigation Hold,' which is under the control of the District, must be preserved in a readily accessible form and cannot be disposed of under the 'Records Retention and Disposal' requirements of AG 8310E. Failure to comply with a Litigation Hold notice (x) may result in ~~disciplinary action~~ discipline, up to and including possible termination.

Instances where the Board must maintain information outside the 'Records Retention Schedule' in AG 8310A include:

- A. when the Board has specific information and/or written notice from ~~a parent/guardian, student, or person representing the parent/guardian or student~~ an individual, parent or student of an intent to file an appeal of student discipline to State court;
- B. when the Board has specific information and/or written notice that litigation is imminent even though the litigation has not yet been filed in Federal or State court;
- C. when the Board is served with litigation including, but not limited to, notice of a lawsuit in Federal or State court, or notice of a student disciplinary appeal to State court;
- D. when the Board receives specific information and/or written notification from an employee, labor union, or other person of an intent to file a claim against the Board, its members, employees, or agents at an administrative agency such as the Equal Employment Opportunity Commission, Ohio Civil Rights Commission, State Employment Relations Board, U.S. Department of Education Office for Civil Rights, ~~Ohio Department of Education Office for Exceptional Children or Office of Professional Conduct~~, State Personnel Board of Review, or a Civil Service Commission regarding a claim against the Board, its members, employees, or agents;
- E. when the Board receives specific information and/or written notification from an administrative agency such as the Equal Employment Opportunity Commission, Ohio Civil Rights Commission, State Employment Relations Board, U.S. Department of Education Office for Civil Rights, ~~Ohio Department of Education Office for Exceptional Children or Office of Professional Conduct~~, State Personnel Board of Review, or a Civil Service Commission regarding a claim ~~filed~~ against the Board, its members, employees, or agents;
- F. when the Board receives written notification from a third party requesting that the Board maintain information that could be at issue in litigation or potential litigation ~~involving~~ against that third party;
- G. when the Superintendent recommends the termination of an employee to the Board pursuant to R.C. 3319.16 and R.C. 3319.081, R.C. Chapter 124, or a labor contract;

H. when the Board explores, contemplates, or initiates litigation.

## Definitions

'Documents' includes, but is not limited to, writings, drawings, graphs, charts, photographs, blueprints, sound/ ~~audio recordings, images, video recordings, recordings, images~~ and other data or data compilations stored in any medium from which information can be obtained or translated if necessary.

'ESI' means any type of information that is created, used, and stored in digital form and accessible by digital means. It includes all data, digital documents or files, or other information contained on any media type (e.g., tape, hard disk drive, cloud storage, or some yet to be created storage technology). Specifically, it includes, but is not limited to, writings, drawings, graphs, charts, photographs, blueprints, sound/audio recordings, images, video recordings, and other data or data compilations stored in any electronic media from which information can be obtained or translated if necessary. Examples include: e-mails and their attachments, text and instant messages, communications conducted in ephemeral messaging applications or in workplace collaboration tools, word processing documents, spreadsheets, digital photographs/pictures, videos, application programs and data files, data/information stored in databases, data files, metadata, system files, electronic calendar appointments, scheduling program files, digital scans (including TIFF files), PDF files, MPG files, JPG files, GIF files, network share files, internal websites, external websites, newsgroups, directories, security and access information, legacy data, audio recordings, voicemails, phone/call logs, faxes, internet/browser histories, caches, cookies, or logs of activity on computer systems (whether internal to the District or external) that may have been used to process or store electronic data. ESI also includes data/information from cloud applications (e.g., educational or operational apps/services), electronic records of online activity (e.g., social media postings), and data generated or stored by devices connected to the Internet of Things (IoT).

~~'ESI' includes, but is not limited to, writings, drawings, graphs, charts, photographs, blueprints, sound recordings, images and other data or data compilations stored in any electronic media from which information can be obtained or translated if necessary. It includes, but is not limited to, e-mails, e-mail attachments, instant messages, word processing files, spreadsheets, pictures, application program and data files, databases, data files, metadata, system files, electronic calendar appointments, scheduling program files, TIFF files, PDF files, MPG files, JPG files, GIF files, network share files, internal websites, external websites, newsgroups, directories, security and access information, legacy data, audio recordings, voice mails, phone logs, faxes, internet histories, caches, cookies or logs of activity on computer systems that may have been used to process or store electronic data.~~

'Electronic media' includes, but is not limited to, ~~computer~~ hard drives (including portable hard disk drives 'HDD's'), floppy drives, disaster recovery media, and storage media (including DVD's, CD's, floppy discs, Zip discs/drives, Jazz discs/drives, USB memory drives, jump disc/drives, flash discs/drives, keychain discs/drives, thumb discs/drives, smart cards, microfilm, backup tapes, cassette tapes, cartridges, etc.) accessed, used, and/or stored on/in/through the following locations: networks and servers, whether internal or external (including the cloud); laptop and desktop work computers; home and personal computers; other computer systems; databases; backup computers or servers, whether internal or external (including cloud storage); archives; mobile devices (e.g., mobile/cellular phones and tablet computers, personal digital assistants ('PDAs' - including Palm, Blackberry), etc.); pagers; firewalls; audit trails and logs, printers; copiers; scanners; digital cameras; photographic devices; and video cameras and devices. Electronic media also includes social media websites (e.g., Facebook, Twitter, LinkedIn) and any item containing or maintaining ESI that is obtained by the District for Board member or employee usage or that an employee uses for such purpose (even if privately owned by the Board member or employee) from the date this policy was first adopted into the future.; ~~laptop and desktop work computers; home and personal computers; other computer systems; backup computers or servers; archives; personal digital assistants ('PDAs' - including Palm, Blackberry, cellular phone, tablet PC, etc.); pagers; firewalls; audit trails and logs; printers; copiers; scanners; digital cameras; photographic devices; and video cameras and devices. Electronic media shall also include any item containing or maintaining ESI that is obtained by the District for Board member or employee usage or that an employee uses for such purpose (even if privately owned by the Board member or employee) from the date this policy is adopted into the future.~~

## Initiation and Removal of a 'Litigation Hold'

The Board or the Superintendent may initiate a 'Litigation Hold' under this policy. If the Superintendent initiates a 'Litigation Hold,' ~~with the Superintendent~~ or the Board's legal counsel will notify the Board of the reason the Litigation Hold was instituted and its scope. When implementing a Litigation Hold, the Board or Superintendent ( x ) may utilize an Electronically Stored Information Team ('ESI Team'). The Board's legal counsel shall be involved in the implementation of the 'Litigation Hold Procedure' outlined in AG 8315.

A 'Litigation Hold' shall remain in place until removed/~~withdrawn~~ by the Board. A 'Litigation Hold' may be removed when the litigation or administrative agency matter has been resolved or can no longer be initiated. Any information maintained under this policy shall fall back under the 'Records Retention Schedule' in AG 8310A once the 'Litigation Hold' is removed/~~withdrawn~~.

The Superintendent shall develop administrative guidelines outlining the procedures to be followed by Board members and employees when initiating and implementing a 'Litigation Hold.' This policy and its related administrative guidelines shall be posted and distributed in the manner described in AG 8315.

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F.R.C.P. 34, 37(f)

O.R.C.P. 34, 37(F)



Book                      Neola Policy Templates for Catch Up  
Section                    Board Approved Policies 8000s  
Title                        PERSONNEL FILES  
Code                        po8320  
Status  
Adopted                    November 9, 2009

**8320 - PERSONNEL FILES**

It is necessary for the orderly operation of the School District to prepare a personal information system for the retention of appropriate files bearing upon an employee's duties and responsibilities to the District and the District's responsibilities to the employee.

The Board of Education requires that accurate, necessary, and relevant records exist concerning an employee's qualifications for the job held, compliance with Federal, State, and local benefit programs, conformance with District rules, and job performance including, but not limited to, completed evaluations of the employee. Such records will be kept in compliance with the laws of the State of Ohio.

The Board delegates the maintenance of an employee personal information system to the ~~( ) Superintendent ( ) Business Manager ( ) Assistant Superintendent for Personnel ( )~~ **[END OF OPTIONS]**.

A single central file shall be maintained, and subsidiary records shall be maintained for ease in data gathering only.

Employees asked to supply information for a personnel file shall be informed whether the requested information is legally required. If it is not, the employee may decline to supply the information.

~~[ ] Only that information which pertains to the professional role of the employee may be placed in an employee's official record file by duly authorized Board personnel.~~

~~[ ] A copy of each such entry shall be given to the employee upon request.~~

~~[ ] A copying cost will be charged for each copy given to the employee at the employee's request at the rate determined by the \_\_\_\_\_.~~

] The employee shall have access to their file upon request.

Personnel records are predominantly public records and to that extent must be made available for inspection and copying in accordance with State and Federal laws pertaining to same. In accordance with the Federal Privacy Act and case law, the Board shall refrain from disclosing an employee's social security number when releasing personnel records. Further, if an employee presents to the District a valid confidentiality program authorization issued by the Secretary of State certifying that the employee is a participant in the Safe at Home/Address Confidentiality Program, the Board shall refrain from including the employee's actual/confidential residential address in any personnel records, personnel files, or staff directories (including electronic records and files) or disclosing the employee's actual/confidential residential address when releasing personnel records. The Board shall only list the address designated by the Secretary of State to serve as the employee's address in any personnel records, personnel files, or staff directories. Further, the Board shall use the employee's designated address for any and all communications and correspondence between the Board and the employee. The employee's actual/confidential residential address shall be maintained in a separate confidential file that is not accessible to the public or any employees without a legitimate purpose. Additionally, if applicable, the employee's school, institution of higher education, business, or other place of employment (as specified on an application to be a program participant or on a notice of change of name or address) shall be maintained in a confidential manner. The intentional disclosure of an employee's actual/confidential residential address is prohibited. Any violations could result in disciplinary action or criminal prosecution.

Personnel records shall be monitored regularly to assure compliance with this policy and the law. Records deemed no longer accurate, relevant, or necessary under this policy may be submitted to the District Records Commission for disposal in accordance with law.

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R.C. 111.41, 111.42, 111.43, 111.46, 111.47, 111.99

R.C. 149.41, 149.43, 1347 et seq.

Federal Privacy Act, 5 U.S.C. Section 552a note

State ex rel. Beacon Journal Publishing Company v. City of Akron (1994)

70 Ohio St. 3d, 640 N.E. 2d 164

<b>Book</b>	Neola Policy Templates for Catch Up
<b>Section</b>	Board Approved Policies 8000s
<b>Title</b>	PERSONAL INFORMATION SYSTEMS
<b>Code</b>	po8320.01
<b>Status</b>	
<b>Adopted</b>	November 9, 2009
<b>Last Revised</b>	September 10, 2012

#### **8320.01 - PERSONAL INFORMATION SYSTEMS**

The Board of Education maintains a personal information ("PI") system and shall do so in accordance with the provisions of R.C. Chapter 1347. The Board is committed to only collecting, maintaining, and using the personal information that is necessary and relevant to it carrying out the effective operation of the District. All personal information maintained in the PI system shall be used in a lawful manner for legitimate purposes consistent with the functions of the District.

Personal information is defined as "any information that describes anything about a person, or that indicates actions done by or to a person, or that indicates that a person possesses certain personal characteristics, and that contains, and can be retrieved from a system by, a name, identifying number, symbol, or other identifier assigned to a person."

The Superintendent is directly responsible for the operation of the PI system, including preparing and implementing rules that provide for the operation of the information system. All employees responsible for collecting, maintaining, and/or utilizing personal information maintained in the PI system shall be provided a copy of any rules that are promulgated and trained in how to comply with them and the provisions of the law.

The Board shall discipline any employee or student who engages in the unauthorized use or release of the personal information contained in the PI system. In addition, the Board shall discipline any employee who initiates or otherwise contributes to any disciplinary or other punitive action against any individual who brings to the attention of appropriate authorities, the press, or any member of the public, evidence of unauthorized use of information contained in the PI system. Disciplinary action shall be taken consistent with State and Federal law and any applicable collective bargaining agreements, and may include action up to and including termination.

Whenever a person is requested to supply personal information that will be maintained in the PI system, the person will be informed whether s/he is legally required to provide the personal information. If the person is not legally required to provide the personal information, s/he may refuse to supply the information and no adverse consequences will be imposed as a result of the refusal.

The Board shall take reasonable precautions to protect personal information maintained in the information system from unauthorized modification, destruction, use, or disclosure. The Board shall eliminate personal information from the PI system when it is no longer necessary and relevant to the District carrying out its functions.

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<b>Legal</b>	R.C. 1347.05
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Book                      Neola Policy Templates for Catch Up  
Section                    Board Approved Policies 8000s  
Title                      RECEIPT OF LEGAL DOCUMENTS  
Code                      po8325  
Status

## 8325 - RECEIPT OF LEGAL DOCUMENTS

### Service of Process on the Board of Education

In suits against the Board, only the Board President, Superintendent, or Treasurer accepts service on behalf of the Board.

### Service of Legal Documents on Board Employees

Board employees may be served with legal documents (1) requesting not only public records (such as employees' personnel files), but also student education records and other documents and electronically stored information maintained by the District, or (2) directing them to testify at a deposition or hearing concerning issues that fall within the employees' employment responsibilities.

An employee served with legal documents in his/her official capacity as a Board employee shall immediately provide copies of those legal documents to his/her Principal or site administrator.

**[ ]** The Principal or site administrator shall immediately furnish copies to

the Superintendent,

the Board attorney,

the staff attorney,

and shall follow his/her directives.

Generally, confidential personnel records, student records, or personal observations or opinions about student behavior/academic performance do not have to be disclosed. The law makes an exception for a subpoena or court order.

Board policy requires the Principal or a site administrator to release only the documents specifically identified in the subpoena or order. In circumstances where, in responding to a subpoena or order, information is developed or summarized from the student's education records, a copy of that information and a statement of the purpose for which it was prepared shall be filed in the student's cumulative folder.

**[ ]** If doing so is in the Board's best interest, the Principal or site administrator or Board attorney ~~shall~~ **may** accompany the employee to the deposition or hearing.

### Actions Against the Board

In actions against the Board, it is not unusual for Board employees to be served with subpoenas and/or called as witnesses. Board legal counsel and the Superintendent will assist Board employees in these matters.

### Independent Legal Counsel

This policy does not prohibit Board employees from consulting with their own independent legal counsel, but they are prohibited from discussing or releasing student personally identifiable information to a third party except as expressly authorized by Board Policy 8330.



Book	Neola Policy Templates for Catch Up
Section	Board Approved Policies 8000s
Title	Vol. 42, No. 1 - August 2023 Revised STUDENT RECORDS
Code	po8330
Status	
Adopted	November 9, 2009
Last Revised	May 18, 2017

**Revised Policy - Vol. 42, No. 1**

**8330 - 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.

Student personally identifiable information (PII) includes, but is not limited to: the student's name; the name of the student's parent or other family members; the address of the student or student's family; a personal identifier, such as the student's social security number, student number, or biometric record; other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name; other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or information requested by a person who the District reasonably believes knows the identity of the student to whom the education record relates.

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 who have a legitimate educational interest in the information, or 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); and a person serving on the Board. The Board further designates the following individuals and entities as school officials for the purpose of FERPA:

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

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

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

Legitimate educational interest is defined as a direct or delegated responsibility for helping the student achieve one (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 directs that reasonable and appropriate methods (including, but not limited to, physical and/or technological access controls) are utilized to control access to student records and to make certain that school officials obtain access to only those education records in which they have legitimate educational interest.

The Board authorizes the administration to:

- A. forward student records, including **academic records, student assessment data, and disciplinary records including records pertaining to suspensions and expulsions,** ~~disciplinary records with respect to suspensions and expulsions,~~ 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, **or alternatively send written notice to the requesting school if there is no record of the student's attendance. Records will be released** upon condition that:
  1. a reasonable attempt is made to notify the student's parent or eligible student of the transfer (unless the disclosure is initiated by the parent or eligible student; **there is no record of the student having attended school in the District** or the Board's annual notification - Form 8330 F9 - includes a notice that the Board will forward education records to other agencies or institutions that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer);
  2. **within five (5) school days after receiving the request, either the student records shall be transmitted or a written notice will be provided if there is no record of the student's attendance;**
  3. **except as when expressly prohibited by law, the District is authorized to withhold grades and credits to enforce payment of outstanding fees and charges, and further, may withhold all of a student's school records if there is \$2,500 or more of outstanding debt attributed to the student, and will only release the records once the debt has been paid;**
  4. the parent or eligible student, upon request, receives a copy of the record; and
  5. the parent or eligible student, upon request, has an opportunity for a hearing to challenge the content of the record;
- B. forward student records, including disciplinary records **including records pertaining** ~~with respect~~ to suspensions and expulsions, upon request to a juvenile detention facility in which the student has been placed, or a juvenile court that has taken jurisdiction of the student;
- C. forward student records, including disciplinary records **including records pertaining** ~~with respect~~ to suspensions and expulsions, upon request to a public school or school district in which a student in foster care is enrolled;  
Such records shall be transferred within one (1) school day of the enrolling school's request.
- D. provide personally-identifiable information to appropriate parties, including parents of an eligible student, whose knowledge of the information is necessary to protect the health or safety of the student or other individuals, if there is an articulable and significant threat to the health or safety of a student or other individuals, considering the totality of the circumstances;
- E. report a crime committed by a child to appropriate authorities, and with respect to reporting a crime committed by a student with a disability, to transmit copies of the student's special education and disciplinary records to the authorities for their consideration;
- F. release de-identified records and information in accordance with Federal regulations;

- G. disclose personally identifiable information from education records, without consent, to organizations conducting studies for, or on behalf of, the District for purposes of developing, validating or administering predictive tests, administering student aid programs, or improving instruction;

Information disclosed under this exception must be protected so that students and parents cannot be personally identified by anyone other than a representative of the organization conducting the study, and must be destroyed when no longer needed for the study. In order to release information under this provision, the District will enter into a written agreement with the recipient organization that specifies the purpose of the study. (See Form 8330 F14) Further, the following personally identifiable information will not be disclosed to any entity: a student or the student's family member's social security number(s); religion; political party affiliation; voting history; or biometric information.

~~{Districts without AGs should include the following paragraph}~~ This written agreement must include: (1) specification of the purpose, scope, duration of the study, and the information to be disclosed; (2) a statement requiring the organization to use the personally identifiable information only to meet the purpose of the study; (3) a statement requiring the organization to prohibit personal identification of parents and students by anyone other than a representative of the organization with legitimate interests; and (4) a requirement that the organization destroy all personally identifiable information when it is no longer needed for the study, along with a specific time period in which the information must be destroyed.

While the disclosure of personally identifiable information (other than social security numbers, religion, political party affiliation, voting record, or biometric information) is allowed under this exception, it is recommended that de-identified information be used whenever possible. This reduces the risk of unauthorized disclosure.

- H. disclose personally identifiable information from education records without consent, to authorized representatives of the Comptroller General, the Attorney General, and the Secretary of Education, as well as State and local educational authorities;

The disclosed records must be used to audit or evaluate a Federal or State-supported education program or to enforce or comply with Federal requirements related to those education programs. A written agreement between the parties is required under this exception. (See Form 8330 F16)

~~{Option A—the following sentence should be selected by districts with AGs}~~ The District will verify that the authorized representative complies with FERPA regulations.

~~{Option B—the following two (2) paragraphs should be selected by districts without AGs}~~ This written agreement must include: (1) designation of the receiving entity as an authorized representative; (2) specification of the information to be disclosed; (3) specification that the purpose of the disclosure is to carry out an audit or evaluation of a government-supported educational program or to enforce or comply with the program's legal requirements; (4) a summary of the activity that includes a description of methodology and an explanation of why personally identifiable information is necessary to accomplish the activity; (5) a statement requiring the organization to destroy all personally identifiable information when it is no longer needed for the study, along with a specific time period in which the information must be destroyed; and (6) a statement of policies and procedures that will protect personally identifiable information from further disclosure or unauthorized use.

Under the audit exception, the District will use reasonable methods to verify that the authorized representative complies with FERPA regulations. Specifically, the District will verify, to the greatest extent practical, that the personally identifiable information is used only for the audit, evaluation, or enforcement of a government-supported educational program. The District will also ascertain the legitimacy of the audit or evaluation and will only disclose the specific records that the authorized representative needs. Further, the District will require the authorized representative to use the records only for the specified purpose and not to disclose the information any further, such as for another audit or evaluation. Finally, the District will verify that the information is destroyed when no longer needed for the audit, evaluation, or compliance activity.

- I. 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 or within such shorter period as may be applicable to students with disabilities. 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 education 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 (if required).

Only directory information regarding a student shall be released to any person or party, other than the student or the student's 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.

## DIRECTORY INFORMATION

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

~~[The following option should be selected if the Board assigns school email accounts to students per Policy 7540.03. This option is provided to address potential confidentiality issues presented by Policy 7540.03 and is supported by Federal FERPA regulation 34 C.F.R. 99.37(d). R.C. 3319.321, however, does not identify student email addresses as directory information.]~~

] The Board designates school-assigned e-mail accounts as directory information for the limited purpose of facilitating students' registration for access to various online educational services, including mobile applications/apps that will be utilized by the student for educational purposes ( ) and for inclusion in internal e-mail address books.

School-assigned e-mail accounts shall not be released as directory information beyond this/these limited purpose(s) and to any person or entity but the specific online educational service provider ( ) and internal users of the District's Education Technology ~~[END OF OPTION]~~.

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 thirty (30) days after receipt of the Superintendent's annual public notice.

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

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

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

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

## INSPECTION OF INFORMATION COLLECTION INSTRUMENT

The parent of a student or an eligible student has the right to inspect upon request any instrument used in the collection of personal information before the instrument is administered or distributed to a student. Personal information for this section is defined as individually identifiable information including a student's or parent's first and last name, a home or other physical address (including street name and the name of the city or town), a telephone number, or a Social Security identification number. In order to review the instrument, the parent or eligible student must submit a written request to the building principal at least ten (10) business days before the scheduled date of the activity. The instrument will be provided to the parent or eligible student within five (5) business days of the principal receiving the request.

The Superintendent shall directly notify the parent(s) of a student and eligible students, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when such activities are scheduled or expected to be scheduled.

This section does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:

- A. college or other postsecondary education recruitment, or military recruitment
- B. book clubs, magazines, and programs providing access to low-cost literary products
- C. curriculum and instructional materials used by elementary and secondary schools
- D. tests and assessments used by elementary and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments
- E. the sale by students of products or services to raise funds for school-related or education-related activities
- F. student recognition programs

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

- A. inspect and review the student's education records;
- B. request amendments if the parent believes the record is inaccurate, misleading, or violates the student's privacy rights;
- C. consent to disclosures of personally identifiable information contained in the student's education records, except to those disclosures allowed by the law;
- D. challenge Board noncompliance with a parent's request to amend the records through a hearing;
- E. file a complaint with the United States Department of Education;
- F. obtain a copy of the Board's policy and administrative guidelines on student records.

