PRESCHOOL
PARENT HANDBOOK

2026-27 SCHOOL YEAR

This Handbook is intended as a summary of important information for the convenience of parents and students. It includes by reference the Student Code of Conduct and all TCESC Policies.

TRUMBULL COUNTY
EDUCATIONAL
SERVICE CENTER

6000 Youngstown Warren Road
Niles, Ohio 44446
www.trumbullesc.org

Leading for Educational Excellence

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This Student/Parent Handbook is based in significant part on policies adopted by the Trumbull County Educational Service Center Governing Board and Administrative Guidelines developed by the Superintendent. Those Board Policies and Administrative Guidelines are incorporated by reference into the provisions of this Handbook. The Policies and Administrative Guidelines are periodically updated in response to changes in the law and other circumstances.

If you have questions or would like more information about a specific issue or document, contact the program supervisor or access the information on the Trumbull County Educational Service Center website: www.trumbullesc.org

Welcome to the Trumbull County Educational Service Center Preschool Program.
The *staff and I are pleased to have you as a student and will do our best to help make your experience as enjoyable and successful as you wish to make it. To help provide a safe and productive learning environment for students, staff, parents and visitors, the Trumbull County Governing Board publishes this updated Student/Parent Handbook annually to explain students' rights, responsibilities and consequences for misbehavior.*

Parents are encouraged to take a few minutes to review and discuss the information in this Handbook with their school-age children. Teachers will also review this Handbook with students at the beginning of the school year.

Thank you for taking the time to become familiar with the important information in this Handbook. If you have any questions, please contact the *program supervisor.*

Jenna Jordan
330-505-2800 ext. 153
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Preschool Program Supervisor

Adopted by the Board of Education on July 20, 2026.

FOREWORD

This Student Handbook was developed to answer many of the commonly asked questions that you and your parents may have during the school year and to provide specific information about certain Board policies and procedures. Please take time to become familiar with the important information contained in this Handbook and keep the Handbook available for frequent reference by you and your parents. If you have any questions that are not addressed in this Handbook, you are encouraged to talk to your teachers or the program supervisor. This Handbook replaces all prior handbooks and other written material on the same subjects. This Handbook does not equate to an irrevocable contractual commitment to the student, but only reflects the current status of the Board's policies and the School's rules as of July 2026 . If any of the policies or administrative guidelines referenced herein are revised, the language in the most current policy or administrative guideline prevails. Copies of current Board policies and administrative guidelines are available from the program supervisor and on the District's web site: www.trumbullesc.org or https://www.boarddocs.com/oh/truesc/Board.nsf/Public?open&id=policies

EQUAL EDUCATION OPPORTUNITY

The Trumbull County Educational Service Center Cooperative Programs provides an equal educational opportunity for all students. Any person who believes that s/he has been discriminated against on the basis of his/her race, color, disability, religion, gender, or national origin while at school or a school activity should immediately contact the School District's

Compliance Officer(s):

Arlo Brookhart, Director of Curriculum and Instruction
330-505-2800 Ext. 225
arlo.brookhart@trumbullesc.org

Michelle Tul, Director of Pupil Services
(330) 505-2800 Ext 133
michelle.tul@trumbullesc.org

Rachel Miksit, Supervisor of Human Resources
(330) 505-2800 Ext: 123
Rachel.miksit@trumbullesc.org

Complaints will be investigated in accordance with Policies and Administrative Guidelines
Any student making a complaint or participating in a school investigation will be protected from retaliation. The Compliance Officer(s) can provide additional information concerning equal access to educational opportunity.

PHILOSOPHY AND GOALS

All young children are unique individuals who are born ready to learn. The relationships children form are influential and the interactions they have with teachers and other school personnel greatly affect learning. Communication is critical, because language is the foundation for all learning. Environments matter since the classroom, community, classroom arrangement and materials available support learning. Our young learners have a variety of experiences designed to help all of them enter kindergarten ready for success. *(Source: Ohio Department of Education Early Learning Content Standards).*

Developmentally Appropriate Activities

Young children develop in a predictable sequence; however, they develop at variable rates. Our preschool curriculum, Creative Curriculum, addresses the development of the whole child. This curriculum has been aligned to the current Preschool Content Standards and assessments are aligned to monitor your child's development according to the standards. Teachers understand early childhood development. Thus, they provide instruction throughout the daily schedule in appropriate environments. Children learn through listening, playing, interacting, watching, and manipulating many materials. Parents are invited to give their input on the daily schedule as well as the curriculum used in the preschool program.