The Superintendent shall also develop procedural guidelines for:

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

The Board authorizes the use of the microfilm process or electromagnetic processes of reproduction 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.

Any entity receiving personally identifiable information pursuant to a study, audit, evaluation, or enforcement/compliance activity must comply with all FERPA regulations. Further, such an entity must enter into a written contract with the Board of Education delineating its responsibilities in safeguarding the disclosed information. Specifically, the entity must demonstrate the existence of a sound data security plan or data stewardship program, and must also provide assurances that the personally identifiable information will not be redisclosed without prior authorization from the Board. Further, the entity conducting the study, audit, evaluation, or enforcement/compliance activity is required to destroy the disclosed information once it is no longer needed or when the timeframe for the activity has ended, as specified in its written agreement with the Board of Education. See Form 8330 F14 and Form 8330 F16 for additional contract requirements.

#### **SAFE AT HOME/ADDRESS CONFIDENTIALITY PROGRAM**

If a parent (or adult student) presents to the District a valid program authorization card issued by the Secretary of State certifying that the parent (or adult student), the parent's child, or a member of the parent's household is a participant in the Safe at Home/Address Confidentiality Program, the Board shall refrain from including the student's actual/confidential residential address in any student records or files (including electronic records and files) or disclosing the student's actual/confidential residential address when releasing student records. Since student records are available to non-custodial parents, designated school officials who have a legitimate educational interest in the information, and other individuals or

organizations as permitted by law (including the public in some situations), the Board shall only list the address designated by the Secretary of State to serve as the student's address in any student records or files, including electronic records and files. Further, the Board shall use the student's designated address for any and all communications and correspondence between the Board and the parent(s) of the student (or adult student). The student's actual/confidential residential address shall be maintained in a separate confidential file that is not accessible to the public or any employees without a legitimate purpose.

Although the student's actual/confidential address will not be available for release as directory information, the parent (or adult student) may also request that the student's name and telephone number be withheld from any release of directory information. Additionally, if applicable, the student's parent's school, institution of higher education, business, or place of employment (as specified on an application to be a program participant or on a notice of change of name or address) shall be maintained in a confidential manner.

If a non-custodial parent presents a subpoena or court order stating that the non-custodial parent should be provided with copies or access to a student's records, the District will redact the student's confidential address and telephone number from the student's records before complying with the order or subpoena. The District will also notify the custodial/residential parent of the release of student records in accordance with the order or subpoena.

The intentional disclosure of a student's actual/confidential residential address is prohibited. Any violations could result in disciplinary action or criminal prosecution.

R.C. 9.01, 111.41, 111.42, 111.43, 111.46, 111.47, 111.99

R.C. 149.41, 149.43, 1347 et seq., 3313.33, 3313.642, 3313.672, 3319.321, 3319.324

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 Improvement Act

20 U.S.C. 7165(b)

20 U.S.C. 7908

2021 Solomon Amendment: Subtitle C- General Service Authorities and Correction of Military Records SEC. 521

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R.C. 9.01, 111.41, 111.42, 111.43, 111.46, 111.47, 111.99

R.C. 149.41, 149.43, 1347 et seq., 3313.33, 3313.642, 3313.672, 3319.321, 3319.324

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 Improvement Act

20 U.S.C. 7165(b)

20 U.S.C. 7908

2021 Solomon Amendment: Subtitle C- General Service Authorities and Correction of Military Records SEC. 521

**Book** Neola Policy Templates for Catch Up  
**Section** Board Approved Policies 8000s  
**Title** LETTERS OF REFERENCE  
**Code** po8340  
**Status**

#### **8340 - LETTERS OF REFERENCE**

The Board of Education recognizes that an employee or former employee's request to an administrator for a letter of reference is an opportunity to share information about the staff member's performance with a prospective employer or other interested party. A current or former employee shall have no expectation that a letter of reference will be written upon request. The decision to comply with such a request shall be solely at the discretion of the administrator.

If an administrator opts, however, to prepare a reference letter, the Board expects that administrator to provide specific and truthful comments concerning the employee or former employee's actual performance that can be substantiated by the administrator's personal knowledge and/or the individual's personnel file.

In accordance with law, an administrator who, in the scope of his/her employment, provides a letter of reference or employment reference may be entitled to a qualified privilege for statements included in that reference letter, provided such statements were made in good faith, without malice, and in accordance with this policy.

All District employees, including but not limited to an administrator who prepares a letter of reference or provides an employment reference pursuant to this policy, are prohibited from assisting a District employee, contractor or agent in obtaining a new job if s/he knows or has reasonable cause to believe that such District employee, contractor or agent engaged in sexual misconduct regarding a minor or student in violation of State or Federal law. "Assisting" does not include the routine transmission of administrative and personnel files. The only exceptions permitted are those authorized by the Every Student Succeeds Act, such as where the matter has been investigated by law enforcement and the matter was officially closed due to lack of probable cause or where the individual was acquitted or otherwise exonerated of the alleged misconduct.

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**Legal** Section 8546 of the Every Student Succeeds Act (ESSA)



Book                      Neola Policy Templates for Catch Up  
Section                    Board Approved Policies 8000s  
Title                        CONFIDENTIALITY  
Code                        po8350  
Status  
Adopted                    November 9, 2009

**8350 - CONFIDENTIALITY**

State and Federal law requires that student education records be maintained as confidential. See Policy 8330. State law further exempts certain information and records from public disclosure. See Policy 8310. As such, the Board of Education is obligated to take appropriate steps to maintain certain information and records as confidential. Individuals who have access to student education records may not remove them from Board property without express permission from their building principal or supervisor. An individual authorized to remove student education records from school property is responsible for the safety and security of the records and for returning them to the district intact. Confidential information and records may not be disclosed except as authorized by Board policy and administrative guidelines. Individuals who have access to confidential information and records while employed by the Board are reminded that their legal obligation to maintain such confidences extends beyond their term of employment in the District and they are prohibited from releasing, disclosing or otherwise disseminating confidential information or records subsequent to leaving the Board's employ. The Board directs the Superintendent to prepare guidelines concerning Board employees' duties to maintain certain information and records as confidential.

It is further the policy of the Board of Education that when the District receives in trust from a public agency information identified as confidential (whether such information is confidential by Ohio Law, Common Law Privilege, Case Law, or Federal Law), the Board will maintain the confidentiality of said information to the maximum extent permitted by the law.

The following portion of this policy applies **only** to identified confidential information received from a public agency.

In order to prohibit the unauthorized disclosure of information identified as confidential by the sending public agency, the Board may seek to obtain court protection by:

- A. denying requests for release of such information absent subpoena or court order;
- B. pursuing motions to quash or protective orders to prohibit unauthorized disclosure.

When possible, the Board will attempt to notify the sending public agency of the request for release of such information prior to complying with the request.

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Book                      Neola Policy Templates for Catch Up  
Section                    Board Approved Policies 8000s  
Title                       SECURITY BREACH OF CONFIDENTIAL DATABASES  
Code                        po8351  
Status  
Adopted                    November 9, 2009

### **8351 - SECURITY BREACH OF CONFIDENTIAL DATABASES**

It is the policy of the Board of Education that when unauthorized access or acquisition of data occurs, which would compromise the confidentiality or security of personal information maintained by the District on a database, the District will take appropriate action to assess the risk, and notify the affected individuals in accordance with law.

#### **Scope**

This policy applies to any security breach involving employees, consultants, vendors, contractors, outside agencies and employees of such agencies, and any other parties having a business relationship with the District and handling personal information on the District's behalf. It is expected that those offices, individuals or entities operating, maintaining, and using databases containing personal information will effectively control access to the databases to protect against unauthorized access, acquisition, modification, use, or disclosure of personal information.

¶ ] In order to better protect personal information and facilitate the investigation of incidents of unauthorized access, employees shall not store personal information on a personal computer, server, or other data storage equipment not owned or maintained by the District.

#### **Security Breach and Personal Information - Definitions**

A "security breach" means the unauthorized access to and acquisition of computerized data that compromises the security or confidentiality of personal information owned or licensed by the District and that:

- A. causes a material risk of identity theft or other fraud to the person or property of a resident of the State;
- B. reasonably is believed to have caused a material risk of identity theft or other fraud to the person or property of a resident of the State; or
- C. reasonably is believed will cause a material risk of identity theft or other fraud to the person or property of a resident of the State.

Unauthorized access of information will not be considered a security breach if:

- A. the employee or agent acted in good faith in accessing the data;
- B. the access was related to the activities of the District or the employee's or agent's job-related duties; and
- C. the employee or agent did not use the personal information for an unlawful purpose or subject the information to further unauthorized disclosure.

Also, the acquisition of personal information pursuant to a search warrant, subpoena, or other court order, or pursuant subpoena, order, or duty of a regulatory State agency, will not be considered a security breach.

For purposes of this policy, personal information means an individual's name, consisting of the individual's first name or first initial and last name, in combination with and linked to any of or more of the following (when the information is not encrypted, redacted, or altered by a method or technology in such a manner that the information is effectively obscured or unreadable):

A. Social Security number;

B. driver's license number or State identification card number; and/or

C. account number or credit or debit card number, in combination with and linked to any required security code, access code, or password that would permit access to an individual's financial account.

**Discovery of Security Breach and Notification**

If an employee suspects, discovers, and/or determines that a security breach has occurred, the employee shall promptly notify his/her immediate supervisor and the Superintendent, in writing.

The Superintendent shall determine and implement the steps necessary to correct the unauthorized access and requirements for notifying those individuals whose personal information may have been compromised.

The Superintendent shall develop and implement administrative guidelines related to this policy.

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R.C. 1347.12

Book	Neola Policy Templates for Catch Up
Section	Board Approved Policies 8000s
Title	Vol. 41, No. 2 - January 2023 Revised ANIMALS ON DISTRICT PROPERTY
Code	po8390
Status	
Adopted	April 10, 2014
Last Revised	January 19, 2017

### **Revised Policy - Vol. 41, No. 2**

~~{DRAFTING NOTE: Optional language regarding therapy/comfort animals is included in this template. Note: Neola does not recommend including such animals, due the liabilities and complexities of such authorization. However, given the widespread nature of such practice, optional language providing structure to such approval is offered for use at the discretion of client districts. It is strongly recommended that such action be thoroughly explored with the district's legal counsel and approval sought from the Board.}~~

### **8390 - ANIMALS ON DISTRICT PROPERTY**

#### **Introduction**

The Board of Education recognizes that there are many occasions when animals are present on District property and many reasons for those animals' presence. Animals are commonly utilized by teachers during classroom presentations and are often housed in classrooms and other locations on campus. Additionally, employees, students, parents, vendors, and other members of the public may be accompanied at school by a service animal in accordance with Federal and State law and this policy.

This policy applies to all animals on District property, including service animals.

#### **Definitions**

- A. **'Animal'**: includes any living creature that is not a human being.
- B. **'Service animal'**: pursuant to 28 C.F.R. Section ~~36.104-35.104~~, 'means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.'

The Americans with Disabilities Act (ADA) also defines a miniature horse as an animal that can serve as a service animal, so long as the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. To better determine whether the Board must allow for the use of a miniature horse or make modifications to buildings, the Board should refer to Section 35.136 (c) through (i) of the ADA.

- C. ~~(-) 'Emotional Support Animal': Emotional support animals provide comfort to individuals but are not trained to perform a specific job or tasks. This definition does not include psychiatric service animals who are properly trained~~

and certified as a 'service animal'. (See 28 C.F.R. 36.104)

- D.  'Therapy Dog': Therapy dogs are dogs who go with their owners to volunteer in settings such as schools, hospitals, and nursing homes for the purpose of providing support, affection, and/or comfort. A therapy dog in a school setting may serve the function of assisting students in the learning process (e.g., improving communication and/or reading skills), helping to reduce stress, and/or providing comfort and affection to specific students or to a group of students. Therapy dogs are not service dogs and do not have the same special access as service dogs [source: American Kennel Club/AKC].

~~[ ] [OPTIONAL LANGUAGE]~~

~~[NOTE: The following section should be included in the policy only if the District intends to require this of any animal brought onto District property for official purposes or on a regular/recurring basis.]~~

**Vaccination, Licensing, and/or Veterinary Requirements**

Animals housed on or brought on to District property for any school purpose, such as to conduct random searches for illegal substances or to support classroom activities, or brought on to District property on a regular basis for any purpose, including service animals, must meet every veterinary requirement set forth in State law and County regulation/ordinance, including but not limited to rabies vaccination or other inoculations required to be properly licensed.

~~[END OF OPTIONAL LANGUAGE]~~

**Non-Service Animals in Schools and Elsewhere on District Property**

~~Animals permitted in schools and elsewhere on District property shall be limited to those necessary to support specific curriculum related projects and activities, those that provide assistance to a student or staff member due to a disability (e.g., seizure disorder), or those that serve as service animals as required by Federal and State law.~~

~~Taking into consideration that some animals can cause or exacerbate allergic reactions, spread bacterial infections, or cause damage and create a hazard if they escape from confinement, the Principal may permit non-service animals to be present in classrooms to support curriculum related projects and activities only under the following conditions:~~

- ~~A. the staff member seeking approval to have a non-service animal in his/her classroom shall:~~
- ~~1. provide a current satisfactory health certificate or report of examination from a veterinarian for the animal;~~
  - ~~2. take precautions deemed necessary to protect the health and safety of students and other staff;~~
  - ~~3. provide that the animal is treated humanely, keeping it in a healthy condition and in appropriate housing (e.g., a cage or tank) that is properly cleaned and maintained; and,~~
  - ~~4. keep the surrounding areas in a clean and sanitary condition at all times;~~
- ~~B. other staff members and parents of students in areas potentially affected by animals have been notified in writing and adjustments have been made to accommodate verified health related or other concerns.~~

~~Except where required by law, the presence of a non-service animal shall be disallowed if documented health concerns of a student or staff member cannot be accommodated.~~

**Service Animals for Students**

A service animal is permitted to accompany a student with a disability to whom the animal is assigned anywhere on the school campus where students are permitted to be.

A service animal is the personal property of the student and/or parents. The Board does not assume responsibility for training, daily care, or healthcare (if any), or supervision, ~~[END OF OPTION]~~ of service animals. The Board does not assume responsibility for personal injury or property damage arising out of or relating to the presence or use of service animals on District property or at District-sponsored events.

A service animal that meets the definitions set forth in the ADA and this policy shall be under the control of the student with a disability, or a separate handler if the student is unable to control the animal. A service animal shall have a harness, leash, or other tether, unless either the student with a disability is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the student's control (e.g., voice control, signals, or other effective means); or under the control of a handler other than the student.

If the student with a disability is unable to control the service animal and another person serves as the animal's handler, that individual shall be treated as a volunteer and, as such, will be subject to Policy ~~3120-4120-09~~.

### **Removing and/or Excluding a Student's Service Animal**

If a service animal demonstrates that it is not under the control of the student or its handler, the Principal is responsible for documenting such behavior and for determining if and when the service animal is to be removed and/or excluded from school property.

Similarly, in instances when the service animal ~~demonstrated~~ demonstrates that it is not housebroken, the Principal shall document such behavior and determine whether the service animal is to be removed and/or excluded from school property.

The Principal shall notify the Superintendent when a service animal is removed and/or excluded, and, immediately subsequent to such notification, document the reasons for the removal and/or exclusion.

The Principal's decision to remove and/or exclude a service animal from school property may be appealed in accordance with the complaint procedure set forth in Policy 2260 - Nondiscrimination and Access to Equal Educational Opportunity.

The procedures set forth in Policy 2260 - Nondiscrimination and Access to Equal Educational Opportunity do not interfere with the rights of a student and his/her/their parents or an eligible student to pursue a complaint with the United States Department of Education's Office for Civil Rights or the Department of Justice.

### **Eligibility of a Student's Service Animal for Transportation**

A student with a disability shall be permitted to access School District transportation with his/her/their service animal. There may also be a need for the service animal's handler, if the handler is someone other than the student, to also access School District transportation.

When a service animal is going to ride on a school bus or other Board-owned or leased vehicle, the student and his/her/their student's parents, or eligible student, and the handler, if ~~she~~ the handler is someone other than the student, shall meet with the ~~(-) Principal ( )~~ Transportation Supervisor ~~(-) [OTHER] \_\_\_\_\_ [END OF OPTIONS]~~ to discuss critical commands needed for daily interaction and emergency/evacuation, and to determine whether the service animal should be secured on bus/vehicle with a tether or harness.

At the discretion of the ~~(-) Principal ( )~~ Transportation Supervisor ~~(-) [OTHER] \_\_\_\_\_ [END OF OPTIONS]~~, an orientation will take place for students and staff who will be riding the bus/vehicle with the service animal regarding the animal's functions and how students should interact with the animal.

The service animal shall board the bus by the steps with the student, not a lift, unless the student uses the lift to enter and exit the bus. The service animal must participate in bus evacuation drills with the student.

While the bus/vehicle is in motion, the service animal shall remain positioned on the floor, at the student's feet.

Situations that would cause cessation of transportation privileges for the service animal include:

- A. the student, or handler, is unable to control the service animal's behavior, which poses a threat to the health or safety of others; or
- B. the service animal urinates or defecates on the bus.

The student and his/her/their student's parents shall be informed of behaviors that could result in cessation of transportation privileges for the service animal, in writing, prior to the first day of transportation.

If it is necessary to suspend transportation privileges for the service animal for any of the above reasons, the decision may be appealed to the ~~(-) Transportation Supervisor (-) Principal (-) [OTHER] Superintendent \_\_\_\_\_ [END OF OPTIONS]~~.

Although transportation may be suspended for the service animal, it remains the District's responsibility to transport the student. Furthermore, unless the behavior that resulted in the service animal's removal from the bus is also documented during the school day, the service animal may still accompany the student in school.

### **Service Animals for Employees**

In accordance with Policy 1623, Policy 3123, and Policy 4123 - Section 504/ADA Prohibition Against Disability Discrimination in Employment, the Board provides qualified individuals with disabilities with reasonable accommodation(s). An employee with a disability may request authorization to use a service animal while on duty as such an accommodation. The request will be handled in accordance with the ADA-mandated interactive process.

### **Service Animals for Parents, Vendors, Visitors, and Others**

Individuals with disabilities who are accompanied by their service animals are permitted access to all areas of the District's facilities where members of the public, as participants in services, programs, or activities, as vendors, or as invitees, are permitted to go. Individuals who will access any area of the District's facilities with their service animals should notify the Principal that their service animal will accompany them during their visit.

An individual with a disability who attends a school event will be permitted to be accompanied by his/her/their service animal in accordance with Policy 9160 - Public Attendance at School Events.

### **Non-Service Animals in Schools and Elsewhere on District Property**

Animals permitted in schools and elsewhere on District property shall be limited to those necessary to support specific curriculum-related projects and activities, those that provide assistance to a student or staff member due to a disability (e.g., seizure disorder), or those that serve as service animals as required by Federal and State law.

Taking into consideration that some animals can cause or exacerbate allergic reactions, spread bacterial infections, or cause damage and create a hazard if they escape from confinement, the Principal may permit non-service animals to be present in classrooms to support curriculum-related projects and activities only under the following conditions:

- A. the staff member seeking approval to have a non-service animal in their classroom shall:
  1. provide a current satisfactory health certificate or report of examination from a veterinarian for the animal;
  2. take precautions deemed necessary to protect the health and safety of students and other staff;
  3. provide that the animal is treated humanely, keeping it in a healthy condition and in appropriate housing (e.g., a cage or tank) that is properly cleaned and maintained; and
  4. keep the surrounding areas in a clean and sanitary condition at all times;
- B. other staff members and parents of students in areas potentially affected by animals have been notified in writing and adjustments have been made to accommodate verified health-related or other concerns.

Except where required by law, the presence of a non-service animal shall be disallowed if documented health concerns of a student or staff member cannot be accommodated.

### **[ ] [OPTIONAL LANGUAGE]**

#### **Emotional Support Animals for Students**

An emotional support animal is not granted the same access to school buildings and classrooms as service animals. Unless required by a student's IEP or Section 504 Plan, the District is not required to grant a student's request that the student be permitted to bring an emotional support animal to classes or on school grounds for any purpose. ( ) The Superintendent may grant a student use of an emotional support animal on a case-by-case basis if necessary and not disruptive to the environment or other students.

Consistent with State and Federal law, authorization for an emotional support animal to be on District grounds may be suspended if the animal is the source of an allergic reaction, causes discomfort or distress to a student or staff member, shows aggression or disruptive behavior, relieves itself inappropriately, or otherwise interferes with the learning environment. Reinstatement of authorization for the animal to be on District grounds requires approval by the ( ) Superintendent ( ) [OTHER] \_\_\_\_\_. Authorization for an emotional support animal to be on District grounds may be withdrawn at any time by the Superintendent.

### **[END OF OPTIONAL LANGUAGE]**

### **[X ] [OPTION FOR ALLOWING CERTIFIED THERAPY DOGS ON DISTRICT GROUNDS]**

#### **Therapy Dogs**

Therapy dogs are the personal property of the handler and are specially trained to help students in the assigned classroom, program, or school. Authorization for a therapy dog to be on District grounds may be granted by the ( x ) Superintendent (  ) building principal (  ) {OTHER} \_\_\_\_\_ {END OF OPTIONS}, provided the following conditions are met each year:

- A. Documentation of certification as a therapy dog from the AKC, Intermountain Therapy Animals (R.E.A.D.), Alliance of Therapy Dogs, Bright and Beautiful Therapy Dogs, Love on a Leash, Pet Partners, Therapy Dogs International, or another certification program recognized by the AKC.
- B. Documentation of an educational purpose for the therapy dog and a regular appraisal period for continuation.
- C. Documentation that the therapy dog is not younger than one (1) year old and is properly licensed according to local requirements.
- D. Documentation from a licensed veterinarian that the therapy dog is current on its vaccinations and immunizations, is free of fleas and ticks, is in good health, is housebroken, and does not pose a danger to the well-being of students or staff.
- E. Documentation of an insurance policy that provides liability insurance for the therapy dog while on District grounds.
- F. Documentation that the handler has completed a background check consistent with Board policy and is prepared to be solely responsible for the therapy dog and the therapy dog's care, cleaning, feeding, and cleanup while on District grounds.
- G. Agreement that the therapy dog and handler will abide by school rules and any specific rules for the therapy dog's presence on District grounds.

Authorization for a therapy dog to be on District grounds will be suspended if the therapy dog is the source of an allergic reaction, causes discomfort or distress to a student or staff member, shows aggression or disruptive behavior, relieves itself inappropriately, or otherwise interferes with the learning environment. Reinstatement of authorization for the therapy dog to be on District grounds requires approval by the (  ) Superintendent (  ) {OTHER} \_\_\_\_\_. Authorization for a therapy dog to be on District grounds may be withdrawn at any time by the Superintendent.

{END OF OPTIONS}

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28 C.F.R. 35.104

Section 504 of the Rehabilitation Act of 1973, as amended (Section 504)

The Americans with Disabilities Act, as amended (ADA)

The Individuals with Disabilities Education Improvement Act (IDEIA)

R.C. 955.43

R.C. 1717.01



Book Neola Policy Templates for Catch Up  
Section Board Approved Policies 8000s  
Title Vol. 41, No. 2 - January 2023 Revised SCHOOL SAFETY  
Code po8400  
Status  
Adopted November 9, 2009  
Last Revised February 18, 2016

**Revised Policy - Vol. 41, No. 2**

**8400 - SCHOOL SAFETY**

The Board of Education is committed to maintaining a safe and drug-free environment in all of the District's schools. The Board believes that school crime and violence are multifaceted problems that need to be addressed in a manner that utilizes all available resources in the community through a coordinated effort of School District personnel, law enforcement agencies, and families. The Board further believes that ~~school administrators~~ **all school employees (including administrators, professional staff, and support staff)** and local law enforcement officials must work together to provide for the safety and welfare of students while they are at school or a school-related event or are on their way to and from school. The Board also believes that the first step in addressing school crime and violence is to assess the extent and nature of the problem(s) or threat, and then plan and implement strategies that promote school safety and minimize the likelihood of school crime and violence.

**Emergency Management Plan (EMP)**

To that end, the Superintendent shall develop and adopt a comprehensive Emergency Management Plan ("EMP") for each building ~~under his/her control~~ **in the District. The EMP shall be submitted on standard forms developed and made available by the Ohio Department of Public Safety (ODPS).** In developing the EMP for each building, the Superintendent shall involve community law enforcement and safety officials (including, but not limited to, law enforcement, fire, emergency medical personnel, **mental health providers, local health departments, school safety and security contacts,** and any local divisions having county-wide emergency management), parents/**guardians** of students who are assigned to the building, and teachers and nonteaching employees assigned to the building (**hereinafter, collectively referred to as 'stakeholders'**). Each EMP shall contain the name, title (if applicable), contact information, and signature of each **stakeholder (i.e., person involved in development of the EMP); the signature shall affirm the stakeholder was offered the opportunity to provide feedback (it does not mean or require that the stakeholder approve the EMP).**

In developing the EMP, the Superintendent shall examine the environmental conditions and operations of each building to determine potential hazards to student and staff safety. The Superintendent shall further propose operating changes to promote the prevention of potentially dangerous problems and circumstances. The Superintendent shall incorporate remediation strategies into the EMP for any building where documented safety problems have occurred.

Each EMP will consist of ~~six (6)~~ **four (4)** parts:

- A. ~~The emergency operations plan shall consist of a~~ **single document to address all hazards that may negatively impact the school; including, but not limited to, active shooter, hostage, bomb threat, act of terrorism, infectious diseases or pandemic, severe weather, bullying, threats of violence or threats to life, and any other natural, technological, or human-caused bullying, and any other natural or manmade events that the Superintendent knew or should have reasonably known about that compromise the health or safety of students, employees, administrators, or property. The document will include:**
1. a hazard identification and risk analysis (i.e., a process to identify hazards and assess the vulnerability associated with each);
  2. an all-hazards emergency operations plan organized around five (5) mission areas: prevention, protection, mitigation, response, and recovery;

The plan shall be ~~compliant~~ consistent with the National Incident Management System (NIMS) principles.

3. the access and functional needs of the students, teachers, and staff;
4. education for students, staff, and administrators to avoid, deter, or stop an imminent crime or safety issue, threatened or actual;
5. procedures for notifying law enforcement, fire, EMS, emergency management, mental health providers, public health officials, and other outside experts who could assist in responding to and recovering from an emergency;

~~The plan shall be updated and revised at least every three (3) years from the previous date of compliance to reflect lessons learned and best practices to continually improve the plan. The emergency management test and actual emergencies at the school buildings will be a source for lessons learned.~~

6. a threat assessment plan developed as prescribed by Ohio Revised Code Section 5502.263, including a protocol for school threat assessment teams established pursuant to Ohio Revised Code Section 3313.669; **{DRAFTING NOTE: A building may use the model policy and protocol developed by the Department of Public Safety.}**

~~The plan shall be updated and revised at least every three (3) years from the previous date of compliance to reflect lessons learned and best practices to continually improve the plan. The areas of improvement identified in the emergency management test and actual emergencies at the school buildings will be a source for lessons learned.~~

7. ~~(?) the use of temporary door locking door locking devices as permitted by law.~~

- B. A floor plan unique to each floor of the building.
- C. A site plan that includes all building property and surrounding property.
- D. An emergency contact information sheet.
- E. Stakeholder signatures.
- F. Proof of completion of an approved threat assessment training program for each member of the building's threat assessment team.

The Superintendent shall submit an electronic copy of each building's EMP to the Director of Public Safety ~~EMP s/he developed and adopted to the Ohio Department of Education ("ODE")~~ not less than once every three (3) years, whenever a major modification to the building requires changes to the procedures outlined in the EMP, and whenever the information on the emergency contact information sheet changes. ~~The~~ No later than the date prescribed by ODE, the Superintendent shall also file a copy of the current, updated EMP with the following:

- A. each law enforcement agency that has jurisdiction over the school building; and
- B. upon request, the local fire department, emergency medical service organization, and county emergency management agency serving the area in which the building is located.

The Superintendent will also file copies of updated EMPs with ~~the Director of Public Safety and the above agencies within ten (10) calendar days after adoption of the revised EMPs, ODE and the above agencies within ten (10) days after s/he adopts the revised EMPs.~~

~~The District's EMPs are security records and not public records. The Superintendent shall keep a copy of the District's EMPs in a secure location. The EMP is not a public record.~~

~~The Superintendent shall annually review the District's previously developed and adopted EMPs and certify that the plan, emergency contact information sheet, floor plan, and site plan are current and accurate. The certification shall be completed through the School Safety Plan Portal between January 1 and July 1 of each year. The Superintendent shall prepare and conduct at least one (1) annual emergency management test, in accordance with rules adopted by the Ohio Department of Education (ODE). By July 1st of every year, the Superintendent shall review the EMPs s/he previously developed and adopted, and certify in writing to the ODE that the EMPs are current and accurate.~~

The Superintendent shall prepare and conduct at least one (1) emergency management test each year during the three (3) year annual review cycle, in accordance with rules adopted pursuant to Ohio Revised Code Section 5502.262(F). The Emergency Management tests must meet the following requirements: (1) be a scheduled event at least two (2) of the years; one (1) actual emergency may be used during the three (3) year plan cycle if an after-action report is produced with the involvement of stakeholders (i.e., at least one (1) representative from law enforcement, fire, EMA, EMS, and a mental health provider and public health official); (2) the type of test shall be a tabletop, functional or full-scale, as defined in D.A.C. 4501:5-1, and each type shall be used once every three (3) years; and (3) the test must include at least one (1) hazard from the hazard analysis identified in the emergency operations plan and at least one (1) functional content area. The test should include at least one (1) representative from law enforcement, fire, EMA, EMS, and a mental health provider and public health official. ~~The emergency management test must be a scheduled event; an actual emergency will not satisfy this requirement, even if an after-action report is produced. The emergency management test must be a tabletop, functional, or full-scale as defined in A.C. 3301-5-01, and each type shall be used once every three (3) years. It must include at least one (1) hazard from the hazard analysis in the EMP and at least one (1) functional content area. At least one (1) representative from law enforcement, fire, EMA, EMS, and/or behavioral health should be included.~~

**{SELECT OPTION #1 OR OPTION #2}**

**[ ] [OPTION #1]**

~~Students will not participate in the emergency management test.~~

**[ ] [OPTION #2]**

Students may participate in the emergency management test at the discretion of the Principal. In deciding whether, and to what extent, to involve students in an emergency management test, the Superintendent and Principal should consider what benefit student inclusion in the emergency management test may have on the student population's preparation for an emergency and to enhance the safety of students in the building. The Principal ~~should~~ also consider age-appropriate participation, guidance, trauma-informed best practice, and training in preparation for students' participation in the test.

**{END OF OPTIONS}**

~~**{DRAFTING NOTE: IF OPTION #2 IS SELECTED, IT IS STRONGLY ADVISED THAT THE DISTRICT SELECT THE FOLLOWING OPTIONAL LANGUAGE, WHICH IS ONLY LISTED AS AN OPTION BECAUSE O.A.C. 4501:5-1A.G. 3301-5-01 DOES NOT MAKE IT MANDATORY—HOWEVER, IT DOES STATE SCHOOLS SHOULD OBTAIN PARENTAL CONSENT IF STUDENTS ARE GOING TO PARTICIPATE IN THE EMERGENCY MANAGEMENT TEST.}**~~

~~**[ ] Parental consent is required prior to student participation in the emergency management test. {END OF OPTION}**~~

The Superintendent shall submit an after-action report to the Department of Public Safety ~~ODE~~ no later than thirty (30) days after the emergency management test documenting the following: 1) date/time/weather/length of exercise; 2) the type of discussion/operations based exercise; 3) the scenario utilized; 4) the hazard(s) utilized (including providing safety data sheets, as appropriate); 5) the functional content area(s) utilized; and 6) the identification of at least three (3) strengths and at least three (3) improvement areas of the EMP discovered as a result of the emergency management test. ~~The after-action report shall be submitted on standardized forms developed and made available by the Department of Public Safety.~~

The Superintendent shall grant access to each school building ~~in the District under his/her control~~ to law enforcement personnel and any local fire department, emergency medical service organization, and/or county emergency management agency that has requested a copy of the EMP, to enable such personnel and entities to conduct training sessions for responding to threats and emergency events affecting the school building. Such access shall be provided outside of student instructional hours and the Superintendent ~~or designee~~ shall be present in the building during the training sessions.

Prior to the opening day of each school year, the Superintendent shall inform each enrolled student and the student's parent/legal guardian of the procedures to be used to notify parents in the event of an emergency or a serious threat to safety. Any student ~~that~~ enrolled in the school after the annual notification, and their parent/legal guardian, shall be notified upon enrollment. Also, see Policy 8420 - Emergency Situations at School.

## **Threat Assessment**

~~The primary purpose of a threat assessment is to minimize the risk of targeted violence at school. The following threat assessment process is designed to be consistent with the process set forth in the joint U.S. Secret Service and U.S. Department of Education publication, *Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates* for identifying, assessing, and managing students who may pose a threat. The goal of the threat assessment process is to take appropriate preventive and corrective measures to maintain a safe school environment, protect and support potential victims, and provide assistance, as appropriate, to the student being assessed. Behavioral threat assessment is a fact-based, systematic process designed to identify, assess, and manage potentially dangerous or violent situations. The threat assessment process shall be embedded within a comprehensive multitiered system of supports~~

(MTSS) that involves interdisciplinary, collaborative partnerships focusing on prevention. The District will use a behavioral threat assessment model, including threat assessment teams, to address in a proactive manner the prevention of targeted violence by identifying areas of concern, gathering information, assessing the likelihood of violence, initiating appropriate interventions and violence mitigation strategies and provide ongoing evaluation to increase positive outcomes for individuals and enhance overall school safety. The aim of the process is to emphasize the provision of interventions and supports, and not just punishment. Ultimately, the primary purpose of a threat assessment is to address concerning behavior (including prohibited behaviors), respond to concerning communications, and minimize the risk of targeted violence at school.

As dictated by the Safety and Violence Education Students (SAVE Students) Act, the District will use a multidisciplinary decision-making process to conduct threat assessments and develop and implement interventions for students whose behavior indicates they may pose a risk of harm to the school community and/or themselves. Specifically, the Board directs the Superintendent to create a threat assessment team for each school building in the District serving grades six (6) through twelve (12). Each team shall be multidisciplinary, when possible; the Principal will ordinarily serve as the team's leader and the team may include school administrators, mental health professionals (e.g., school psychologists, school counselors, social workers), school resource officers (where appropriate), and other relevant personnel (e.g., instructional staff). Each member of a threat assessment team is required to complete an approved threat assessment training program upon appointment and once every three (3) years thereafter. As noted above, the District shall include proof of completion of the approved training by each team member in the EMPs and annual certifications submitted to the Director of Public Safety. Per State law, threat assessment team members are not liable for damages in a civil action for injury, death, or loss to person or property allegedly arising from a team member's execution of duties related to school safety unless the team member's act or omission constitutes willful or wanton misconduct.

The Ohio School Safety Center (OSSC), which is part of the Ohio Department of Public Safety, has developed the Ohio School Behavioral Threat Assessment Model Policy and Protocol: A Guide for School Personnel and Law Enforcement. This protocol shall serve as the foundation of the District's efforts to identify students of concern so that their behaviors can be mitigated to the point that they no longer pose a threat.

The following individuals may be subject to a behavioral threat assessment:

- A. Students: current, former, and prospective
- B. Employees: current, former, and prospective
- C. Parents/guardians of students/non-custodial parents or relatives
- D. Persons who are (or have been) in a relationship with faculty, staff, or students
- E. Contractors, vendors, or other visitors
- F. Unaffiliated persons

Research shows that individuals who plan to commit violent acts against schools often share their plans with someone. Consequently, the District [DRAFTING NOTE: Select one (1) of the following options]

has registered with the SaferOH tip line operated by the Department of Public Safety to facilitate the receipt of anonymous reports of concerning behavior and/or communications;

~~{OR}~~

~~(-) has entered into an agreement with an anonymous reporting program that meets the following requirements:~~

- ~~A. operates twenty-four (24) hours per day, seven (7) days per week;~~
- ~~B. forwards reported information to and coordinates with the appropriate school threat assessment teams and law enforcement and public safety agencies as required under the District's EMPs;~~
- ~~C. will be promoted in each District school to inform students about the reporting program and its reporting methods; and~~
- ~~D. complies with Ohio Revised Code Sections 149.433 and 3319.321 and the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g.~~

~~[DRAFTING NOTE: If the District enters into an agreement with an anonymous reporting program provider, it must specify in the agreement that the provider must annually submit a report to the Department of Public Safety and the Department of Education identifying the number of anonymous reports made through the reporting program and the method by which they were received, disaggregated by school.]~~

~~The Superintendent shall comply with all reporting requirements set forth in R.C. 3313.669 related to the District's (x) participation in the SaferOH tip line (-) use of an anonymous reporting program [END OF OPTIONS].~~

~~(-) The Board authorizes the Superintendent to determine whether to designate a student led violence prevention club for each school building in the District serving grades six (6) through twelve (12). If a student led violence club is established in a building, it shall (1) be open to all members of the student body; (2) have at least one (1) identified adult advisor; (3) implement and sustain suicide and violence prevention and social inclusion training and awareness activities in a manner consistent with R.C. 3301.221; and (4) foster opportunities for student leadership development.~~

The threat assessment process is centered upon an analysis of the facts and evidence of behavior in a given situation. The appraisal of risk in a threat assessment focuses on actions, communications, and specific circumstances that might suggest that an individual intends to cause physical harm and is engaged in planning or preparing for that event.

~~The Board authorizes the Superintendent to create building level, trained threat assessment teams. Each Team shall be headed by the Principal and may include a school counselor, school psychologist, instructional personnel, and/or the School Resource Officer, where appropriate. At the discretion of the Superintendent, a threat assessment team may serve more than one (1) school when logistics and staff assignments make it feasible.~~

The Team will meet when the Principal learns a student has made a threat of violence or engages in concerning communications or behaviors that suggest the likelihood of a threatening situation.

The Team is empowered to gather information, evaluate facts, and make a determination as to whether a given student poses a threat of violence to a target self-harm or violence to others. If an inquiry indicates that there is a risk of self-harm or violence in a specific situation, the Team may collaborate with others to develop and implement a written plan to manage or reduce the threat posed by the student in that situation.

The Board authorizes the Superintendent to create guidelines for the purpose of:

- A. Identifying team participants by position and role;
- B. requiring team participants to undergo appropriate training;
- C. defining the nature and extent of behavior or communication that would trigger a threat assessment and/or action pursuant to a threat assessment, including the threshold for law enforcement;
- D. establishing assessment procedures that include practices for maintaining documentation, identifying sources of information, reviewing records, and conducting interviews; defining the types of information that may be gathered during the assessment;
- E. stating when and how parents/guardians of the student making the threat shall be notified and involved;
- F. designating the individuals (by position) who are responsible for gathering and investigating information;
- G. identifying the steps and procedures to be followed from initiation to conclusion of the threat assessment inquiry or investigation;
- H. identifying risk management options (e.g., interventions and supports, and the imposition of disciplinary consequences, as appropriate) to enact once an assessment is complete, including creating an individualized management plan to mitigate identified risks;
- I. creating and promoting a safe school climate built on a culture of safety, respect, trust, and emotional support, and one that encourages communication and empowers students to share their concerns;
- J. providing training for all stakeholders, including school personnel, students, parents, and law enforcement (as applicable).

Board employees, volunteers, and other school community members, including students and parents, shall immediately report to the Superintendent or Principal any expression of intent to harm another person or other statements or behaviors that suggest a student may intend to commit an act of violence.

Nothing in this policy overrides or replaces an individual's responsibility to contact 911 in an emergency.

Regardless of threat assessment activities or protocols, disciplinary action and referral to law enforcement shall occur as required by State law and Board policy.

Threat assessment team members shall maintain student confidentiality at all times as required by Board Policy 8330 - Student Records, and State and Federal law.

### Safe and Drug-Free Schools

As a part of the EMP, the Board shall verify that it has procedures in place for keeping schools safe and drug-free that include (see also, Form 8330 F15 entitled Checklist of Policies and Guidelines Addressing Safe and Drug-Free Schools):

- A. appropriate and effective school discipline policies that prohibit disorderly conduct, the illegal possession of weapons, and the illegal use, possession, distribution, and sale of tobacco, alcohol, and other drugs by students;
- B. security procedures at school and while students are on the way to and from school;
- C. prevention activities that are designed to maintain safe, disciplined, and drug-free environments;
- D. a code of conduct or policy for all students that clearly states the responsibilities of students, teachers, and administrators in maintaining a classroom environment that:
  - 1. allows a teacher to communicate effectively to all students in the class;
  - 2. allows all students in the class the opportunity to learn;
  - 3. has consequences that are fair, and developmentally appropriate;
  - 4. considers the student and the circumstances of the situation; and
  - 5. is enforced accordingly.

### Persistently Dangerous Schools

The Board recognizes that State and Federal law requires that the District report annually incidents which meet the statutory definition of violent criminal offenses that occur in a school, on school grounds, on a school conveyance, or at a school-sponsored activity. It is further understood that the State Department of Education will then use this data to determine whether or not a school is considered persistently dangerous as defined by State policy.

Pursuant to the Board's stated intent to provide a safe school environment, the school administrators are expected to respond appropriately to any and all violations of the Student Code of Conduct, especially those of a serious, violent nature. In any year where the number of reportable incidents of violent criminal offenses in any school exceed the threshold number established in State policy, the Superintendent shall ~~discuss this at the annual meeting for the purpose of reviewing the EMP so that a plan of corrective action can be developed and implemented in an effort to reduce the number of these incidents in the subsequent year.~~ **[CHOOSE ONE (1) OF THE FOLLOWING OPTIONS]**

~~( ) discuss this at the annual meeting for the purpose of reviewing the EMP so that a plan of corrective action can be developed and implemented in an effort to reduce the number of these incidents in the subsequent year.~~

**(X )** convene a meeting of the building administrator, representative(s) of the local law enforcement ~~( )~~ agency **(X )** agencies, and any other individuals deemed appropriate for the purpose of developing a plan of corrective action that can be implemented in an effort to reduce the number of these incidents in the subsequent year.

The Superintendent shall make a report to the Board about this plan of corrective action and shall recommend approval and adoption of it.

In the unexpected event that the number of reportable incidents in three (3) consecutive school years exceeds the statutory threshold and the school is identified as persistently dangerous, students attending the school shall have the choice option as provided in Policy 5113.02 and AG 5113.02.

In addition, the Superintendent shall ~~discuss the school's designation as a persistently dangerous school at the annual meeting for the purpose of reviewing the EMP so that a plan of corrective action can be developed and implemented in an effort to reduce the number of these incidents in the subsequent year.~~ **[CHOOSE ONE (1) OF THE FOLLOWING OPTIONS]**

~~( ) discuss the school's designation as a persistently dangerous school at the annual meeting for the purpose of reviewing the EMP so that a plan of corrective action can be developed and implemented in an effort to reduce the number of these incidents in the subsequent year.~~

**(X )** convene a meeting of the building administrator, representative(s) of the local law enforcement ~~( )~~ agency **( )** agencies, and any other individuals deemed appropriate for the purpose of developing a plan of corrective action that can be implemented in an effort to reduce the number of these incidents in the subsequent year.

~~( ) if a school in a neighboring district is identified as persistently dangerous and there is not another school in that district, the District will admit students from that school in accordance with Board Policy 5113.02.~~

## **Victims of Violent Crime**

The Board further recognizes that, despite the diligent efforts of school administrators and staff to provide a safe school environment, an individual student may be a victim of a violent crime in a school, on school grounds, on a school conveyance, or at a school-sponsored activity. In accordance with Federal and State law, the parents of the eligible student shall have the choice options provided by Policy 5113.02 and AG 5113.02.

A.C. ~~3301.5-01~~, ~~4501:5-1-01~~

R.C. ~~3313.536~~, ~~3313.669~~, ~~3313.6610~~, ~~3313.6611~~, ~~5502.262~~, ~~5502.263~~

~~Ohio Department of Public Safety - Model Threat Assessment Plan~~

Title IX, Section 9532 of the Elementary and Secondary Education Act, as amended

20 U.S.C. 6301 et seq.

Public Law 107-110

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A.C. 4501:5-1-01

R.C. 3313.669, 3313.6610, 3313.6611, 5502.262, 5502.263

20 U.S.C. 6301 et seq.

Ohio Department of Public Safety - Model Threat Assessment Plan

Public Law 107-110

Title IX, Section 9532 of the Elementary and Secondary Education Act, as amended



Book                      Neola Policy Templates for Catch Up  
Section                    Board Approved Policies 8000s  
Title                        SCHOOL RESOURCE OFFICER  
Code                        po8403  
Status

#### **8403 - SCHOOL RESOURCE OFFICER**

The purpose of the District's School Resource Officer Program is to promote safe, orderly and secure learning environments for students through the activities of law enforcement, fostering a positive school climate, and education. The duties of the School Resource Officer (SRO) are primarily to promote school safety during the school day, to conduct law enforcement activities, to deliver education and collaboration with students and staff, to serve as a positive role model, and to assist in crime prevention and safety consulting. All duties shall be consistent with Federal and State laws, regulations, and police department policies and procedures. The role of the SRO is not to enforce discipline or punish students for violations of the student code of conduct, nor will an SRO be assigned to perform any educational duties in lieu of a certified educator.