DAILY CLASSROOM SCHEDULE

The Preschool Program is closed if the school is closed.

Attendance

Daily attendance is required and children are expected to be on time. All absences and late to school occurrences are documented on the *Report of Progress.* If your child is going to be absent, please promptly call the child's teacher to report your child off school and provide a reason why your child is absent.

STUDENT RESPONSIBILITIES

The School's rules and procedures are designed to allow students to be educated in a safe and orderly environment. All students are expected to follow staff members' directions and to obey all school rules. Students must arrive at school on time, prepared to learn and participate. If, for some reason, this is not possible, the student should seek help from the appropriate staff member.

Adult students (age 18 or older) must follow all school rules. If residing at home, adult students are encouraged to include their parents in their educational program.

In order to keep parents informed of their child's progress in school, parents will be provided information on a regular basis and whenever concerns arise. Many times it will be the responsibility of the student to deliver the information. The School, however, may use the mail or hand delivery when appropriate.

Parents have the option of receiving communication from the School via e-mail and/or facsimile by filling out the appropriate form available in the school's administrative office. Parents are encouraged to build a two-way link with their child's teachers and support staff by informing the staff of suggestions or concerns that may help their child better accomplish his/her educational

STUDENT WELL BEING

Student safety is the responsibility of both students and staff. Staff members are familiar with emergency procedures such as evacuation procedures, fire and tornado drills, safety drills in the event of a terrorist or other violent attack, and accident reporting procedures. If a student is aware of any dangerous situation or accident, s/he must notify a staff person immediately.

State law requires that all students have an emergency medical authorization completed and signed by a parent or guardian on file in the School office.

Students with specific health care needs should deliver written notice about such needs, along with physician documentation, to the School office.

- Preschool children are always under adult supervision as either parent, teacher, assistant, bus driver or bus aide is with them at all times. One adult delivers the child to another adult, making sure the receiving adult acknowledges and secures the child.
- Children play only on preschool playground equipment approved by the Preschool Program.
- All teachers and assistants attend approved courses to maintain certification in First Aid, CPR, Communicable Disease Recognition and Management, as well as, Child Abuse Prevention and Recognition. Teachers are required by law to report suspected neglect or abuse.

The use of spray aerosols and spray cleaning solution is not permitted, except in the diaper changing area of the preschool. Only spray pumps with approved solutions may be used in that area. There is a first aid kit and telephone in every preschool classroom.

Procedure for Rapid Dismissal

Rapid dismissal may include, but is not limited to, fire, gas leak, terrorism threat, tornado or any type of occurrence that requires the removal of the children quickly. Children will be supervised at all times.

1. The staff will follow the posted fire emergency exit map displayed in the classroom.
2. Staff will be designated to remove children who are not ambulatory.
3. Staff will bring with them emergency contact phone numbers in case children need to be dismissed for the day.

FIRE, TORNADO, AND SAFETY DRILLS

The School complies with all fire safety laws and will conduct fire drills in accordance with State law. The School conducts tornado drills during the tornado season following procedures prescribed by the State. Teachers will provide specific instructions on how to proceed in the case of fire or tornado and will oversee the safe, prompt, and orderly evacuation of the building in such cases.

Safety drills will be conducted in accordance with district's school safety plans. Teachers will provide specific instruction on the appropriate procedures to follow in situations where students must be secured in their building rather than evacuated. These situations can include a terrorist threat, a person in possession of a deadly weapon on school property, or other acts of violence.

Emergency evacuation routes are posted in every preschool classroom. Preschool students practice drills along consistently with the school building.

Procedure for Dental Emergency

The staff will follow the Dental First Aid Plan, which is posted in every classroom.

Parent Involvement

Orientation, parent meetings, conferences, newsletters, parent and child sessions, and classroom visits are available to all parents. Parents may offer to prepare classroom materials, assist on special days or help with class trips. Parents indicate their interests on the Enrollment form. Parents may accompany the children on class trips if they indicate interest and are selected to help.

Parents may comment on curriculum and instruction verbally and in writing. If there are certain practices or traditions that reflect your child's culture and ethnicity, we would like to hear about them so that we may incorporate them into our classroom.

Classroom Visits

Parents are encouraged to visit and participate in pre-planned classroom activities. If you would like to visit the classroom at any other time, please talk to your child's teacher; those visits must be pre-approved by the supervisor.

VISITORS

Visitors, particularly parents, are welcome at the school. Visitors must report to the office upon entering the school to sign in and obtain a pass. If a person wishes to confer with a member of the staff, s/he should call for an appointment prior to coming to the School in order to schedule a mutually convenient meeting time.