The District may engage the services of a School Resource Officer(s) by executing a memorandum of understanding with the law enforcement agency for services. SRO's shall be trained as provided by law, including a basic training program and at least forty (40) hours of school resource officer training within one (1) year of appointment approved by the Ohio peace officer training commission. School Resource Officers employed by the District prior to the enactment of R.C. 3313.951 are exempt from the training requirements.

The memorandum of understanding shall clarify the following areas: the purpose of the SRO program and roles, responsibilities, and expectations between the District, District staff, and the law enforcement agency. It shall include defined goals, background training requirements for the selected officer(s) including child and adolescent development, provide for professional development in relevant areas, protocol for how suspected criminal activity versus school discipline will be handled, coordinated crisis planning and updating school crisis plans, student privacy under State and Federal law, and any other items identified by the parties. The memorandum of understanding shall be

~~( ) available on the District's website.~~

~~( ) posted in each building and available upon request.~~

The District and law enforcement agency shall agree on criteria for selection of officers, which include but are not limited to a college degree or related college coursework, a minimum of two (2) years of experience as an officer, and an interest in working with youth. The District and law enforcement agency will establish evaluation procedures to support and monitor the activities and performance of the SRO.

~~Students will be provided the opportunity for input during drafting of the memorandum of understanding between the District and the law enforcement agency.~~

The SRO ultimately is accountable to the law enforcement agency but while at school, the SRO also is accountable to the building administration and Superintendent, and is expected to cooperate with school officials and school faculty and be familiar with and follow Board policies, guidelines and procedures, including but not limited to issues of student privacy, discipline, and operating standards for students with disabilities.

School Resource Officers may assist with implementation or amendment of the District's comprehensive emergency management plan and in doing so, must consult with first responders and local law enforcement officials. Other functions of the SRO outlined in the memorandum of understanding may include activities geared towards providing a safe learning environment, providing resources to school staff members, maintaining positive relationships with staff and students, developing community linkages with behavioral health and other community agencies, and developing problem-solving strategies for issues affecting students.

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Legal                      R.C. 3313.951



Book	Neola Policy Templates for Catch Up
Section	Board Approved Policies 8000s
Title	ENVIRONMENTAL HEALTH AND SAFETY ISSUES
Code	po8405
Status	
Adopted	November 9, 2009
Last Revised	April 10, 2014

#### **8405 - ENVIRONMENTAL HEALTH AND SAFETY ISSUES**

The Board of Education recognizes its responsibility relative to student, employee, and visitor health and safety, and the need for development of a comprehensive program designed to provide a healthy, safe, and secure environment on District property and at District-sponsored activities. To achieve this, it is the intent of the Board that the District will avail itself of the most current, proven technologies in the fields of health, safety, and environmental sciences.

#### **STUDENT, EMPLOYEE, AND VISITOR HEALTH AND SAFETY**

The District shall develop and implement an environmental health and safety program that is positive, proactive, integrates responsibilities within the District, and promotes and incorporates the following:

- A. Procedures describing a hazard identification and abatement program that requires the periodic inspection of District facilities, the implementation of immediate and programmed corrective actions when deemed necessary by such inspections, and the development of a District-wide hazard reporting procedure that enables employee/stakeholder participation. This program should also provide procedures for identifying and responding to hazards that are created by outside entities, inspecting activities of contractors, and inspecting new facilities to determine whether or not appropriate requirements for environmental health and safety have been met.
- B. Procedures that promote environmental health and safety awareness among employees, students, and stakeholders. These procedures shall include, but not be limited to, the establishment of school and District safety committees, and the establishment of a program of regular communication with students, employees, and stakeholders about pertinent safety and health issues through available mediums in the District.
- C. Procedures directed toward the safety and health of students during transportation to and from school, at school, and during participation in school-related activities. These procedures shall include, but not be limited to, promoting bus safety for students, assessing the safety of school traffic patterns, operating school clinics, administering medication and medical treatment, promoting laboratory and shop safety, promoting safety in sports and other outdoor activities, inspecting playground equipment and promoting safety on playgrounds, and assessing environmental exposure.
- D. Procedures related to District employee health and safety issues that include, but are not limited to, provision of work areas free from recognized hazards and OSHA-related programs that are required by Federal and State law, such as, employee safety and health training and training in hazard recognition, and defining employer and employee responsibilities and expectations related to health and safety.
- E. Procedures describing an accident reporting and investigation system that provides for identification of root causes, determination of remedial and programmed corrective actions, and provides communication about accidents to employees and stakeholders.
- F. Procedures that detail plans for foreseeable emergencies and fire prevention.

#### **PHASE-OUT/BANNED PRODUCTS**

The Superintendent shall require that any chemicals, insecticides, or other materials that the Federal government is phasing out and/or banning by a certain date be immediately banned from use on Board property.

## **INDOOR ENVIRONMENTAL QUALITY (IEQ)**

The Board recognizes that excessive moisture levels within the schools can lead to conditions that are optimum for the development of biological contaminants, such as mold and fungi on building surfaces. The Board further recognizes that the presence of these contaminants can be harmful on contact with respiratory tissue.

Contributing factors to excessive moisture levels include the following:

- A. roof leaks
- B. structural defects in the building
- C. improperly controlled humidity levels
- D. faulty HVAC systems

As preventative measures, the District shall do the following:

- A. address prevention of water intrusion as a priority indoor air quality (IAQ) issue and implement strategies toward its elimination
- B. maintain environmental conditions in occupied areas that are in compliance with applicable regulations and strive to conform to consensus industry standards
- C. implement a preventative maintenance program for HVAC systems which shall include, but not be limited to, periodic filter replacement, inspection, cleaning and disinfecting processes, and procedures to eliminate the contribution to indoor air quality problems caused by this equipment
- D. implement a system for ensuring materials used and purchased for use in the construction, furnishing and maintenance, including cleaning of facilities, do not contribute to the health hazards to employees and students by degrading the quality of indoor air

In addition, activities that create indoor air quality health hazards shall not be permitted.

In addition, the Superintendent shall develop administrative guidelines for the proper monitoring of the factors that contribute to excessive moisture and for the development of mitigation plans when, and if, problems with IEQ are identified (see AG 8405).

## **DIESEL EXHAUST AND SCHOOL BUS IDLING**

In accordance with the Environmental Protection Agency's initiative to reduce pollution that is caused by school buses on school property, the Board will take the recommended steps to reduce the negative effect of diesel exhaust on indoor and outdoor air quality on school campuses. This effort shall include, but not be limited to, reducing bus idling time and reinforcing smart driving practices.

The Superintendent shall develop the administrative guidelines necessary to establish these practices in the District (see AG 8615).

## **POLLUTION CONTROL AND PREVENTION**

In an effort to comply with environmental policy and applicable regulations, the District shall develop and implement procedures designed to prevent air and water pollution, minimize or eliminate waste streams where possible, and identify possible sources of air and water pollution.

## **SEE ALSO THE FOLLOWING RELATED POLICIES:**

- Policy 7430 - Risk Reduction Program
- Policy 8410 - Crisis Intervention
- Policy 8420 - Emergency Situations at Schools
- Policy 8431 - Preparedness for Toxic Hazard and Asbestos Hazard
- Policy 8442 - Reporting Accidents
- Policy 8450 - Control of Casual-Contact Communicable Diseases
- Policy 8453 - Direct Contact Communicable Diseases
- Policy 8453.01 - Control of Blood-Borne Pathogens





<b>Book</b>	<b>Neola Policy Templates for Catch Up</b>
<b>Section</b>	<b>Board Approved Policies 8000s</b>
<b>Title</b>	<b>CRISIS INTERVENTION</b>
<b>Code</b>	<b>po8410</b>
<b>Status</b>	
<b>Adopted</b>	<b>November 9, 2009</b>

**8410 - CRISIS INTERVENTION**

The Board of Education believes that the employees, and students of the District, as well as visitors, are entitled to function in a safe and drug-free school environment. In this regard, the Board has adopted policies related to conduct in the school setting as well as those that address various crisis situations.

The Superintendent shall promulgate administrative guidelines for responding to a crisis situation, developing a prevention plan, and providing effective intervention for students who may show warning signs that relate to violence or other troubling behaviors.

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Book Neola Policy Templates for Catch Up  
Section Board Approved Policies 8000s  
Title Vol. 41, No. 2 - January 2023 Revised EMERGENCY SITUATIONS AT SCHOOLS  
Code po8420  
Status  
Adopted November 9, 2009

**Revised Policy - Vol. 41, No. 2**

**8420 - EMERGENCY SITUATIONS AT SCHOOLS**

The Board of Education is committed to providing a safe learning and work environment. Unfortunately, ~~natural and man-made disasters~~ emergency situations do occur. Such emergencies are best met by preparedness and planning.

The Board directs that a system of emergency preparedness be developed that addresses the following goals and/or objectives:

- A. (X) the health and safety of students and staff are safeguarded
- B. (X) the time necessary for instructional purposes is not unduly diverted
- C. (X) minimum disruption to the educational program occurs
- D. (X) students are helped to learn self-reliance and trained to respond sensibly to emergency situations

All threats to the safety of District facilities shall be identified by appropriate personnel and responded to promptly in accordance with the applicable Emergency Management Plan (EMP). ~~plan for emergency preparedness.~~

The Board also directs that fire, tornado, and school safety drills be conducted during the school year in accordance with State law.

Fire drills or rapid dismissals shall be conducted ~~no less than~~ six (6) times a school year at the times and frequency prescribed by the State Fire Marshal with the first ~~emergency evacuation~~ fire drill being conducted within ten (10) days of the beginning of classes. However, no fire drills are required to be conducted in any month that a school safety drill is conducted. Tornado drills shall be conducted ~~at least once a month on a regular basis~~ during the tornado season (i.e., from April 1 to July 31) when school is in session. ~~in the spring.~~ Times and frequencies of drills must be varied. ~~(-) The Principal shall verify the school building's doors and exits are unlocked during school hours. [DRAFTING NOTE: Inclusion of this language is optional, but it is an accurate reflection of state law - R.G. 3737.73 which states: 'In the case of schools, no principal or person in charge of a school shall willfully neglect to keep the doors and exits of such building unlocked during school hours.' This pertains to the doors and exits being unlocked from the inside, not the outside.]~~

~~In conjunction with fire drills or rapid dismissals, the Principal shall instruct students on safety precautions to be taken in the case of a tornado alert or warning and shall designate appropriate locations to be used to shelter students in case of a tornado, tornado alert, or warning.~~

~~[DRAFTING Note: If a school does not have smoke detectors or a sprinkler system, fire drills or rapid dismissals must be conducted a minimum of~~ ~~continue to be conducted~~ nine (9) times a school year. Such drills, however, may be combined with the three (3) required school safety drills, as long as at least one (1) school safety drill provides students with instruction in the procedures to follow in situations where students must be secured in the school building rather than rapidly evacuated (discussed below).]

School safety drills shall be conducted at least three (3) times during each school year. During the school safety drills, students must be instructed in the appropriate procedures to follow in situations where students must be secured in their building or rapidly evacuated in response to:

A. a threat to the school involving terrorism;

B. a person in possession of a deadly weapon or dangerous ordnance on school property; and

C. other acts of violence.

At least one (1) safety drill shall include a scenario where students must be secured in the school building rather than rapidly evacuated.

School safety drills (including drills and theoretical drills) shall be conducted in conjunction with the District's emergency management plan.

The Principal must conduct at least one (1) drill or rapid dismissal or one (1) school safety drill during each month of the school year. A drill or rapid dismissal may be conducted during the same month as a school safety drill. All building occupants must participate in the drill.

Additionally, the Principal shall conduct a theoretical school safety drill at least once during the school year to provide instruction to school faculty and staff regarding procedures to be followed in such situations. The theoretical drill does not need to include student participation and may be conducted at the required annual employee school safety drill training session.

Each safety drill shall be conducted in conjunction with law enforcement officials.

Prior to conducting the annual school safety drills, each Principal shall:

A. provide advance written notice of each school safety drill (actual and theoretical) to the municipal or township police chief or other chief law enforcement officer (or in the absence of such officer, the county sheriff);

Such notice shall be provided no later than seventy-two (72) hours prior to the date the drill will be held, be sent by mail, facsimile, or electronic submission, and include the address of the school and the date and time the drill will be conducted.

B. provide follow-up written certification of the date and time the drill was conducted during the previous school year, as well as the date and time each drill will be conducted during the current school year, to the municipal or township police chief or other chief law enforcement officer (or in the absence of such officer, the county sheriff);

The certification must be submitted by mail, facsimile, or electronically by December 5th of each calendar year.

C. hold annual training sessions for school employees regarding the procedures to follow during school safety drills.

Each Principal shall keep a written record of the date and time of each drill conducted. The Principal shall file a copy of any required fire drill records with the State Fire Marshall and, as applicable, the firefighting agency having jurisdiction to conduct inspections of the school building.

Procedures shall be developed for the handling of all emergency evacuations.

A.C. 1301:7-7-01, 1301:7-7-04, ~~3301-5-01~~4501:5-1-01

R.C. 3737.73

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Legal

A.C. 1301:7-7-01, 1301:7-7-04, 4501:5-1-01

R.C. 3737.73

**Book** Neola Policy Templates for Catch Up  
**Section** Board Approved Policies 8000s  
**Title** PANDEMICS AND OTHER MEDICAL EMERGENCIES  
**Code** po8420.01  
**Status**  
**Adopted** November 9, 2009

**8420.01 - PANDEMICS AND OTHER MEDICAL EMERGENCIES**

A pandemic is an outbreak of an infectious disease. The Superintendent shall establish a Pandemic Response Team ("PRT") to develop a Pandemic Plan in coordination with local government and law enforcement officials.

The Pandemic Plan should include:

- A. a communication method for school schedule changes, busing changes, and school closure;
- B. an educational pandemic prevention program for staff and students;
- C. provision for the business office to maintain continuity of operations during a pandemic;
- D. provision for distance-based learning for students (i.e., Internet instruction, community channel broadcast) to maintain continuity of education;
- E. policies and procedures for staff and student absences and extended leaves of absence due to a pandemic;
- F. policies and procedures for isolation and possible transportation of students and staff who become ill at school due to a pandemic;
- G. a plan of communication regarding pandemic status to students, parents, and staff;
- H. a plan for operating the District with less staff due to a pandemic;
- I. a designee responsible for establishing timelines within the Pandemic Plan and ensuring that such timelines are met and implementation of the plan occurs; and
- J. other emergency procedures necessary for the District to deal with a pandemic.

The Pandemic Plan should be reviewed annually by the PRT and updated as appropriate.

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Book	Neola Policy Templates for Catch Up
Section	Board Approved Policies 8000s
Title	BIOTERRORISM
Code	po8420.02
Status	
Adopted	November 9, 2009

#### **8420.02 - BIOTERRORISM**

A bioterrorist attack is the deliberate release of a biological agent used to cause illness and death in people. The Superintendent shall develop, in conjunction with local government and law enforcement officials, a Bioterrorism Response Plan ("BRP"). The BRP should include:

- A. a communication method for school schedule changes, busing changes, and school closure;
- B. an educational bioterrorism prevention program for students and parents;
- C. a bioterrorism training and identification program for staff;
- D. provision for the business office to maintain continuity of operations during a bioterrorist attack;
- E. provision for distance-based learning for students (i.e., Internet instruction, community channel broadcast) to maintain continuity of education;
- F. policies and procedures for staff and student absences and extended leaves of absences due to a bioterrorist attack;
- G. policies and procedures for isolation and possible transportation of students and staff who become ill at school due to a bioterrorist attack;
- H. a plan of communication to students, parents, and staff regarding the status of a bioterrorist attack;
- I. a plan for operating the District with less staff due to a bioterrorist attack;
- J. a designee responsible for establishing timelines within the BRP and verifying that such timelines are met and implementation of the plan occurs; and
- K. other emergency procedures necessary for the District to deal with an attack of bioterrorism.

The BRP should be reviewed annually and updated as appropriate.



Book                      Neola Policy Templates for Catch Up  
Section                    Board Approved Policies 8000s  
Title                      PREPAREDNESS FOR TOXIC HAZARD AND ASBESTOS HAZARD  
Code                      po8431  
Status  
Adopted                  November 9, 2009

**8431 - PREPAREDNESS FOR TOXIC HAZARD AND ASBESTOS HAZARD**

The Board of Education is concerned for the safety of the students and staff members and will attempt to comply with all Federal and State statutes and regulations to protect them from hazards that may result from industrial accidents beyond the control of school officials or from the presence of asbestos materials used in previous construction.

**TOXIC HAZARDS**

These hazards exist in chemicals and other substances used in the school setting such as in laboratories, science classrooms, kitchens, and in the cleaning of rooms and equipment.

The Superintendent shall appoint an employee to serve as Toxic Hazard Preparedness (THP) Officer. The THP Officer is responsible for:

- A.  identifying potential sources of toxic hazard in cooperation with material suppliers who shall supply the THP Officer with Material Safety Data Sheets (MSDS's);
- B.  verifying that all incoming materials, including portable containers, are properly labeled with the identity of the chemical, the hazard warning, and the name and address of the manufacturer or responsible party;
- C.  maintaining a current file of MSDSs for every hazardous material present on District property;
- D.  designing and implementing a written communication program which:
  - 1. lists hazardous materials present on District property,
  - 2. details the methods used to inform staff and students of the hazards, and
  - 3. describes the methods used to inform contractors and their employees of any hazardous substances to which they may be exposed and of any corrective measures to be employed;
- E.  ~~conducting a training program for all District employees to include such topics as detection of hazards, explanation of the health hazards to which they could be exposed in their work environment, and the District's plan for communication, labeling, etc.~~

In fulfilling these responsibilities, the THP Officer may enlist the aid of county and municipal authorities and, if possible, the owners or operators of identified potential sources of toxic hazard.

The Board may, in its discretion, appoint and charge an ad hoc committee of community representatives to assist the THP Officer.

**APPLICATION OF PESTICIDES**

Any staff member or contractor who applies pesticides on District property shall meet the requirements of AG 8431A in addition to the requirements established by law.

Written notification shall be provided each year, prior to any pesticide application when school is in session, to those parents, adult students, and employees requesting prior notification of scheduled pesticide applications:

- A. that a pesticide is to be applied;
- B. the type of pesticide and its potential side effects;
- C. the location of the application; and
- D. the date of the application.

The method and type of prior notifications and signage shall be determined by the District (AG 8431A).

If circumstances arise that prevent prior notification from being provided, regarding such emergency application of pesticides to control organisms that pose an immediate health threat, the District shall provide notice as soon as possible. In addition to the information specified above, the notice shall provide the reasons why advance notice was not provided.

#### **ASBESTOS**

In its efforts to comply with Asbestos Hazard Emergency Response Act (AHERA), the Ohio Occupational Safety and Health Act (OSHA), and the Ohio Public Employment Risk Reduction Act (PERRA) the Board recognizes its responsibility to:

- A. inspect all District buildings for the existence of asbestos or asbestos-containing materials;
- B. take appropriate actions based on the inspections;
- C. establish a program for dealing with friable asbestos, if found;
- D. maintain a program of periodic surveillance and inspection of facilities or equipment containing asbestos;
- E. comply with EPA regulations governing the transportation and disposal of asbestos and asbestos-containing materials.

The Superintendent shall appoint a person to develop and implement the District's Asbestos-Management Program. Said individual will be responsible for the District's proper compliance with Federal and State laws and the appropriate instruction of staff and students.

The Superintendent shall also verify that, when conducting asbestos abatement projects, each contractor employed by the District is licensed pursuant to the Ohio Department of Health Regulations.

Nothing in this policy should be construed in any way as an assumption of liability by the Board for any death, injury, or illness that is the consequence of an accident or equipment failure or negligent or deliberate act beyond the control of the Board or its officers and employees.

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#### **Legal**

40 C.F.R. 763.92

Asbestos Hazard Emergency Response Act of 1986 (AHERA)

15 U.S.C. 2601, 20 U.S.C. 4022, 20 U.S.C. 4014, 20 U.S.C. 4011 et seq.

Asbestos School Hazard Abatement Act of 1984

Asbestos School Hazard Abatement Reauthorization Act of 1990, 20 U.S.C. 4011

Public Employee Risk Reduction Act (PERRA) R.C. 4167.01 et seq.

R.C. 921.01 et seq.

A.C. 901:5-11 et seq., 3701-34-06

Book                      Neola Policy Templates for Catch Up  
Section                    Board Approved Policies 8000s  
Title                        REPORTING ACCIDENTS  
Code                        po8442  
Status  
Adopted                    November 9, 2009

#### **8442 - REPORTING ACCIDENTS**

The Board of Education directs that all reasonable efforts be made to provide a safe learning and working environment for the students and employees of this District.

To that end, and so that an employee's legitimate claims for worker's compensation may be expedited, the Board requires that accidents be reported and evaluated. Any accident that results in an injury, however slight, to a student, employee of the Board, or a visitor to the schools must be reported promptly and in writing to the District business office. Injured persons shall be referred immediately to

~~( ) school nurse~~

appropriate personnel

for such medical attention as may be appropriate.

The injured employee, visitor, or the staff member responsible for an injured student shall complete a form that includes the date, time, and place of the incident; the names of persons involved; the nature of the injury to the extent that it is known; and a description of all relevant circumstances.

Any employee of the Board who suffers a job-related injury must report the injury and its circumstances to the principal or job supervisor, as appropriate, as soon as possible following the occurrence of the injury. The failure of an employee to comply with this mandate may result in disciplinary action. Any employee of the Board who suffers a job-related injury may file a claim with the Bureau of Workers Compensation as provided in Policy 8442.01.

If a staff member sustains a workplace injury while s/he is under the influence of alcohol or a controlled substance not prescribed by his/her physician, s/he may be disqualified for compensation and benefits under the Workers Compensation Act. If the staff member tests positive or refuses to submit to a test for alcohol and/or other drugs after sustaining a workplace injury, the employee may dispute or prove untrue the presumption or belief that alcohol and/or other drugs are the proximate cause of the injury (i.e., rebuttable presumption).

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Legal                      R.C. 4123.01 et seq., 4123.54



Book	Neola Policy Templates for Catch Up
Section	Board Approved Policies 8000s
Title	CONTROL OF CASUAL-CONTACT COMMUNICABLE DISEASES
Code	po8450
Status	
Adopted	November 9, 2009
Last Revised	February 14, 2011

#### **8450 - CONTROL OF CASUAL-CONTACT COMMUNICABLE DISEASES**

The Board of Education recognizes that control of the spread of communicable disease spread through casual contact is essential to the well-being of the school community and to the efficient District operation.

For purposes of this policy, "casual-contact communicable disease" shall include:

- A.  diphtheria,
- B.  scarlet fever and other strep infections,
- C.  whooping cough,
- D.  mumps,
- E.  measles,
- F.  rubella,
- G.  others designated by the Ohio Department of Public Health.