Students may not bring visitors to school without prior written permission from the Principal.

A. All visitors must report to the office when they arrive at school.
B. All visitors are given and required to wear a building pass while they are in the building.

C. Students and staff are expected to immediately report to a teacher or administrator any suspicious behavior or situation that makes them uncomfortable.
D. As many unneeded outside doors as possible are locked during the school day.

Conferences

Conferences are held twice a year. Parents are required to come to both of them, and additional conferences may be scheduled at parent request. Teachers make every effort to schedule conferences at convenient times for parents. It is best if children do not attend these conferences with their parent. If you feel you need to talk to your child's teacher, please call and make an appointment. Because we are busy with your children during the school day, it is very difficult to answer the classroom phones. Please leave a message on the classroom message system, and we will get back to you as quickly as possible. If it is an emergency, you may always call the office.

BOOK BAGS/GYM BAGS

This is to be determined by the student's teacher and will be adjusted as necessary by staff.

Progress Monitoring

At the preschool level, formal and informal assessments are completed. Those assessments include *the Early Learning Assessment (ELA*), or *Teaching Strategies Gold* which is a literacy assessment. *Ages and Stages* is an assessment that is completed with parent involvement and addresses a child's social-emotional development. Also with parent involvement, a *Childhood Outcomes Summary* is completed that rates a child's progress in three critical areas. Those areas are readiness skills, social and adaptive skills. Evaluations are also completed in all domain areas and the scores from the beginning of the year are compared with scores from the end of the year so that a child's progress can be monitored.

Health and Developmental Screenings

Health and developmental screenings of all children occur upon entrance into the program. Health screenings include; vision, height/weight, and hearing. Developmental screenings are age-appropriate with normed scores relevant to the population. The developmental screenings include; speech-language, cognitive, gross and fine motor skills and social emotional development. Individuals trained to appropriately administer, score and use the instrument(s) conduct all screenings. The results of health and developmental screenings are documented and shared with families. Families are informed of any missing health information and are guided in the process of obtaining that information from area agencies. Children are referred for further evaluations if necessary. Parents are provided information should they need help with any type of social services. Community providers such as Trumbull County Health Department are provided to parents to help with medical and dental screenings. Preschool teachers use a curriculum-based assessment in order to conduct the developmental screenings. Teachers are then responsible for providing linkage to community service(s) that are needed by the families.

MEDICAL AND DENTAL FORMS

Medical and dental examinations are recommended. The medical statement is recommended to be completed within 30 days of the first day of school. The dental statement is recommended to be completed within 60 days. The medical and dental statement is recommended to be completed each year. Immunization records are required for all children within the first 30 days of school. Allergies are documented on the enrollment form. An emergency medical form must be completed and on file in the classroom. If your child requires physician ordered procedures such as g-tube feedings, a Health Care Plan will be put in place to ensure the safety of your child. Parents also will be given a directory of local dentists, pediatricians, optometrists (vision), therapy, and psychologist/behavioral service providers and therapists, should you need help with locating services. For children who are in diapers: if there is a special schedule or procedure you would like the preschool staff to follow, please put it in writing or discuss it with

the teacher.

Management of Communicable Disease

To prevent the spread of communicable disease and other illnesses, all children and staff wash their hands upon entering the classroom and at appropriate times throughout the day. All preschool staff attend approved communicable disease training every three years. This training addresses signs and symptoms of illness, hand washing and disinfection procedures.

Trumbull County Educational Service Center ensures that the health and safety of all children are safeguarded through organized school health services designed to identify child health problems and to coordinate school and community health resources for children. The following precautions shall be taken for children suspected of having a communicable disease. The program shall immediately notify the parent or guardian of the child's condition when a child has been observed with signs of symptoms of illness, those symptoms include:

1. Diarrhea (more than one abnormally loose stool within a twenty-four hour period).
2. Severe coughing, causing the child to become red or blue in the face or to make a whooping sound.
3. Difficult or rapid breathing.
4. Yellowish skin or eyes.
5. Conjunctivitis.
6. Temperature of one hundred degrees Fahrenheit taken by the auxiliary method when in combination with other signs of illness.
7. Untreated infected skin patches.
8. Unusually dark urine and gray or white stool
9. Stiff neck.
10. Evidence of lice, scabies, or other parasitic infestation.
11. Unusual spots or rashes.
12. Sore throat or difficulty swallowing.
13. Elevated Temperature.
14. Vomiting.