In order to protect the health and safety of the students, District personnel, and the community at large, the Board shall follow all State statutes and Health Department regulations which pertain to immunization and other means for controlling casual-contact communicable disease spread through normal interaction in the school setting.

If a student exhibits symptoms of a casual-contact communicable disease, the principal will isolate the student in the building and contact the parents/guardians. Protocols established by the County Health Department shall be followed.

The Superintendent shall develop administrative guidelines for the control of communicable disease which shall include:

- A.  instruction of teaching staff members in the detection of these common diseases and measures for their prevention and control;
- B.  removal of students from District property to the care of a responsible adult;
- C.  preparation of standards for the readmission of students who have recovered from casual-contact communicable diseases;
- D.  filing of reports as required by statute and the State Department of Health.

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Legal	R.C. 3313.67, 3313.671, 3313.68 A.C. 3301-3
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Book Neola Policy Templates for Catch Up  
Section Board Approved Policies 8000s  
Title PEDICULOSIS (HEAD LICE)  
Code po8451  
Status  
Adopted September 10, 2012

**8451 - PEDICULOSIS (HEAD LICE)**

Head lice is a universal problem and is particularly prevalent among elementary school-age children. Control of lice infestation is best handled by adequate treatment of the infested person and his/her immediate household and other close personal contacts.

Communication from the school to parents directly and through parent and classroom education to the students will help increase the awareness for both parents and child. Parents need to continually observe their child for this potential problem and treat adequately and appropriately as necessary.

If a child in the District is found to have lice, the child's parent will be contacted to have the child treated and ~~to pick him/her up at the end of the school day~~ (X) to pick him/her up immediately. After treatment and upon returning to school, the child will be examined by the school health staff or principal. The District practices a policy of (X) "no live lice" ~~no nits as a criteria for return to school.~~

The Superintendent shall prepare administrative guidelines to provide for the implementation of this policy.

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**Book** Neola Policy Templates for Catch Up  
**Section** Board Approved Policies 8000s  
**Title** AUTOMATED EXTERNAL DEFIBRILLATORS (AED)  
**Code** po8452  
**Status**  
**Adopted** November 9, 2009  
**Last Revised** December 10, 2015

**8452 - AUTOMATED EXTERNAL DEFIBRILLATORS (AED)**

To enhance school safety and in compliance with State law, the Board of Education will have an automated external defibrillator(S) (AED) placed in designated building(s) within the School District.

An AED is a medical device that interprets the cardiac rhythm of a person in cardiac arrest and, if appropriate, delivers an electrical shock to the heart intended to allow it to resume effective electrical activity.

The Superintendent is authorized to develop guidelines that govern AEDs, including the use of the AED, placement of the AED, and appropriate training in the use of the AED.

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**Legal** R.C. 2305.235, 3701.85, 3313.717, 3313.6021, 3313.6023  
A.C. 3301-27-01



Book                      Neola Policy Templates for Catch Up  
Section                    Board Approved Policies 8000s  
Title                        DIRECT CONTACT COMMUNICABLE DISEASES  
Code                        po8453  
Status  
Adopted                    November 9, 2009

#### **8453 - DIRECT CONTACT COMMUNICABLE DISEASES**

The Board of Education seeks to provide a safe educational environment for students and staff. This can best be accomplished by assuring that all persons with the school community understand the method of transmission and prevention of diseases that are not contracted through air-borne pathogens, but rather, through direct contact with body fluids and excretions, especially blood, vomit, feces, or urine. The Board is also committed to assuring the confidential status of individuals who may have been diagnosed with a blood-borne communicable disease.

For purposes of this policy, these diseases shall include:

- A. HIV (human immunodeficiency virus);
- B. AIDS (acquired immune deficiency syndrome);
- C. AIDS related complex (condition);
- D. HAV, HBV, HCV (Hepatitis A, B, C);
- E. other diseases that may be specified by the State Department of Health as contact communicable diseases.

The Board recognizes the fact that individuals who have contracted these diseases may not exhibit symptoms for many years after exposure and may, in fact, not be aware that they have contracted the disease. They are, however, able to transmit the disease to other individuals.

With this in mind, the Board directs the Superintendent to develop programs for students and staff for the purpose of understanding the manner in which these diseases may be prevented and how they are transmitted. These programs should specify, the risk factors involved, how to deal with those risks, and emphasize the fact that these diseases are preventable if basic precautions are taken.

The Board further directs the Superintendent to assure that students or staff who reveal the fact they have contracted one of these diseases will have their status safeguarded in accordance with Federal and State statutes dealing with confidentiality and that their civil rights will be respected. Staff members will have access to District leave policies in accordance with Board policy and negotiated agreement and opportunities for reasonable accommodation as described by the Americans with Disabilities Act. Should a student be unable to attend school as a result of illness, an alternative education program shall be provided in accordance with the Board's policy and administrative guidelines dealing with Homebound Instruction.



**Book** Neola Policy Templates for Catch Up  
**Section** Board Approved Policies 8000s  
**Title** CONTROL OF BLOOD-BORNE PATHOGENS  
**Code** po8453.01  
**Status**  
**Adopted** November 9, 2009

**8453.01 - CONTROL OF BLOOD-BORNE PATHOGENS**

The Board of Education seeks to protect those staff members who may be exposed to blood-borne pathogens and other potentially-infectious materials in their performance of assigned duties.

The Superintendent shall implement administrative guidelines which will:

- A. identify those categories of employees whose duties create a reasonable anticipation of exposure to blood and other infectious materials;
- B. provide for inoculation of the Hepatitis B vaccine at no cost to the staff member and in accordance with Federally-mandated scheduling;
- C. ensure proper training in the universal precautions against exposure and/or contamination including the provision of appropriate protective supplies and equipment;
- D. establish appropriate procedures for the reporting, evaluation, and follow-up to any and all incidents of exposure;
- E. provide for record-keeping of all of the above which complies with both Federal and State laws;
- F. develop an exposure control plan.

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Legal 29 C.F.R. 1910.1030



Book Neola Policy Templates for Catch Up  
Section Board Approved Policies 8000s  
Title Vol. 41, No. 2 - January 2023 Revised STUDENT ABUSE AND NEGLECT  
Code po8462  
Status  
Adopted November 9, 2009  
Last Revised April 10, 2014

**Revised Policy - Vol. 41, No. 2**

**8462 - STUDENT ABUSE AND NEGLECT**

The Board of Education is concerned with the physical and mental well-being of the students of this District and will cooperate in the identification and reporting of cases of child abuse or neglect in accordance with law.

Every Board official and employee who, in connection with his/her/their position, knows or suspects child abuse or neglect must immediately report that knowledge or suspicion to a public children's services or local law enforcement agency. Such reporting is required in every case that reasonably indicates that a child under the age of eighteen (18) or a physically or mentally disabled child under the age of twenty-one (21) has been abused (physically or mentally) or neglected or faces the threat of being abused or neglected.

**[ ]** The Board official and employee making the report shall also notify the appropriate administrator according to the District's Reporting Procedure for Student Abuse or Neglect (**[ ]**) and shall secure prompt medical attention to any such injuries reported ~~{END OF OPTION}~~.

Each Principal should be mindful of the possibility of physical or mental abuse being inflicted on a student by an employee. Any such instances, whether real or alleged, should be dealt with in accordance with the administrative guidelines established by the Superintendent. Board officials and employees must report suspected abuse to a public children's services or local law enforcement agency even when the suspected abuser is another official or employee.

The identity of the reporting person shall be confidential, subject only to disclosure by consent or court order. Information concerning alleged child abuse of a student is confidential information and is not to be shared with any unauthorized person. A staff member who violates this policy may be subject to disciplinary action and/or civil and/or criminal penalties.

In accordance with law, the Board will provide appropriate instruction on personal safety and assault prevention to all students in grades K-6, and also will provide developmentally appropriate instruction in child sexual abuse prevention to all students in grades K-6 (←) annually. Instruction for students in grades seven (7) through twelve (12) will include developmentally appropriate instruction in sexual violence prevention education. The parents/guardians of students who receive instruction related to dating violence prevention and sexual violence prevention will be notified that it is required curriculum, that they may examine the instructional materials upon request, and that a student may be excused from the instruction at the parent's/guardian's written request.

In addition, the Superintendent shall provide a program of in-service education for all nurses, teachers, counselors, school psychologists, mental health providers, and administrators who work in the District's elementary, middle, and high schools and any other personnel that the Board determines appropriate. The in-service education program will include school safety, violence prevention including human trafficking content, youth suicide awareness; and prevention, prevention of child abuse, substance abuse, promotion of positive youth development, and a review of Policy 5517.01 - Bullying and Other Forms of Aggressive Behavior. The program shall include training on child sexual abuse prevention presented by law enforcement officers or prosecutors who have experience in handling cases involving child sexual abuse or child sexual violence.

The Board shall adopt or adapt an evidence-based awareness and prevention curriculum approved by the Ohio Department of Education (ODE), or alternatively will utilize a suicide awareness and prevention curriculum that has been developed in consultation with public or private agencies/persons involved in youth suicide awareness and prevention and that has been

approved by the ODE.

The in-service education provided to middle and high school employees shall include training in the prevention of dating violence.

All newly-employed mental health providers, nurses, teachers, counselors, school psychologists, and administrators who work in the District's elementary, middle, and high schools shall complete at least four (4) hours of in-service training within two (2) years of the date of employment.

Additional training must occur every two (2) years thereafter for suicide awareness and prevention, and every five (5) years thereafter for school safety, violence prevention, prevention of child abuse, prevention of substance abuse and promotion of positive youth development.

The District shall be registered with the SaferOH tip line operated by the Department of Public Safety, or shall enter into an agreement with an anonymous reporting program selected by the Board that meets the requirements set forth in law (R.C. 3313.6610).

The District shall submit data to the Ohio Department of Education (ODE), in a manner prescribed by the Department, and to the Department of Public Safety at the end of the first full school year of the District's participation in the anonymous reporting program, and at the end of each school year thereafter, disaggregated by the school.

The data shall be considered records and are not public records under R.C. 149.433.

The Superintendent will promote and inform students about the selected program and its reporting methods.

A law enforcement officer or children's services agency investigating child abuse or neglect may interview a student on school grounds only in accordance with Board Policy 5540.

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Legal R.C. 149.433, 2151.421, 3313.60, 3313.6610, 3319.073, 3319.321  
20 U.S.C. 1232g

Book                      Neola Policy Templates for Catch Up  
Section                    Board Approved Policies 8000s  
Title                        SEX OFFENDER NOTIFICATION  
Code                        po8470  
Status  
Adopted                    November 9, 2009

**8470 - SEX OFFENDER NOTIFICATION**

Ohio's "Sex Offender Registration and Community Notification" law requires all "habitual sex offenders" and adjudicated "sexual predators" (hereinafter "offenders") to register with the sheriff of the county in which they reside. The sheriff must then notify certain community members including the Superintendent of the School District in which such an offender resides. The Board of Education is committed to assisting the sheriff and local law enforcement agencies with their responsibility for Community Notification of offenders as required by law.

When the Superintendent receives information from the sheriff concerning an offender subject to Community Notification, the Superintendent shall disseminate the information to all District employees whose duties include the supervision of and/or responsibility for students.

Employees who receive said information shall promptly notify the Superintendent if a person subject to Community Notification is observed in the vicinity of the school or a bus stop area. The Superintendent shall notify the local law enforcement agency if, in the judgment of the Superintendent, the presence of the person subject to Community Notification appears to be without a legitimate purpose or otherwise creates concern for the safety of children. The Superintendent shall cooperate with the local law enforcement agency if any additional action is to be taken.

When the Superintendent receives information from the sheriff concerning an offender subject to Community Notification, the Superintendent

~~( ) shall not release any information concerning such offender to any person other than those employees whose duties include the supervision of and/or responsibility for students. The Superintendent shall refer any and all persons who wish to receive information regarding sex offender to the sheriff.~~

( ) shall not release detailed information (i.e., name, address, and nature of offense) concerning such sex offenders to any person other than those employees whose duties include supervision of and/or responsibility for students. However, the Superintendent may disseminate limited information as authorized by law.

The Superintendent shall develop administrative guidelines necessary for the implementation of this policy.

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Legal                      R.C. 2950  
                                  A.C. 109:5-2



Book	Neola Policy Templates for Catch Up
Section	Board Approved Policies 8000s
Title	FOOD SERVICES
Code	po8500
Status	
Adopted	November 9, 2009
Last Revised	December 10, 2015

#### **8500 - FOOD SERVICES**

The Board of Education shall provide cafeteria facilities in all school facilities where space and facilities permit and will provide food service for the purchase and consumption of meals for all students. The Board shall also provide a breakfast program in accordance with procedures established by the Department of Education. The Board shall annually encumber the funds needed to operate the program.

The food-service program shall comply with Federal and State regulations pertaining to the selection, preparation, consumption, and disposal of food and beverages, including but not limited to the current USDA's school meal pattern requirements and the USDA Smart Snacks in School nutrition standards, as well as to the fiscal management of the program.

The Board does not discriminate on the basis of race, color, national origin, sex (including sexual orientation or gender identity), disability, age (except as authorized by law), religion, military status, ancestry, or genetic information (collectively, "Protected Classes") in its educational programs or activities. Students and all other members of the School District community and third parties are encouraged to promptly report incidents of unlawful discrimination and/or retaliation to a teacher, administrator, supervisor, or other District official so that the Board may address the conduct. See Policy 2260 - Nondiscrimination and Access to Equal Educational Opportunity.

The Board shall approve and implement nutrition standards governing the types of food and beverages that may be sold on the premises of its schools and shall specify the time and place each type of food or beverage may be sold. In adopting such standards, the Board shall:

- A. consider the nutritional value of each food or beverage;
- B. consult with a dietitian licensed under R.C. Chapter 4759, a dietetic technician registered by the commission on dietetic registration, or a school nutrition specialist certified or credentialed by the school nutrition association;
- C. consult and incorporate to the maximum extent possible the dietary guidelines for Americans jointly developed by the United States Department of Agriculture (USDA) and the United States Department of Health and Human Services; and
- D. consult and incorporate the USDA Smart Snacks in School nutrition guidelines.

No food or beverage may be sold on any school premises except in accordance with the standards approved by the Board.

In addition, as required by law, a food safety program that is based on the principles of the Hazard Analysis and Critical Control Point (HACCP) system shall be implemented with the intent of preventing food-borne illnesses. For added safety and security, access to the facility and the food stored and prepared therein shall be limited to food service program staff and other authorized persons.

The Board shall provide a Federal food service program for students during summer intervention programs that are mandated under Federal law. If the Board determines that it is unable to provide a Federal food service program during the summer, for financial reasons, the Board will communicate that decision to its residents in a manner it determines to be appropriate.

During all times while the food service program is operating and students are being served food, at least one (1) employee shall be present in the area in which the food is being consumed who has received instruction in methods to prevent choking and demonstrated an ability to perform the Heimlich maneuver.

### Substitutions

If determined appropriate by a student's Section 504 team, substitutions to the standard meal requirements shall be made, at no additional charge, for students for whom a health care provider who has prescriptive authority in the State of Ohio has provided medical certification that the student has a disability that restricts his/her diet, in accordance with the criteria set forth in 7 C.F.R. Part 15b. To qualify for such substitutions the medical certification must identify:

- A. the student's disability and the major life activity affected by the disability;
- B. an explanation of why the disability affects the student's diet; and
- C. the food(s) to be omitted from the student's diet and the food or choice of foods that must be substituted (e.g., caloric modifications or use of liquid nutritive formula).

[  ] If determined appropriate by a team of qualified individuals including, but not limited to, the Principal, school nurse, parent, and Director of Food Services, ~~and/or ( )~~ substitutions to the standard meal requirements may be made, at no additional charge, for a student who is not a "person with a disability," but has a signed statement from a qualified medical authority that the student cannot consume certain food items due to medical or other special dietary needs. To qualify for such consideration and substitutions the medical statement must identify:

- A. the medical or dietary need that restricts the student's diet; and
- B. the food(s) to be omitted from the student's diet and the food(s) or choice of foods that may be substituted.

For students without disabilities who need a nutritionally equivalent milk substitute, only a signed request by a parent or guardian is required. While the request must specify the medical or other special dietary need that restricts the student's diet (i.e., precludes the student's consumption of cow's milk), medical certification may not be required.

Meals sold by the school may be purchased by students and staff members and community residents in accordance with administrative guidelines established by the Superintendent. Meals may be made available, free of charge, to senior citizens who are serving as volunteers to the District.

The operation and supervision of the food-service program shall be the responsibility of the Food Services Director of Administrative Services. In accordance with Federal law, the Food Services Director of Administrative Services shall take such actions as are necessary to obtain a minimum of two (2) food safety inspections per school year, which are conducted by the State or local governmental agency responsible for food safety inspections. The report of the most recent inspection will be posted in a publicly visible location, and a copy of the report will be available upon request. ~~{Please note: Schools participating in more than one (1) child nutrition program are only required to obtain two (2) food safety inspections per school year if the nutrition programs offered use the same facilities for the preparation and service of meals. Also, the requirement for two (2) inspections does not apply to schools that only offer the Special Milk Program.}~~

A periodic review of the food-service accounts shall be made by the Treasurer and Director of Administrative Services ~~Food Services~~. Any surplus funds from the National School Lunch Program or the Healthy, Hunger-Free Kids Act of 2010 (P.L. 111-296) shall be used to reduce the cost of the service to students or to purchase cafeteria equipment. Surplus funds from a-la-carte foods may accrue to the food-service program.

Bad debt incurred through the inability to collect meal payment from students is not an allowable cost chargeable to any Federal program. Any related collection cost, including legal cost, arising from such bad debt after they have been determined to be uncollectable are also unallowable.

~~{ } Bad debt is uncollectable/delinquent debt that has been determined to be uncollectable by the end of the school year in which the debt was incurred. If the uncollectable/delinquent debt cannot be recovered by the School Meals Program in the year when the debt was incurred, then this is classified as bad debt. Once classified as bad debt, non-Federal funding sources must reimburse the NSFS for the total amount of the bad debt. The funds may come from the District general fund, State or local funding, school or community organizations such as the PTA, or any other non-Federal source. Once the uncollectable/delinquent debt charges are converted to bad debt, records relating to those charges must be maintained in accordance with the record retention requirements in 7 C.F.R. 210.9(b) (17) and 7 C.F.R. 210.15(b).~~

The Superintendent is authorized to develop and implement an administrative guideline regarding meal charge procedures. This guideline will provide consistent directions for students who are eligible for reduced price or paid meals but do not have funds in their account or in hand to cover the cost of their meal at the time of service and shall also address feeding

students with unpaid meal balances without stigmatizing them.

This guideline shall be provided in writing to all households at the start of each school year and to households transferring to the school or School District during the school year.

With regard to the operation of the school food service program, the Superintendent shall require:

- A. the maintenance of sanitary, neat premises free from fire and health hazards;
- B. the preparation of food that complies with Federal food safety regulations;
- C. the planning and execution of menus in compliance with USDA requirements;
- D. the purchase of food and supplies in accordance with State and Federal law, USDA regulations, and Board policy; (see Policy 1130, Policy 1200, Policy 3113, Policy 3210, Policy 3214, Policy 4113, Policy 4210, Policy 4214, and Policy 6460)
- E. complying with food holds and recalls in accordance with USDA regulations;
- F. the administration, accounting, and disposition of food-service funds pursuant to Federal and State law and USDA regulations;
- G. the safekeeping and storage of food and food equipment pursuant to State and Federal law and USDA regulations;
- H. the regular maintenance and replacement of equipment;
- I. all District employees whose salaries are paid for with USDA funds or non-Federal funds used to meet a match or cost-share requirement must comply with the District's time and effort record-keeping policy (see Policy 6116).

In accordance with the nutritional standards adopted by the Board, the placement of vending machines in any classroom where students are provided instruction unless the classroom is also used to serve meals to students is prohibited.

The District shall serve only nutritious food in accordance with the nutritional standards adopted by the Board in compliance with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition guidelines. Foods and beverages in competition with the District's food-service program must comply with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition guidelines, and may only be sold in accordance with Board Policy 8550.

The Superintendent will require that the food service program serve foods in the schools of the District that are wholesome and nutritious and reinforce the concepts taught in the classroom.

The Superintendent is responsible for implementing the food service program in accordance with the adopted nutrition standards and shall provide a report regarding the District's compliance with the standards at one of its regular meetings annually.

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Legal

R.C. 3313.81, 3313.811-815

A.C. 3301-91

42 U.S.C. 1758

Healthy, Hunger-Free Kids Act of 2010 and Richard B. Russell National School Lunch Act, 42 U.S.C. 1751 et seq.

Child Nutrition Act of 1966, 42 U.S.C. 1771 et seq.

7 C.F.R. Parts 15b, 210, 215, 220, 225, 226, 227, 235, 240, 245, 3015

OMB Circular No. A-87USDA Smart Snacks in School Food Guidelines (effective July 1, 2014)

SP 32-2015 Statements Supporting Accommodations for Children with Disabilities in the Child Nutrition Programs



Book Neola Policy Templates for Catch Up  
Section Board Approved Policies 8000s  
Title WELLNESS  
Code po8510  
Status  
Adopted November 9, 2009

8510 - WELLNESS

As required by law, the Board of Education establishes the following wellness policy for the Big Walnut Local School District as a part of a comprehensive wellness initiative.

The Board therefore encourages and supports the following approaches to student wellness and directs the Superintendent/designee to develop and maintain a wellness program:

A. Whereas, the Child Nutrition Program comply with Federal, State, and local requirements, accessible to all children and provide a school environment that is safe, comfortable, pleasing, and allows ample time for eating meals;

B. Whereas, sequential and interdisciplinary Nutrition Education and Physical Education are promoted and provided to encourage behaviors conducive to health and well-being and connected to students' lives;

C. Whereas, all foods and beverages including vending, concessions, a la carte, student stores, parties, and fundraising during the school day are are consistent with the current Dietary Guidelines for Americans and adhere to food safety and security regulations;

D. Whereas, the District shall establish a District Wellness Committee to oversee and evaluate the Wellness Policy, ensure that all school-based activities are consistent with the Federal Law and the District Wellness Policy, and maintain a collaborative effort between the school, parents and community

~~The Board recognizes that good nutrition and regular physical activity affect the health and well-being of the District's students. Furthermore, research suggests that there is a positive correlation between a student's health and well-being and his/her ability to learn. Moreover, schools can play an important role in the developmental process by which students establish their health and nutrition habits by providing nutritious meals and snacks through the schools' meal programs, by supporting the development of good eating habits, and by promoting increased physical activity both in and out of school.~~

~~Schools alone, however, cannot develop in students healthy behaviors and habits with regard to eating and exercise. It will be necessary for not only the staff, but also parents and the public at large to be involved in a community wide effort to promote, support, and model such healthy behaviors and habits.~~

~~The Board sets the following goals in an effort to enable students to establish good health and nutrition habits:~~

~~A. With regard to nutrition education, the District shall:~~

~~{Select one or more of the following:}~~

- ~~1. (?) Nutrition education shall be included in the Health curriculum so that instruction is sequential and standards based and provides students with the knowledge, attitudes, and skills necessary to lead healthy lives.~~
- ~~2. (-) Nutrition education shall be included in the sequential, comprehensive Health curriculum in accordance with the curriculum standards and benchmarks established by the State.~~
- ~~3. (-) Nutrition education shall be integrated into other subject areas of the curriculum, when appropriate, to complement, but not replace, the standards and benchmarks for health education.~~

4. ~~(-) Nutrition education standards and benchmarks shall be age appropriate and culturally relevant.~~
5. ~~(-) The standards and benchmarks for nutrition education shall be behavior focused.~~
6. ~~(-) Nutrition education shall include enjoyable, developmentally appropriate and culturally relevant participatory activities, such as contests, promotions, taste testing, and others.~~
7. ~~(-) Nutrition education shall include opportunities for appropriate student projects related to nutrition, involving, when possible, community agencies and organizations.~~
8. ~~(-) Nutrition education shall extend beyond the classroom by engaging and involving the school's food service staff.~~
9. ~~(-) Nutrition education posters, such as the Food Pyramid Guide, will be displayed in the cafeteria.~~
10. ~~(-) The school cafeteria shall serve as a learning lab by allowing students to apply the knowledge, attitudes, and skills taught in the classroom when making choices at mealtime.~~
11. ~~(-) Nutrition education shall extend beyond the school by engaging and involving families and the community.~~
12. ~~(-) Nutrition education shall reinforce lifelong balance by emphasizing the link between caloric intake (eating) and exercise in ways that are age appropriate.~~
13. ~~(-) Nutrition education benchmarks and standards include a focus on media literacy as it relates to food marketing strategies.~~
14. ~~(-) Nutrition education standards and benchmarks promote the benefits of a balanced diet that includes fruits, vegetables, whole grain products, and low fat and fat free dairy products.~~
15. ~~(-) Staff responsible for providing instruction in nutrition education shall regularly participate in professional development activities designed to better enable them to teach the benchmarks and standards.~~
16. ~~(-) Instruction related to the standards and benchmarks for nutrition education shall be provided by highly qualified teachers.~~
17. ~~(-) The District shall provide information to parents that is designed to encourage them to reinforce at home the standards and benchmarks being taught in the classroom.~~
18. ~~(-) [other:] \_\_\_\_\_~~
19. ~~(-) [other:] \_\_\_\_\_~~
20. ~~(-) [other:] \_\_\_\_\_~~
21. ~~(-) [other:] \_\_\_\_\_~~

**B. With regard to physical activity, the District shall:**

**{It is recommended that one (1) or more of the following be selected from both categories:}**

**1. Physical Education**

- a. ~~(x) A sequential, comprehensive physical education program shall be provided for students in K-12 in accordance with the physical education academic content standards and benchmarks adopted by the State.~~
- b. ~~(-) The sequential, comprehensive physical education curriculum shall provide students with opportunities to learn, practice, and be assessed on developmentally appropriate knowledge, attitudes, and skills necessary to engage in lifelong, health enhancing physical activity.~~
- c. ~~(-) Planned instruction in physical education shall be sufficient for students to achieve a proficient level with regard to the standards and benchmarks adopted by the State.~~
- d. ~~(-) Planned instruction in physical education shall promote participation in physical activity outside the regular school day.~~

- e. ~~( ) All students in grades K-12, including those with disabilities, special health care needs and in alternative educational settings (to the extent consistent with the students' IEPs), shall receive daily physical education for the entire school year, for at least 150 minutes per week for K-5 students and at least 225 minutes per week for students in grades 6-12.~~

~~{The National Association for Sport and Physical Education (NASPE) defines a quality physical education program in the terms and minutes specified above.}~~

- f. ~~( ) All students in grades \_\_\_\_\_, including those with disabilities, special health care needs and in alternative educational settings (to the extent consistent with the students' IEPs), shall receive instruction in physical education for \_\_\_\_\_ ( ) minutes ( ) daily ( ) \_\_\_\_\_ days per week for the entire school year.~~
- g. ~~( ) All students, including those with disabilities, special health care needs and in alternative educational settings (to the extent consistent with the students' IEPs), shall receive instruction in physical education for \_\_\_\_\_ ( ) minutes ( ) per day ( ) \_\_\_\_\_ days per week for at least \_\_\_\_\_ semesters in grades \_\_\_\_\_-12.~~
- h. ~~( ) The physical education curriculum shall provide sequential instruction related to the knowledge, attitudes, and skills necessary to participate in lifelong, health-enhancing physical activity.~~
- i. ~~( ) Physical education classes shall provide students with opportunities to learn, practice, and be assessed on developmentally appropriate knowledge, attitudes and skills necessary to engage in lifelong, health-enhancing physical activity.~~
- j. ~~( ) The sequential, comprehensive physical education curriculum shall stress the importance of remaining physically active for life.~~
- k. ~~( ) The K-12 program shall include instruction in physical education as well as opportunities to participate in competitive and non-competitive team sports to encourage lifelong physical activity.~~
- l. ~~( ) Planned instruction in physical education shall require students to be engaged in moderate to vigorous physical activity for at least fifty percent (50%) of scheduled class time.~~
- m. ~~( ) Teachers properly certified/licensed in the subject area of physical education shall provide all instruction in physical education.~~
- n. ~~( ) Professional development opportunities should focus on the physical education content area.~~
- o. ~~( ) All physical education classes shall have a student/teacher ratio comparable to the student/teacher ratio in other curricular areas.~~

~~{NASPE includes this option in the definition of a quality physical education program.}~~

- p. ~~( ) Planned instruction in physical education shall teach cooperation, fair play, and responsible participation.~~
- q. ~~( ) Planned instruction in physical education shall meet the needs of all students, including those who are not athletically gifted.~~
- r. ~~( ) Planned instruction in physical education shall be presented in an environment free of embarrassment, humiliation, shaming, taunting, bullying or harassment of any kind.~~
- s. ~~( ) Planned instruction in physical education shall include cooperative as well as competitive games.~~
- t. ~~( ) Planned instruction in physical education shall take into account gender and cultural differences.~~
- u. ~~( ) On an annual basis, physical education teachers shall review and affirm receipt of the Ohio Department of Health's concussion information sheet.~~
- v. ~~( ) Physical Education teachers shall remove from class participation any student who exhibits signs, symptoms, or behaviors consistent with having sustained a concussion or head injury. The Principal and/or teacher shall notify parents or guardians about the possible concussion or head injury.~~

w. ~~(-) Any student who has been removed from physical education class participation because s/he has exhibited signs, symptoms, or behaviors consistent with having sustained a concussion or head injury shall not be permitted to return to physical education class until the student's condition is assessed by a physician, and the physician gives the student written clearance that it is safe to return to class.~~

x. ~~(-) [others:] \_\_\_\_\_~~

y. ~~(-) [others:] \_\_\_\_\_~~

z. ~~(-) [others:] \_\_\_\_\_~~

## 2. Physical Activity

a. ~~(x) Physical activity (-) shall (x) should not be employed as a form of discipline or punishment.~~

b. ~~(-) Physical activity and movement shall be integrated, when possible, across the curricula and throughout the school day.~~

c. ~~(-) Schools shall encourage families to provide physical activity outside the regular school day, such as outdoor play at home, participation in sports sponsored by community agencies or organizations, and in lifelong physical activities like bowling, swimming, or tennis.~~

d. ~~(-) All students in grades K-5/6 shall be provided with a daily recess period at least \_\_\_\_\_ (-) minutes in duration. Recess shall not be used as a reward or punishment.~~

~~{NASPE's recommendation is that all elementary school students should be provided with at least one daily period of recess for a minimum of twenty (20) minutes.}~~

e. ~~(-) The school shall provide information to families to encourage and assist them in their efforts to incorporate physical activity into their children's daily lives.~~

f. ~~(-) The school shall encourage families and community organizations to help develop and institute programs that support physical activity of all sorts.~~

g. ~~(-) The school shall provide students in grades \_\_\_\_\_ with the opportunity to use physical activity in which they participate outside the regular school day (other than organized interscholastic athletics) to satisfy physical activity requirements.~~

h. ~~(-) In addition to planned physical education, the school shall provide age appropriate physical activities (e.g., recess during the school day, intramurals and clubs before and after school, and interscholastic sports) that meet the needs of all students, including males, females, students with disabilities, and students with special health care needs.~~

~~{This is a NASPE recommendation in their position statement on Comprehensive School Physical Activity Programs (2009).}~~

i. ~~(-) All students in grades \_\_\_\_\_ shall have the opportunity to participate in extracurricular activities and intramural programs that emphasize physical activity.~~

j. ~~(-) All students in grades \_\_\_\_\_-12 shall have the opportunity to participate in interscholastic sports programs.~~

k. ~~(-) Schools shall offer a wide range of physical activities outside the regular school day that meet the needs, interests, and abilities of all students, including males, females, students with disabilities, and students with special health care needs.~~

l. ~~(-) All before/after school programs shall provide developmentally appropriate physical activity for the students who participate.~~

m. ~~(-) Schools shall discourage extended periods of student inactivity, without some physical activity.~~

n. ~~(-) [others:] \_\_\_\_\_~~

o. ~~(-) [others:] \_\_\_\_\_~~

p. ~~( )~~ {others:} \_\_\_\_\_

C. ~~With regard to other school-based activities:~~

~~Free drinking water shall be available to students during designated meal times and may be available throughout the school day.~~

~~{Select one or more of the following:}~~

1. ~~( ) The schools shall provide at least \_\_\_\_\_ ( ) minutes daily for students to eat.~~
2. ~~( ) The schools shall schedule mealtimes so there is minimum disruption by bus schedules, recess, and other special programs or events.~~
3. ~~( ) The school shall provide attractive, clean environments in which the students eat.~~
4. ~~( ) Students at \_\_\_\_\_ {insert name(s) of building(s)} are not permitted to have drinks in the classroom.~~
5. ~~( ) Students at \_\_\_\_\_ {insert name(s) of building(s)} are permitted to have bottled water only in the classroom.~~
6. ~~( ) Activities, such as tutoring or club meetings, shall not be scheduled during mealtimes, unless students may eat during those meetings.~~
7. ~~( ) Schools ( ) may ( ) shall limit the number of celebrations involving serving food during the school day to no more than \_\_\_\_\_ ( ) party(ies) per class per month.~~
8. ~~( ) Students, parents, and other community members shall have access to, and be encouraged to use, the school's outdoor physical activity facilities outside the normal school day.~~
9. ~~( ) An organized wellness program shall be available to all staff.~~
10. ~~( ) The schools ( ) shall ( ) may use environmentally friendly practices, such as the use of locally grown foods and non-disposable tableware and dishes.~~
11. ~~( ) The schools ( ) shall ( ) may provide opportunities for staff, parents, and other community members to model healthy eating habits by dining with students in the school dining areas.~~
12. ~~( ) The schools ( ) shall ( ) may demonstrate support for the health of all students by hosting health clinics and screenings and encouraging parents to enroll their eligible children in Medicaid or in other children's health insurance programs for which they may qualify.~~
13. ~~( ) Schools in our system utilize electronic identification and payment systems, therefore, eliminating any stigma or identification of students eligible to receive free and/or reduced meals.~~
14. ~~( ) Students are discouraged from sharing their foods or beverages with one another during meal times, given concerns about allergies and other restrictions on some students' diets.~~
15. ~~( ) {others:} \_\_\_\_\_~~
16. ~~( ) {others:} \_\_\_\_\_~~

D. ~~With regard to nutrition promotion, any foods and beverages marketed or promoted to students on the school campus, during the school day, will meet or exceed the USDA Smart Snacks in School nutrition standards.~~

~~Additionally, the District shall:~~

1. ~~( ) encourage students to increase their consumption of healthful foods during the school day;~~
2. ~~( ) create an environment that reinforces the development of healthy eating habits, including offering the following healthy foods that comply with the USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards:~~

- a. ~~(-) a variety of fresh produce to include those prepared without added fats, sugars, refined sugars, and sodium;~~
  - b. ~~(-) a variety of vegetables daily to include specific subgroups as defined by dark green, red/orange, legumes, and starchy;~~
  - c. ~~(-) whole grain products—half of all grains need to be whole grain rich upon initial implementation and all grains must be whole grain rich within two (2) years of implementation;~~
  - d. ~~(-) fluid milk that is fat free (unflavored and flavored) and low fat (unflavored);~~
  - e. ~~(-) meals designed to meet specific caloric ranges for age/grade groups;~~
3. ~~(-) eliminate trans fat from school meals;~~
  4. ~~(-) require students to select a fruit or vegetable as part of a complete reimbursable meal;~~
  5. ~~(-) designate wellness champions at each school that will promote resources through the District's website for wellness for students, families and the community;~~
  6. ~~(-) provide opportunities for students to develop the knowledge and skills for consuming healthful foods;~~

~~[ ] The District nutrition department will promote and encourage Farm to School efforts in order to provide the healthy foods identified above.~~

~~[ ] All foods and beverages sold to students as fund raisers outside of the school meals program during the regular and extended school day for consumption on the school campus shall meet the USDA Competitive Food regulations, the Alliance for a Healthier Generation's Competitive Foods and Beverages Guidelines, and the USDA Smart Snacks in School nutrition standards.~~

~~[ ] Rewarding children in the classroom should not involve candy and other foods that can undermine children's diets and health and reinforce unhealthy eating habits. A wide variety of alternative rewards can be used to provide positive reinforcement for children's behavior and academic performance.~~

~~[ ] Promotions/Partnerships:~~

- A. ~~(-) Through partnership with the \_\_\_\_\_ [insert local running organization] each school has the opportunity to earn \$ \_\_\_\_\_ [identify dollar amount or other gift] to start and implement a mileage or running club.~~
- B. ~~(-) Through USTA partnerships, each K-12 school has the opportunity to receive more than \$ \_\_\_\_\_ [insert dollar amount] worth of equipment to teach and implement tennis appropriate to grade level in the curriculum.~~
- C. ~~(-) Through community partnerships, the elementary schools will receive training and equipment to implement the \_\_\_\_\_ [insert name of a golf program, e.g., First Tee Golf] into the curriculum.~~
- D. ~~(-) Through grants from the \_\_\_\_\_ [insert source of grants] and local businesses, each elementary school has the opportunity to implement the \_\_\_\_\_ [insert name of local bike safety program].~~
- E. ~~(-) \_\_\_\_\_~~
- F. ~~(-) \_\_\_\_\_~~

~~Furthermore, with the objectives of enhancing student health and well being, and reducing childhood obesity, the following guidelines are established:~~

- A. ~~In accordance with Policy 8500, entitled Food Service, the food service program shall comply with Federal and State regulations pertaining to the selection, preparation, consumption, and disposal of food and beverages, including but not limited to the USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards, as well as to the fiscal management of the program.~~
- B. ~~As set forth in Policy 8531, entitled Free and Reduced Price Meals, the guidelines for reimbursable school meals are not less restrictive than the guidelines issued by the U.S. Department of Agriculture (USDA).~~

~~The sale of foods of minimal nutritional value in the food service area during the lunch period is prohibited.~~

- C. ~~The sale of foods and beverages to students that do not meet the USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards to be consumed on the school campus during the school day is prohibited.~~
- D. ~~All food items and beverages available for sale to students for consumption on the school campus (any area of property under the jurisdiction of the school that is accessible to students during the school day) between midnight and thirty (30) minutes after the close of the regular school day shall comply with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards, including, but not limited to, competitive foods that are available to students a la carte or as entrees in the dining area (except entree items that were offered on the National School Lunch Program (NSLP) or School Breakfast Program (SBP) menu on the day of and the day after they are offered on the NSLP or SBP menu), as well as food items and beverages from vending machines, from school stores, or as fund raisers, including those operated by student clubs and organizations, parent groups, or boosters clubs.~~
- E. ~~All foods offered on the school campus during the school day shall comply with the current USDA Dietary Guidelines for Americans, including competitive foods that are available to students a la carte in the dining area, as classroom snacks, from vending machines.~~

~~{DRAFTING NOTE: THE FINAL RULES STATE THAT A POLICY MUST HAVE STANDARDS FOR FOOD AND BEVERAGES "PROVIDED" AT SCHOOL, SUCH AS PROVIDED FOR A CLASS PARTY OR AS A REWARD TO STUDENTS. THESE STANDARDS DO NOT HAVE TO MEET THE REQUIREMENTS IMPOSED ON FOOD SOLD AT SCHOOL. A DISTRICT CAN ADOPT THE SAME STANDARD AS FOR SOLD FOOD OR ESTABLISH ITS OWN STANDARDS AS LONG AS IT HAS SOMETHING IN PLACE FOR FOOD PROVIDED IN SCHOOL OTHER THAN THROUGH SALE. THIS DOES NOT APPLY TO FOOD BROUGHT IN FOR INDIVIDUAL CONSUMPTION, I.E., A SACK LUNCH.}~~

- F. ~~All food and beverages that are provided, other than through sale, on the school campus during the school day (which may include for classroom parties and at holiday celebrations) shall comply with the~~

~~( ) current USDA Dietary Guidelines for Americans;~~

~~OR~~

~~(x) food and beverage standards approved by the (x) Superintendent ( ) \_\_\_\_\_~~

~~OR~~

~~( ) the following standards:~~

~~\_\_\_\_\_~~

~~{It is recommended that one (1) or more of the following be selected:}~~

- G. ~~( ) The food service program will strive to be financially self-supporting; however, if it is necessary to subsidize the operation, it will not be through the sale of foods with minimal nutritious value.~~
- H. ~~The food service program will provide all students affordable access to the varied and nutritious foods they need to be healthy and to learn well regardless of unpaid meal balances and without stigma.~~
- I. ~~( ) All foods available on campus at any time shall comply with the current USDA Dietary Guidelines for Americans, including competitive foods that are available to students a la carte in the dining area, as well as foods that are served as classroom snacks, from vending machines, for fundraisers, for classroom parties, at holiday celebrations, at concession stands, or at any school related event.~~
- J. ~~( ) The school food service program ( ) may ( ) shall involve~~
  - ~~( ) students;~~
  - ~~( ) parents;~~
  - ~~( ) staff;~~
  - ~~( ) school officials~~

~~in the selection of competitive food items to be sold in the schools.~~

- K. ~~( ) Nutrition information for competitive foods available during the school day shall be readily available near the point of purchase.~~
- L. ~~( ) All foods available to students in District programs, other than the food service program, shall be served with consideration for promoting student health and well-being.~~
- M. ~~( ) The school shall prepare and distribute to staff, parents, and after-school program personnel a list of snack items that comply with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards.~~
- N. ~~( ) The food service program shall be administered by a qualified nutrition professional.~~
- O. ~~( ) The food service program shall be administered by a director who is properly qualified, certificated, licensed, or credentialed, according to current professional standards.~~
- P. ~~( ) All food service personnel shall receive pre-service training in food service operations.~~
- Q. ~~( ) Continuing professional development shall be provided for all staff of the food service program.~~
- R. ~~( ) [other:] \_\_\_\_\_~~
- S. ~~( ) [other:] \_\_\_\_\_~~

~~The Board designates ( ) the Superintendent ( ) the Building Principals as the individual(s) charged with operational responsibility for measuring and evaluating the District's implementation and progress under this policy. The Superintendent shall develop administrative guidelines necessary to implement this policy.~~

~~The Superintendent shall appoint a District-wide Wellness Committee that ( ) meets at least four (4) times per year and includes parents, students, representatives of the school food authority, educational staff (including health and physical education teachers), mental health and social services staff, school health professionals, members of the public, and school administrators to oversee development, implementation, evaluation and periodic update of this policy. The Wellness Committee shall be an ad hoc committee with members recruited and appointed annually. School level health advisory teams may assist in the planning and implementation of these Wellness initiatives.~~

~~The Wellness Committee shall be responsible for:~~

- A. ~~assessment of the current school environment;~~
- B. ~~review of the District's Wellness policy;~~
- C. ~~presentation of the Wellness policy to the Board for approval;~~
- D. ~~measurement of the implementation of the policy; and~~
- E. ~~recommendation for the revision of the policy, as necessary.~~

~~Before the end of each school year, the Wellness Committee shall recommend to the Superintendent any revisions to the policy it deems necessary and/or appropriate. In its review, the Wellness Committee shall consider evidence-based strategies in determining its recommendations.~~

~~The Superintendent shall report annually to the Board on the Wellness Committee's progress and on its evaluation of the policy's implementation and areas for improvement, including status of compliance by individual schools and progress made in attaining the policy's goals.~~

~~The Superintendent is also responsible for informing the public, including parents, students and community members, on the content and implementation of this policy. In order to inform the public, the Superintendent shall~~

- ~~( ) distribute information at the beginning of the school year to families of school children;~~
- ~~( ) include information in the student handbook;~~
- ~~( ) \_\_\_\_\_ [insert other methods of informing the public]~~

~~and post the policy on the District's website, including the Wellness Committee's assessment of the policy's implementation.~~





Book                      Neola Policy Templates for Catch Up  
Section                    Board Approved Policies 8000s  
Title                      FREE AND REDUCED-PRICE MEALS  
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Status  
Adopted                    November 9, 2009

**8531 - FREE AND REDUCED-PRICE MEALS**

The Board of Education recognizes the importance of good nutrition to each student's educational performance.

The Board shall provide needy children with

breakfast

lunch

at

a reduced rate ~~and/or~~

no charge to the student.

Children, eligible for free or reduced-price meals, shall be determined by the criteria established by the Child Nutrition Program and National School Lunch Act. These criteria are issued annually by the Federal government through the State Department of Education.

The Board designates the

~~( ) Superintendent~~

Director of Administrative Food Services Director

to determine in accordance with Board standards, the eligibility of students for free and reduced-price meals.

The schools shall

annually

~~( ) twice a year~~

notify all families of the availability, eligibility requirements, and application procedure for free and reduced-price meals by distributing an application to the family of each student enrolled in the school.

and shall seek out and apply for such Federal, State, and local funds as may be applied to the District's program of free and reduced-price meals.

The Board shall provide a Federal food service program for students during summer intervention programs that are mandated under Federal law. If the Board determines that it is unable to provide a Federal food service program during the summer, for financial reasons, the Board will communicate that decision to its residents in a manner it determines to be appropriate.

The Superintendent shall prepare and implement the necessary arrangements and guidelines to ensure proper operation of this program. S/He shall ensure that the appropriate policy attachments for Free and Reduced-Price Meals or Free Milk are properly completed and submitted for approval to the School Food Service Division of the State Department of Education by

the beginning of each school year.

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R.C. 3313.81, 3313.812-814

42 U.S.C. 1751 et seq.

42 U.S.C. 1771 et seq.





Book Neola Policy Templates for Catch Up  
Section Board Approved Policies 8000s  
Title COMPETITIVE FOOD SALES  
Code po8550  
Status  
Adopted September 12, 2011

**8550 - COMPETITIVE FOOD SALES**

The Food and Nutrition Services Department will comply with the provisions set forth in Federal law regarding sale of competitive food and foods of minimal nutritional value.

**~~{CHOOSE ONE (1) OF THE FOLLOWING 2 OPTIONS}~~**

~~**Option 1**~~

~~Only the Food and Nutrition Services Department shall sell food and beverages in District schools during regular school hours.~~

**Option 2**

The Food and Nutrition Services Department shall be the sole provider of food and beverage items sold in all schools until

~~( ) thirty (30) minutes~~

~~( ) one (1) hour~~

( ) \_\_\_\_\_

following the last lunch period, at which time other school organizations may begin to sell foods and beverage items in accordance with the Board's food service policy (Policy 8500) and guidelines (AG 8500 and AG 8500A) and with the Principal's approval. All food items and beverages sold to students that will be consumed on the school campus (any area of property under the jurisdiction of the school that is accessible to students during the school day) during the school day (the period from the midnight before, to thirty (30) minutes after the end of the official school day) shall comply with the USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards.

**~~{END OF OPTIONS}~~**

~~[ ] Food and beverages sold during the school day outside the cafeteria may be operated on a "profit share" program with prior approval of the Director of the Food and Nutrition Services Department and the principal.~~

~~[ ] The food and beverages to be sold must be in accordance with the District's approved nutrition standards and the District's wellness policy (Policy 8510) and guidelines (AG 8500 and AG 8500A). All food items and beverages sold to students that will be consumed on the school campus (any area of property under the jurisdiction of the school that is accessible to students during the school day) during the school day (the period from the midnight before, to thirty (30) minutes after the end of the official school day), including items sold from vending machines, from school stores, or as fund raisers, including fundraisers operated by student clubs and organizations, parent groups, or boosters clubs, shall comply with the USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards.~~

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Legal Title 7 C.F.R. 210.11  
R.C. 3313.84

**A.C. 3301-91**

**7 C.F.R. Parts 210 and 220**

Book                      Neola Policy Templates for Catch Up  
Section                    Board Approved Policies 8000s  
Title                        Vol. 42, No. 1 - August 2023 Revised TRANSPORTATION  
Code                        po8600  
Status  
Adopted                    November 9, 2009

**Revised Policy - Vol. 42, No. 1**

**8600 - TRANSPORTATION**

It is the policy of the Board of Education to provide transportation for those students whose distance from their school makes this service necessary within the limitations established by State law. Such laws and rules shall govern any question not covered by this policy.

School buses shall be purchased, housed, and maintained by the Board for the transportation of resident students between their home areas and the schools of the District to which they are assigned or to their nonpublic or community schools. The Superintendent may substitute smaller buses for reasons of economy or efficiency of operation.

Children living beyond the following walking limits shall be entitled to bus transportation:

- A. Kindergarten at Noon two (2) miles
- B. Kindergarten in Morning, or afternoon two (2) mile
- C. Grades one (1) through six (6) two (2) mile
- D. Grades seven (7) through twelve (12) two (2) mile

Exceptions to the foregoing limits may be made in the case of a temporarily or permanently-disabled child who has been so certified by a physician and in the case of adverse safety conditions. Transportation for students who are not entitled to transportation under State law will not be reduced after the start of the school year.

Transportation of eligible vocational or special education children between their home areas and schools outside the District shall be arranged through the use of Board-owned vehicles, through cooperation with other districts, through commercial carriers, and/or by other means in the most efficient and economical manner. The governing authority of a community school shall provide or arrange for transportation free of charge for any eligible special education student enrolled in the community school for whom the student's individualized education program specifies transportation.

Transportation to and from school shall be provided for each student residing in the District and attending a State-chartered nonpublic school on the same basis as established for resident students as set forth above, subject to the following limitation. Transportation will only be provided if it requires thirty (30) minutes or less of direct travel by a school bus during normal travel times as measured from the school building to which the student would be assigned in the District. Transportation shall be provided each day in which the nonpublic school is open with students in attendance (excluding Saturdays and Sundays except by agreement between the entities entered into by July 1st in any year). Chartered nonpublic school students who are transported by the Board may be assigned to ride on buses upon which resident students are also assigned. Notwithstanding the above, the District will provide transportation as a related service to students with disabilities who live in the District and attend a nonpublic school if the School District is provided with supporting documentation from the child's individualized education program ("IEP") or an individual service plan ("ISP") developed by the county board of developmental disabilities pursuant to RC 5126.41 for county residents who receive supported living services.

Furthermore, transportation to and from school shall be provided for each native student (i.e., student entitled to attend school in the District under R.C. 3313.64 or R.C. 3313.65) attending a chartered community school for each day in which the school is open and students are in attendance (excluding Saturdays and Sundays except by agreement between the

entities entered into by July 1st each year). However, if that community school is located outside the District, the Board will only provide transportation if it requires thirty (30) minutes or less of direct travel by a school bus during normal travel times as measured from the school building to which the student would be assigned in the District. Native students attending an approved community school located within the District will be provided transportation on the same basis as established for resident students set forth above. Students transported to an approved community school may be assigned to ride on buses upon which resident students are also assigned.

Transportation of eligible nonpublic or community school children between their home areas and schools shall be arranged through the use of District-owned vehicles, through cooperation with other districts, through commercial carriers, and/or by other means in the most efficient and economical manner. The Board will not provide or arrange for transportation of students enrolled in kindergarten through eighth grade using mass transit system vehicles unless the Board and the community/nonpublic school have entered into an agreement authorizing this mode of transportation which is approved by both entities in advance. Students enrolled in ninth grade or above may be transported on vehicles operated by a mass transit system provided that the route does not require more than one (1) transfer.

Upon receipt from the community/nonpublic school of the official start and end times of school for the upcoming year, the District will develop and provide a transportation plan which includes transportation routes and schedules for eligible students. The plan will be provided within sixty (60) days after receiving the start and end time, or when possible, by the first day of August in the event the Board is not notified of start and end times by the deadline of April 1st. For eligible students who enroll after July 1st but before the start of the school year, a transportation plan will be developed within fourteen (14) business days after receiving a request for transportation. The transportation plan provided to community/nonpublic schools pursuant to this policy and State law is tentative and subject to change.

The Superintendent may determine that it is impractical to transport a student to a community or nonpublic school after considering the factors enumerated under State law. The determination for payment-in-lieu of transportation will be made at least thirty (30) calendar days prior to the District's first day of student instruction, or no later than fourteen (14) calendar days if a student is enrolled less than thirty (30) days prior to the first day of instruction or after the start of the school year, and must be formalized through a resolution passed by the Board at its next scheduled meeting. If transportation is determined to be impracticable, the Board will issue a letter to the student's parent/guardian, the community or nonpublic school, and the ~~Department of Education~~ ~~State Board of Education~~ detailing the reason(s) why the determination was made. Parent(s)/guardians shall be provided payment-in-lieu of transportation at the amount established by State law unless otherwise directed by action of the ~~Department of Education~~ ~~State Board of Education~~. Parents/guardians may authorize the community or nonpublic school where their student is enrolled to act on their behalf at any time after requesting transportation.

The Board will not be required to provide transportation for any native student enrolled in a community school if the Board has entered into an agreement with the governing authority of the community school that designates the community school as responsible for providing or arranging the transportation of the District's native students to and from the community school and is certified by the ~~Department of Education~~ ~~State Board of Education~~ as having met certain requirements established by State law. The governing authority of a community school must provide or arrange for transportation in a manner that is comparable to the transportation that the District provides or arranges for its native students of the same grade level and distance from school who are enrolled in the District. Also, the governing authority must provide or arrange for the transportation under such agreement free of charge for each of its enrolled students who are eligible to be transported in accordance with R.C. 3327.01 or who would otherwise be transported by the District under the District's transportation policy. If the Board enters into an agreement with the governing authority regarding the transportation of the District's native students, the ~~Department of Education~~ ~~State Board of Education~~ shall make payments to the community school in accordance with the terms of the agreement for each student actually transported.

Likewise, the Board ~~is not required to provide~~ ~~will not be responsible for providing~~ transportation for any native student enrolled in an approved community school if the governing authority of the community school submits a written notification to the Board, by a date prescribed by the ~~Department of Education~~ ~~State Board of Education~~, stating that the governing authority will accept responsibility for providing or arranging for the transportation of the District's native students to and from the community school. The governing authority's unilateral acceptance of the responsibility to provide transportation must cover the entire school year and shall remain in effect for subsequent school years unless the governing authority submits written notification to the Board relinquishing the transportation responsibility. However, the governing authority cannot relinquish the transportation responsibility before the end of the school year and shall submit such notice by a date prescribed by the ~~Department of Education~~ ~~State Board of Education~~ in order to allow the District a reasonable period of time to prepare for the transportation of its native students enrolled in the community school. If the governing authority unilaterally accepts the transportation responsibility, the ~~Department of Education~~ ~~State Board of Education~~ shall make payments to the community school for each student actually transported calculated in accordance with existing State law governing the calculation of transportation payments to the District from the State and any rules implemented by the ~~Department of Education~~ ~~State Board of Education~~ and that otherwise would be paid to the District.

~~k ] The Board is not required to provide transportation to students enrolled in a chartered nonpublic or community school that has offered to provide transportation in lieu of the District providing it.~~

~~The Board is not responsible for providing transportation to students who receive transportation from an educational service center participating in the Pupil Transportation Pilot Program.~~

Bus routes shall be established so that an authorized bus stop is available within reasonable walking distance of the home of every transported resident student, but not more than one-half (1/2) mile for students in grades PK through eight (8). The Board shall approve the bus routes and time schedule annually no more than ten (10) days after the start of the school year. ~~The Board shall approve the bus routes annually.~~ The Superintendent is authorized to make any necessary changes in the approved route and shall inform the Board at the next regular meeting. Students receiving transportation will be delivered to school no sooner than thirty (30) minutes before the start of school and will be picked up no later than thirty (30) minutes after dismissal.

The Board authorizes the installation and use of video recording devices in the school buses to assist the drivers in providing for the safety and well-being of the students while on a bus.

The Board authorizes the use of a van designed to carry nine (9) passengers or less plus a driver instead of a school bus to transport students to a chartered nonpublic or community school if all of the following apply:

- A. the number of students in the vehicle does not exceed nine (9);
- B. the District regularly transports students to that chartered nonpublic or community school;
- C. the driver has a valid driver's license, is accustomed to driving the vehicle, and meets statutory and administrative requirements for a bus or motor van driver (with the exception of having a commercial driver's license);
- D. the driver may not stop on the roadway to load or unload passengers;
- E. the driver and all passengers are expected to comply with State laws regarding child and occupant restraint devices and safety while in the motor vehicle.

Vans will be inspected not less than two (2) times each year by a qualified mechanic who will determine whether the van is safe to transport students.

Students meeting the Federal definition of homeless will be transported from their temporary place of residence to their school of assignment, at the request of the parent, guardian, or unaccompanied minor, to the same extent as all other students of the District and consistent with this Policy. If the homeless student's temporary residence is located outside the boundaries of the District, the Liaison for Homeless Children will coordinate with the Director of Transportation to contact the district in which the student temporarily resides to arrange for joint transportation of the student and to seek inter-district agreement on a method for apportioning the cost of such joint transportation. In no event will a homeless student be denied enrollment based on issues related to student transportation.

The Superintendent shall be responsible for developing and implementing appropriate administrative guidelines for this policy.

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A.C. 3301-51-10, 3301-83-01 et seq., 3301-83-08

R.C. 3313.66, 3314.09, 3314.091, 3319.41, 3327.01 et seq., 4511.01 (F)

R.C. 4511.75 et seq.

42 U.S.C. 11431 et seq.



**Book** Neola Policy Templates for Catch Up  
**Section** Board Approved Policies 8000s  
**Title** BUS DRIVER CERTIFICATION  
**Code** po8600.04  
**Status**  
**Adopted** November 9, 2009

#### **8600.04 - BUS DRIVER CERTIFICATION**

It is the policy of the Board of Education that all bus drivers obtain and hold proper certification under standards for school bus drivers established within the Ohio Revised Code. It is also the purpose of this Board to protect its students from drivers whose certification is invalidated by the Ohio Point Law or point standards of this District.

A copy of each new school bus driver's complete driving record must be obtained from the Ohio Department of Education prior to allowing the school bus driver to operate a school bus or school van for the first time. In accordance with State transportation regulations, the Superintendent shall request the administrator in charge of transportation to conduct at least a semi-annual review of each school bus driver's (i.e., current bus drivers and those newly hired bus drivers who remain employed with the Board) driving record through the Ohio Department of Education to determine that such drivers have:

- A. no more than six (6) points within the last twenty-four (24) month period;
- B. not been convicted of driving while under the influence of alcohol and/or a controlled substance during the past ten (10) years (i.e., not been convicted of a violation of R.C. 4511.19) or a substantially equivalent municipal offense;
- C. not received two (2) (or more) of the following serious traffic violations as defined in R.C. 4506.01 (II) during the last twenty-four (24) month period:
  1. a single charge of any speed in excess of the posted speed limit by fifteen (15) miles per hour or more;
  2. violation of R.C. 4511.20 (i.e., operation in willful or wanton disregard of the safety of persons or property) or R.C. 4511.201 (i.e., operation off street or highway in willful or wanton disregard of the safety of persons or property) or any similar ordinance or resolution, or of any similar law of another state or political subdivision of another state;
  3. violation of a law of this State or an ordinance or resolution relating to traffic control, other than a parking violation, or of any similar law of another state or political subdivision of another state, that results in a fatal accident;
  4. violation of R.C. 4506.03 (i.e., commercial driver's license or temporary instruction requirements) or a substantially similar municipal ordinance or county or township resolution, or of any similar law of another state or political subdivision of another state, that involves the operation of a commercial motor vehicle without a valid commercial driver's license with the proper class or endorsement for the specific vehicle group being operated for the passengers or type of cargo being transported;
  5. violation of R.C. 4506.03 (i.e., commercial driver's license or temporary instruction requirements) or a substantially similar municipal ordinance or county or township resolution, or of any similar law of another state or political subdivision of another state, that involves the operation of a commercial motor vehicle without a valid commercial driver's license being in the person's possession;
  6. violation of R.C. 4511.33 (i.e., driving in marked lanes) or R.C. 4511.34 (i.e., space between moving vehicles) or any municipal ordinance or county or township resolution substantially similar to either of those sections, or any substantially similar law of another state or political subdivision of another state;
  7. violation while operating a commercial motor vehicle of a law of the state, any municipal ordinance, any county or township resolution, or any substantially similar law of another state or political subdivision of

another state which prohibits texting while driving or using a handheld mobile device (except when a person is texting or using a mobile device to contact law enforcement or other emergency services);

8. violation of any other law of this State or ordinance or resolution relating to traffic control, other than a parking violation, that is determined to be a serious traffic violation by the United States Secretary of Transportation and the Director designates such by rule; and

D. no railroad crossing violations during the last twelve (12) months (as evidenced by a conviction, video, or report by a railroad official);

E. ( ) not received any violations that render the bus driver uninsurable by the District's Fleet Insurance Carrier;

F. ( ) ~~\_\_\_\_\_~~ [other].

The records obtained from the annual records check will be maintained for a minimum of ten (10) years. ~~[Drafting note: It is recommended that a District maintain the annual records check for ten (10) years because a conviction of Operating a Vehicle While Under the Influence has a ten-year look-back period.]~~

A driver having any of the above-referenced violations will be disqualified from operating a bus. The driver will also be notified that his/her school bus certification will be reviewed by the Superintendent and his/her employment as a school bus driver may be terminated.

A driver involved in a preventable school bus accident, or judged guilty of a minor traffic violation, shall be subject to the disciplinary action established in the Superintendent's administrative guidelines. Further, no driver who is convicted of a traffic violation or has his/her commercial driver's license (CDL) suspended will be permitted to operate a school bus or school van until the driver files a written notice of the conviction or suspension. Such written notice must be immediately filed with the Superintendent or administrator in charge of transportation, irrespective of whether the traffic violation occurred while operating a Board-owned vehicle or a private vehicle or during school or non-school hours. Failure to file the required written notice of conviction or suspension will result in the revocation of the driver's certificate and/or disciplinary action, up to and including termination.

If a school bus driver has an interruption in driving a school bus or school van for a period of one (1) year or longer, s/he will not be permitted to resume operating a school bus or school van until a copy of the school bus driver's complete driving record has been obtained.

In addition to the required driving record check, the administrator in charge of transportation shall obtain a satisfactory BCII report prior to hiring an individual as a new school bus or school van driver, along with an FBI background check (i.e., an FBI background check will also be required prior to hiring new employees). An updated, satisfactory criminal background check report shall be obtained for each school bus driver every six (6) years with driver re-certification. Each six (6) year criminal records check request shall be made to the Superintendent of the Bureau of Criminal Identification and Investigation and include both a BCII and FBI report unless both of the following conditions apply so that only records of the FBI are required:

A. a BCII report was obtained at the time of hire; and

B. the employee presents proof that he/she has been a resident of this state for the five-year period immediately prior to the date the recertification is requested.

Satisfactory shall be defined by the same standards applied to other public school employees. Such records shall also be maintained for a minimum of six (6) years (see Policy 4121 for criminal history record check requirements). Any driver who has been convicted of or pleaded guilty to any disqualifying offense shall not be hired or shall be released from employment ~~( ) unless the person meets the rehabilitation standards prescribed for non-licensed school employees.~~

No bus driver will be permitted to drive a school bus or school van unless s/he meets all other requirements contained in the rules adopted by the Ohio Department of Education prescribing qualifications of drivers of school buses and other student transportation. In addition, no bus driver will be permitted to drive a school bus or school van unless:

A. information pertaining to the bus driver has been submitted to the Ohio Department of Education, including the name of the Board, name of the bus driver, driver license number, date of birth, date of hire, status of physical evaluation and status of training; and

B. the most recent criminal records check, including information from the Federal Bureau of Investigation, has been completed and received by the Superintendent.

] The Superintendent

**OR**

~~[ ] The Educational Service Center Superintendent (if transportation is contracted through the ESC)~~

shall provide for an annual physical examination conforming to Ohio Department of Education standards to determine the driver's physical fitness for employment.

Drivers of school buses or vans employed by entities other than the District who are not subject to Ohio Department of Education rules must receive the certificate described by R.C. 3327.10(B) from the school administrator to contractor prior to being employed. These drivers also must have an annual physical conforming to State Highway Patrol rules performed in accordance with R.C. 3327.10(B). Any bus driver not employed by a school district, who drives a bus or van owned by the District, must give satisfactory and sufficient bond.

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R.C. 3327.10, 3327.01 et seq., 4511.01(F), 4511.75 et seq.

A.C. 3301-51-10, 3301-83-01 et seq., 3301-83-05, 3301-83-06, 3301-83-07



Book Neola Policy Templates for Catch Up  
Section Board Approved Policies 8000s  
Title TRANSPORTATION FOR FIELD AND OTHER DISTRICT-SPONSORED TRIPS  
Code po8640  
Status  
Adopted November 9, 2009

**8640 - TRANSPORTATION FOR FIELD AND OTHER DISTRICT-SPONSORED TRIPS**

It shall be the policy of the Board of Education to use regular or special-purpose school vehicles for transportation on field and other District-sponsored trips.

The transportation for all field and other District-sponsored trips is to be by vehicles owned or approved by the District and driven by approved drivers. Exceptions must have the approval of the Superintendent.

~~[ ] The Board shall assume transportation costs for~~

~~( ) all field trips.~~

~~( ) a certain number of approved field trips as specified in the Superintendent's administrative guidelines.~~

~~[ ] The Board will also assume the transportation costs for all other trips including co-curricular, athletic, and other extra-curricular trips.~~

~~[ ] The Board will assume the vehicle cost for all other trips including co-curricular, athletic, and other extra-curricular trips, but the cost of the driver shall be paid~~

~~( ) by the sponsoring organization.~~

~~( ) from the designated fund.~~

~~[ ] The Board will provide the vehicles for all other trips including co-curricular, athletic, and other extra-curricular trips, but a mileage charge will be assessed to cover the cost of the driver and fuel. This charge is to be paid~~

~~( ) by the sponsoring organization.~~

~~( ) from a designated fund.~~

] Transportation may be limited by the availability of vehicles, drivers, and scheduling and will not be available when needed for general school purposes.

] All field trips shall be supervised by members of the staff. All other District-sponsored trips shall be supervised by either staff members or adults from the sponsoring organization. Any time students are on the vehicle, at least one (1) sponsor, chaperone, or staff member is expected to ride in the vehicle as well as to supervise students upon return to the District and while they are waiting for rides home.

] All students are expected to ride the approved vehicle to and from each activity. A special request must be made to the staff member or sponsor by the parent, in writing or in person, to allow an exception.

] District students not affiliated with the trip activity, nondistrict students, and/or children of preschool age shall not be permitted to ride on the trip vehicle.

) without prior approval of the principal/designed.

~~[X ]~~ No student is allowed to drive on any trip. An exception may be made by the principal on an individual basis provided the student's parent(s) provides written authorization and release from liability, ~~using Form 5515 F2 Parental Authorization and Release From Liability Form.~~

~~(X )~~ and does not transport any other student.

~~(? ) and does not transport any other student without the parent(s) of the student to be transported in such vehicle providing written authorization and release from liability using Form 5515 F2 Parental Authorization and Release From Liability Form. In addition, the parent(s) of the approved student driver must provide written authorization for the student to transport others and release from liability using Form 5515 F2 Parental Authorization and Release From Liability Form.~~

The Superintendent shall prepare administrative guidelines consistent with this policy.

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R.C. 3327.08, 3327.13, 3327.14, 3327.013

A.C. 3301-83-16

**Book**                    **Neola Policy Templates for Catch Up**  
**Section**                **Board Approved Policies 8000s**  
**Title**                    **TRANSPORTATION BY SCHOOL VAN**  
**Code**                    **po8650**  
**Status**

<b>Book</b>	<b>Ohio Local Policies for Update</b>	<b>Package</b>
	<b>Section</b>	<b>Vol. 42, No. 1 - August 2023</b>
<b>Title</b>	<b>Vol. 42, No. 1 - August 2023 Revised</b>	<b>Code</b>
	<b>TRANSPORTATION BY SCHOOL VAN</b>	
<b>po8650</b>	<b>Status</b>	<b>Active</b>

**Revised Policy - Vol. 42, No. 1**

**8650 - TRANSPORTATION BY SCHOOL VAN**

It is the policy of the Board of Education to provide transportation to students via Board owned and operated school vans when the use of school buses is not reasonable. School vans shall only be used for the transportation of nine (9) or fewer passengers, not including the driver, in accordance with the original design and construction of the vehicle. Students shall not be transported in larger passenger vans (e.g., non-conforming extended van-type vehicles) carrying ten (10) passengers or more (particularly twelve (12) to fifteen (15) passenger vans).

Similar to school buses, school vans shall be purchased, housed, and maintained by the Board for the transportation of resident students between their home areas and the schools of the District to which the students are assigned or to their nonpublic or community schools. However, such use shall generally be limited to preschool children, special needs children, children inaccessible to school buses, and students placed in alternative schools, and children enrolled in nonpublic or community schools in certain circumstances. School vans may also be used to transport students to and from field trips and/or other Board-approved school-related activities.

The Board authorizes the use of a van designed to carry nine (9) passengers or less plus a driver instead of a school bus to transport students to a chartered nonpublic or community school if all of the following apply:

- A. the number of students in the vehicle does not exceed nine (9);
- B. the District regularly transports students to a chartered nonpublic or community school;
- C. the driver has a valid driver's license, is accustomed to driving the vehicle, and meets statutory and administrative requirements for a bus or motor van driver (with the exception of having a commercial driver's license);
- D. the driver may not stop on the roadway to load or unload passengers;
- E. the driver and all passengers are expected to comply with State laws regarding child and occupant restraint devices and safety while in the motor vehicle.

Vans will be inspected not less than two (2) times each year by a qualified mechanic who will determine whether the van is safe to transport students.

Students who are transported by school van are expected to conduct themselves in the same manner required of students transported by school bus and shall be subject to all applicable disciplinary rules.

All school van drivers employed by the Board shall complete the required Ohio School Van Driver training program prior to transporting students, meet all other qualification requirements, and comply with the Ohio Pupil Transportation and Safety Rules and applicable Board policies and guidelines relative to student transportation. No individual shall be employed as a school van driver if ~~the individual, he~~ has not received a certificate certifying that the driver is at least ~~twenty-one (21)~~ years of age with a minimum of two (2) years of driving experience, ~~eighteen (18) years of age, of good moral character,~~ and is qualified physically and otherwise [O.A.C. 3301-83-06(F)] for the position. ( ) Only authorized Board employees (x ) or contractors employed by an agency that provides services to the Board ~~[END OF OPTION]~~ may operate and transport students via school van. (x ) Van drivers do not need a commercial driver's license.

The Superintendent is responsible for developing and implementing the appropriate administrative guidelines for this policy.

R.C. 3327.10, 4511.01, 4511.76

A.C. 3301-83-19, 3301-83-06(F)

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Legal A.C. 3301-83-19, 3301-83-06(F)

References R.C. 3327.10, 4511.01, 4511.76

Book                      Neola Policy Templates for Catch Up  
Section                    Board Approved Policies 8000s  
Title                        NONROUTINE USE OF SCHOOL BUSES  
Code                        po8651  
Status  
Adopted                    November 9, 2009

#### **8651 - NONROUTINE USE OF SCHOOL BUSES**

The Board of Education **may** ~~will~~ permit the school buses owned or leased by this District to be used for purposes other than regularly-scheduled routes to and from school in accordance with law and rules of the State, provided such trips do not interfere with routine school transportation services.

The nonroutine use of buses shall be defined for purposes of this policy as those uses which are specified in R.C. 3327.018 and A.C. 3301-83-16.

##### **A. Use of Buses for School Activities**

Buses operated on nonroutine trips involving school activities will be operated by the holder of a valid Ohio school bus driver's license who has been approved by the Board. Drivers shall be selected for nonroutine trips by the Transportation Supervisor on the basis of their knowledge, skill, and experience in operating a bus in the area to be traveled as well as their familiarity with the vehicle selected for use. The Superintendent shall require that nonroutine use of school buses shall include provision for insurance coverage and the requirement that chaperones accompany each school bus trip involving school-age passengers whose responsibility it will be to assist the staff member(s) in maintaining passenger control and in enforcing procedures for the safety of all passengers.

##### **B. Use of Buses by Authorized Entities During Emergencies**

The Board may enter into a written agreement with a local, State or Federal government entity or agency, or a public or private nonprofit entity to operate its buses for the purpose of assisting the entity in fulfillment of legitimate activities during times of emergency. The agreement shall not be considered commerce as defined under State and Federal law. All State Board of Education regulations governing the operation of school buses when transporting students shall apply during such use, including the requirement that drivers hold proper certification to drive a bus. The Board will procure liability and property damage insurance to cover all vehicles used and passengers transported under these agreements. The Board may seek reimbursement for the costs of nonroutine transportation, which will not exceed the cost of operation and insurance coverage.

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Legal                        R.C. 3327.018  
                                  A.C. 3301-83-16



Book                      Neola Policy Templates for Catch Up  
Section                    Board Approved Policies 8000s  
Title                        INCIDENTAL TRANSPORTATION OF STUDENTS BY PRIVATE VEHICLE  
Code                        po8660  
Status  
Adopted                    November 9, 2009  
Last Revised              May 12, 2015

### 8660 - INCIDENTAL TRANSPORTATION OF STUDENTS BY PRIVATE VEHICLE

The Board of Education authorizes the incidental transportation by private vehicle of students of the District. This includes occasional transportation for field trips, outings, and the like. Routine transportation, however, shall be subject to all requirements listed in AC 3301-83-19, Board Policy 8650, and relevant administrative guidelines.

This policy does not apply to parents who privately arrange transportation for their own children. No District staff shall organize such arrangements or assist parents in doing so.

Any such incidental transportation must be approved in advance and in writing by the Principal in accordance with the Superintendent's administrative guidelines.

The parent of the participating student will be given, upon request, the name of the driver, the owner of the vehicle, and the description of the vehicle. ~~The District will maintain on file the amount of liability insurance on the vehicle and the name of the insurance company.~~

No person shall be approved for the incidental transportation of students in a private vehicle who is not

- an employee of this Board;
- an approved volunteer;
- the parent of a student enrolled in this District;

and the holder of a currently-valid license to operate a motor vehicle in the State of Ohio.

No person shall be permitted to transport students if s/he does not possess and maintain automobile liability and personal injury insurance in the amount required by District administrative guidelines. ~~The Superintendent~~

~~(?) may withdraw the authorization of any private vehicle driver who fails to maintain the required amount of automobile liability insurance.~~

~~(-) shall withdraw the authorization of any private vehicle driver who fails to maintain the required amount of automobile liability insurance.~~

Any private vehicle used for the incidental transportation of students must be owned by the approved driver or the spouse of the approved driver and must conform to registration requirements of the State.

The responsibility of professional staff members for the discipline and control of students will extend to their incidental transportation of students in a private vehicle. Drivers who are not professional staff members are requested to report student misconduct to the principal.

~~?-] Expenses incurred by drivers of private vehicles in the course of transporting students will be reimbursed by the Board at the approved mileage rate and upon presentation of evidence of costs for tolls and parking fees.~~



Book                      Neola Policy Templates for Catch Up  
Section                    Board Approved Policies 8000s  
Title                        INSURANCE  
Code                        po8710  
Status  
Adopted                    November 9, 2009

**8710 - INSURANCE**

The Board of Education shall purchase with District funds the type and amount of insurance necessary to protect the District from major financial losses.

Insurance purchased shall include, but need not be limited to, the following:

- A.  fire and extended coverage on buildings and contents
- B.  comprehensive bodily injury, property damage on automobiles, buses, and trucks
- C.  boiler and machinery
- D.  broad term money and securities
- E.  special coverage for equipment not ordinarily covered under a standard policy
- F.  employee insurance coverage as specified in the Master Agreement(s) or by Board action
- G.  worker's compensation coverage
- H.  open stock burglary
- I.  legal liability for Board members and employees

Insurance for a given coverage shall be obtained at the lowest possible cost, assuming that service and company reliability are satisfactory. The Business Manager/Treasurer shall administer the insurance program.

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Book Neola Policy Templates for Catch Up  
Section Board Approved Policies 8000s  
Title BONDING  
Code po8740  
Status  
Adopted November 9, 2009

**8740 - BONDING**

The Board of Education recognizes that prudent trusteeship of the resources of this District dictate that employees responsible for the safekeeping of District monies

(H) and property

be bonded or alternatively be covered by an insurance policy issued by a Board-approved and accredited insurance carrier or joint self-insurance pool.

An insurance policy must cover the Board from losses caused by the fraudulent or dishonest actions of and the failure to perform a duty prescribed by law of the employee. Coverage must be equal to or greater than the amount required by the Board for a surety bond.

The District shall be indemnified against loss of money

(H) and property

by bonding of employees holding the positions and in the amounts determined by the Board or by providing adequate coverage through issuance of an insurance policy.

] All other employees handling money shall be covered under a blanket bond or insurance policy to an amount determined by the Board.

The Board shall bear the cost of insuring or bonding each employee required to be covered by this policy.

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Legal R.C. 3.061  
R.C. 3313.25, 3313.83, 5705.412



**Book** Neola Policy Templates for Catch Up  
**Section** Board Approved Policies 8000s  
**Title** JOINT SELF-INSURANCE POOL  
**Code** po8770  
**Status**  
**Adopted** November 9, 2009

**8770 - JOINT SELF-INSURANCE POOL**

The Board of Education recognizes the benefits to the District of joining with other boards of education and political subdivisions in providing coverage for the insurance needs of this District and in participating in programs of risk management to prevent loss, reduce expenses, and to control liability.

The Board may provide insurance for:

- A.  loss or damage to District property, real or personal;
- B.  loss or damage from liability resulting from the use of District property;
- C.  loss or damage from liability for the acts and omissions of District officers, employees, or volunteers;
- D.  loss or damage from liability established by the workers' compensation statutes;
- E.  the expenses of defending any claim against the Board members, officers, or employees of this District arising out of and in the course of the performance of their duties;
- F.  hospital and medical insurance coverage.

The Board may, upon formal resolution duly adopted, become a member of a self-insurance group in order to participate in any joint self-insurance fund or funds, risk management programs, or related services offered or provided by the group. The Board's membership in the group will be governed by the bylaws of the insurance group, which must be reviewed and approved by the State Superintendent of Insurance in accordance with law.

Trustees of the self-insurance pool shall be selected in accordance with the bylaws of the insurance group; if the bylaws do not provide for the manner of a trustee's election, the trustee or trustees representing this Board shall be elected by a plurality vote of those Board members present and voting.

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Legal R.C. 2744.08, 2744.081



Book                      Neola Policy Templates for Catch Up  
Section                    Board Approved Policies 8000s  
Title                        JOINT SELF-INSURANCE POOL  
Code                        po8770  
Status  
Adopted                    November 9, 2009

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The Board of Education recognizes the benefits to the District of joining with other boards of education and political subdivisions in providing coverage for the insurance needs of this District and in participating in programs of risk management to prevent loss, reduce expenses, and to control liability.

The Board may provide insurance for:

- A.  loss or damage to District property, real or personal;
- B.  loss or damage from liability resulting from the use of District property;
- C.  loss or damage from liability for the acts and omissions of District officers, employees, or volunteers;
- D.  loss or damage from liability established by the workers' compensation statutes;
- E.  the expenses of defending any claim against the Board members, officers, or employees of this District arising out of and in the course of the performance of their duties;
- F.  hospital and medical insurance coverage.

The Board may, upon formal resolution duly adopted, become a member of a self-insurance group in order to participate in any joint self-insurance fund or funds, risk management programs, or related services offered or provided by the group. The Board's membership in the group will be governed by the bylaws of the insurance group, which must be reviewed and approved by the State Superintendent of Insurance in accordance with law.

Trustees of the self-insurance pool shall be selected in accordance with the bylaws of the insurance group; if the bylaws do not provide for the manner of a trustee's election, the trustee or trustees representing this Board shall be elected by a plurality vote of those Board members present and voting.

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Legal                      R.C. 2744.08, 2744.081



Book	Neola Policy Templates for Catch Up
Section	Board Approved Policies 8000s
Title	Vol. 41, No. 2 - January 2023 Revised ANIMALS ON DISTRICT PROPERTY
Code	po8390
Status	
Adopted	April 10, 2014
Last Revised	January 19, 2017

### **Revised Policy - Vol. 41, No. 2**

~~{DRAFTING NOTE: Optional language regarding therapy/comfort animals is included in this template. Note: Neola does not recommend including such animals, due the liabilities and complexities of such authorization. However, given the widespread nature of such practice, optional language providing structure to such approval is offered for use at the discretion of client districts. It is strongly recommended that such action be thoroughly explored with the district's legal counsel and approval sought from the Board.}~~

### **8390 - ANIMALS ON DISTRICT PROPERTY**

#### **Introduction**

The Board of Education recognizes that there are many occasions when animals are present on District property and many reasons for those animals' presence. Animals are commonly utilized by teachers during classroom presentations and are often housed in classrooms and other locations on campus. Additionally, employees, students, parents, vendors, and other members of the public may be accompanied at school by a service animal in accordance with Federal and State law and this policy.

This policy applies to all animals on District property, including service animals.

#### **Definitions**

- A. **'Animal'**: includes any living creature that is not a human being.
- B. **'Service animal'**: pursuant to 28 C.F.R. Section ~~36.104-35.104~~, 'means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.'

The Americans with Disabilities Act (ADA) also defines a miniature horse as an animal that can serve as a service animal, so long as the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. To better determine whether the Board must allow for the use of a miniature horse or make modifications to buildings, the Board should refer to Section 35.136 (c) through (i) of the ADA.

- C. ~~( ) 'Emotional Support Animal': Emotional support animals provide comfort to individuals but are not trained to perform a specific job or tasks. This definition does not include psychiatric service animals who are properly trained~~

and certified as a 'service animal'. (See 28 C.F.R. 36.104)

- D. **(x) 'Therapy Dog'**: Therapy dogs are dogs who go with their owners to volunteer in settings such as schools, hospitals, and nursing homes for the purpose of providing support, affection, and/or comfort. A therapy dog in a school setting may serve the function of assisting students in the learning process (e.g., improving communication and/or reading skills), helping to reduce stress, and/or providing comfort and affection to specific students or to a group of students. Therapy dogs are not service dogs and do not have the same special access as service dogs (source: American Kennel Club/AKC).

~~[ ] [OPTIONAL LANGUAGE]~~

~~[NOTE: The following section should be included in the policy only if the District intends to require this of any animal brought onto District property for official purposes or on a regular/recurring basis.]~~

### **Vaccination, Licensing, and/or Veterinary Requirements**

Animals housed on or brought on to District property for any school purpose, such as to conduct random searches for illegal substances or to support classroom activities, or brought on to District property on a regular basis for any purpose, including service animals, must meet every veterinary requirement set forth in State law and County regulation/ordinance, including, but not limited to, rabies vaccination or other inoculations required to be properly licensed.

~~[END OF OPTIONAL LANGUAGE]~~

### **~~Non-Service Animals in Schools and Elsewhere on District Property~~**

~~Animals permitted in schools and elsewhere on District property shall be limited to those necessary to support specific curriculum related projects and activities, those that provide assistance to a student or staff member due to a disability (e.g., seizure disorder), or those that serve as service animals as required by Federal and State law.~~

~~Taking into consideration that some animals can cause or exacerbate allergic reactions, spread bacterial infections, or cause damage and create a hazard if they escape from confinement, the Principal may permit non service animals to be present in classrooms to support curriculum related projects and activities only under the following conditions:~~

- ~~A. the staff member seeking approval to have a non service animal in his/her classroom shall:~~
- ~~1. provide a current satisfactory health certificate or report of examination from a veterinarian for the animal;~~
  - ~~2. take precautions deemed necessary to protect the health and safety of students and other staff;~~
  - ~~3. provide that the animal is treated humanely, keeping it in a healthy condition and in appropriate housing (e.g., a cage or tank) that is properly cleaned and maintained; and,~~
  - ~~4. keep the surrounding areas in a clean and sanitary condition at all times;~~
- ~~B. other staff members and parents of students in areas potentially affected by animals have been notified in writing and adjustments have been made to accommodate verified health related or other concerns.~~

~~Except where required by law, the presence of a non service animal shall be disallowed if documented health concerns of a student or staff member cannot be accommodated.~~

### **Service Animals for Students**

A service animal is permitted to accompany a student with a disability to whom the animal is assigned anywhere on the school campus where students are permitted to be.

A service animal is the personal property of the student and/or parents. The Board does not assume responsibility for training, daily care, or healthcare (x), or supervision, ~~[END OF OPTION]~~ of service animals. The Board does not assume responsibility for personal injury or property damage arising out of or relating to the presence or use of service animals on District property or at District-sponsored events.

A service animal that meets the definitions set forth in the ADA and this policy shall be under the control of the student with a disability, or a separate handler if the student is unable to control the animal. A service animal shall have a harness, leash, or other tether, unless either the student with a disability is unable because of a disability to use a harness, leash, or

other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the student's control (e.g., voice control, signals, or other effective means); or under the control of a handler other than the student.

If the student with a disability is unable to control the service animal and another person serves as the animal's handler, that individual shall be treated as a volunteer and, as such, will be subject to Policy ~~8120-4120-09~~.

### Removing and/or Excluding a Student's Service Animal

If a service animal demonstrates that it is not under the control of the student or its handler, the Principal is responsible for documenting such behavior and for determining if and when the service animal is to be removed and/or excluded from school property.

Similarly, in instances when the service animal ~~demonstrated~~ demonstrates that it is not housebroken, the Principal shall document such behavior and determine whether the service animal is to be removed and/or excluded from school property.

The Principal shall notify the Superintendent when a service animal is removed and/or excluded, and, immediately subsequent to such notification, document the reasons for the removal and/or exclusion.

The Principal's decision to remove and/or exclude a service animal from school property may be appealed in accordance with the complaint procedure set forth in Policy 2260 - Nondiscrimination and Access to Equal Educational Opportunity.

The procedures set forth in Policy 2260 - Nondiscrimination and Access to Equal Educational Opportunity do not interfere with the rights of a student and his/her/their parents or an eligible student to pursue a complaint with the United States Department of Education's Office for Civil Rights or the Department of Justice.

### Eligibility of a Student's Service Animal for Transportation

A student with a disability shall be permitted to access School District transportation with his/her/their service animal. There may also be a need for the service animal's handler, if the handler is someone other than the student, to also access School District transportation.

When a service animal is going to ride on a school bus or other Board-owned or leased vehicle, the student and his/her/the student's parents, or eligible student, and the handler, if s/he/the handler is someone other than the student, shall meet with the  Principal  Transportation Supervisor  [OTHER] \_\_\_\_\_ [END OF OPTIONS] to discuss critical commands needed for daily interaction and emergency/evacuation, and to determine whether the service animal should be secured on bus/vehicle with a tether or harness.

At the discretion of the  Principal  Transportation Supervisor  [OTHER] \_\_\_\_\_ [END OF OPTIONS], an orientation will take place for students and staff who will be riding the bus/vehicle with the service animal regarding the animal's functions and how students should interact with the animal.

The service animal shall board the bus by the steps with the student, not a lift, unless the student uses the lift to enter and exit the bus. The service animal must participate in bus evacuation drills with the student.

While the bus/vehicle is in motion, the service animal shall remain positioned on the floor, at the student's feet.

Situations that would cause cessation of transportation privileges for the service animal include:

- A. the student, or handler, is unable to control the service animal's behavior, which poses a threat to the health or safety of others; or
- B. the service animal urinates or defecates on the bus.

The student and his/her/the student's parents shall be informed of behaviors that could result in cessation of transportation privileges for the service animal, in writing, prior to the first day of transportation.

If it is necessary to suspend transportation privileges for the service animal for any of the above reasons, the decision may be appealed to the  Transportation Supervisor  Principal  [OTHER] Superintendent \_\_\_\_\_ [END OF OPTIONS].

Although transportation may be suspended for the service animal, it remains the District's responsibility to transport the student. Furthermore, unless the behavior that resulted in the service animal's removal from the bus is also documented during the school day, the service animal may still accompany the student in school.

## Service Animals for Employees

In accordance with Policy 1623, Policy 3123, and Policy 4123 - Section 504/ADA Prohibition Against Disability Discrimination in Employment, the Board provides qualified individuals with disabilities with reasonable accommodation(s). An employee with a disability may request authorization to use a service animal while on duty as such an accommodation. The request will be handled in accordance with the ADA-mandated interactive process.

## Service Animals for Parents, Vendors, Visitors, and Others

Individuals with disabilities who are accompanied by their service animals are permitted access to all areas of the District's facilities where members of the public, as participants in services, programs, or activities, as vendors, or as invitees, are permitted to go. Individuals who will access any area of the District's facilities with their service animals should notify the Principal that their service animal will accompany them during their visit.

An individual with a disability who attends a school event will be permitted to be accompanied by his/her/their service animal in accordance with Policy 9160 - Public Attendance at School Events.

## Non-Service Animals in Schools and Elsewhere on District Property

Animals permitted in schools and elsewhere on District property shall be limited to those necessary to support specific curriculum-related projects and activities, those that provide assistance to a student or staff member due to a disability (e.g., seizure disorder), or those that serve as service animals as required by Federal and State law.

Taking into consideration that some animals can cause or exacerbate allergic reactions, spread bacterial infections, or cause damage and create a hazard if they escape from confinement, the Principal may permit non-service animals to be present in classrooms to support curriculum-related projects and activities only under the following conditions:

- A. the staff member seeking approval to have a non-service animal in their classroom shall:
  1. provide a current satisfactory health certificate or report of examination from a veterinarian for the animal;
  2. take precautions deemed necessary to protect the health and safety of students and other staff;
  3. provide that the animal is treated humanely, keeping it in a healthy condition and in appropriate housing (e.g., a cage or tank) that is properly cleaned and maintained; and
  4. keep the surrounding areas in a clean and sanitary condition at all times;
- B. other staff members and parents of students in areas potentially affected by animals have been notified in writing and adjustments have been made to accommodate verified health-related or other concerns.

Except where required by law, the presence of a non-service animal shall be disallowed if documented health concerns of a student or staff member cannot be accommodated.

~~{ } [OPTIONAL LANGUAGE]~~

## Emotional Support Animals for Students

~~An emotional support animal is not granted the same access to school buildings and classrooms as service animals. Unless required by a student's IEP or Section 504 Plan, the District is not required to grant a student's request that the student be permitted to bring an emotional support animal to classes or on school grounds for any purpose. ( ) The Superintendent may grant a student use of an emotional support animal on a case-by-case basis if necessary and not disruptive to the environment or other students.~~

~~Consistent with State and Federal law, authorization for an emotional support animal to be on District grounds may be suspended if the animal is the source of an allergic reaction, causes discomfort or distress to a student or staff member, shows aggression or disruptive behavior, relieves itself inappropriately, or otherwise interferes with the learning environment. Reinstatement of authorization for the animal to be on District grounds requires approval by the ( ) Superintendent ( ) [OTHER] \_\_\_\_\_. Authorization for an emotional support animal to be on District grounds may be withdrawn at any time by the Superintendent.~~

~~{ } [END OF OPTIONAL LANGUAGE]~~