A child with any of the following signs or symptoms of illness shall be immediately isolated from other children. Decisions regarding whether the child should be discharged immediately or at some other time during the day will be determined by the teacher in consultation with the parent or guardian. The child, while isolated at the program, will be carefully watched for symptoms. A child isolated due to suspected communicable disease will be cared for in a room or portion of a room not being used in the preschool program. The child that is isolated shall be within sight and hearing of an adult at all times. No child shall ever be left alone or unsupervised. The child will be made comfortable and provided with a cot or a mat to lie down. All linens and blankets used by the ill child will be laundered and the cot/mat will be disinfected.

Illness or Injury

All injuries must be reported to a teacher or classroom assistance. If the injuries are minor, the student will be treated and may return to class. If medical attention is required, the classroom will follow the district's school's emergency procedures and attempt to make contact with the student's parents.

Teachers send children home who require more care than usual due to minor symptoms of illness or injury. Parents are called to pick up ill or injured children, as ill or injured children may not ride the bus. Children are readmitted when recovered, usually three to five days after becoming ill. In the case of a very contagious disease, a physician's statement may be required. Children must be free of vomiting, running an above average temperature, and

diarrhea for 24 hours before being readmitted to school. Children who are sent home due to head lice must be checked by the preschool teacher and school nurse or administrator before being readmitted to school. Sick children should be kept home so they do not make others ill. If children are exposed to communicable disease at preschool, parents will receive a phone call or a note explaining the exposure. Children may not return to school unless they are completely well. Preschool personnel are not permitted to stay inside with a child when others go outside.

REPORTING CHILD OFF SICK FROM SCHOOL

Parents must call the teacher and bus personnel prior to the start of the school day if a child is not coming to school. A reason is required. Parents must send a note when the child returns to school. Other phone calls may be made to your child's teacher in the morning before children arrive or at three o'clock in the afternoon, unless you have an emergency. The teacher's full attention is needed for children throughout the school day. You may call the school office in an emergency. This is to be determined by the student's teacher and will be adjusted as necessary by staff.

Procedure for Communicable Disease/mildly and seriously ill child

It is the responsibility of the Trumbull County Educational Service Center Preschool staff to assess each child as they enter the preschool facility in order to determine whether they are displaying symptoms of illness. If a child is showing symptoms of a mild illness, the following procedures will be followed while waiting for transportation home.

1. Parents will be called.
2. The child will be taken to a rest area supervised by a teacher or qualified staff member. The child will be made comfortable until the emergency transportation person arrives to pick up the child.
3. The rest of the children will be directed to an area of the room that is away from the ill child.
4. Disposable cups will be used for the ill child.
5. Staff members will wear disposable latex gloves when handling any body fluids or waste products. That includes wiping down any area where the child has been, including tables, chairs, cots and mats.
6. Bodily fluids will be cleaned up using latex gloves, disposable paper towels, and soap and water, followed by an EPA approved sanitizing solution. Paper towels and gloves will be discarded in the waste barrel lined with plastic bags. The contents of the trash will be brought to the outdoor garbage disposal area.
7. Used sheets and linens will be bagged and machine washed in hot water and bleach.
8. Soiled clothing will be sealed in plastic bags and sent home.
9. Proper hand washing will be carried out.

Procedure to be followed

if parent cannot be reached

1. All the procedures above will be followed.
2. In addition, the emergency telephone number listed on the child's registration sheet is called.

Emergency Procedure

IN CASE OF ACCIDENT OR INJURY

1. Qualified staff member will comfort the child and administer first aid.
2. Another qualified staff member will care for the rest of the children in an area away from the injured child.
3. A designated staff member will call for an ambulance, then calls the parents, and then assists the child as needed.
4. Lead teacher will accompany the child in the ambulance, taking with them the child's emergency contact form and the child's file.

5. An accident form will be filled out and given to the parent as well as it being entered into the accident and injury log.

Field Trip Illness or Emergency Procedures

1. First aid supplies and emergency contact numbers are always brought on field trips.
2. The person in charge of the group comforts the child and administers first aid or contacts the person in charge of first aid on location.
3. The teacher or assistant calls for an ambulance if the parent is not present. In case of a serious injury or illness, the parent will be called.
4. The teacher will accompany the child in the ambulance if a parent is not available.
5. The remaining staff and parents supervise the rest of the children and accompany them back to school.
6. An accident form will be filled out and given to the parent as well as it being entered into the Accident and Injury Log.

FIELD TRIPS

Field trips are academic activities that are held off school grounds. There are also other trips that are part of the School's co-curricular and extra-curricular program. No minor student may participate in any school-sponsored trip without parental consent and a current emergency medical form on file in the office. Medications normally administered at school will be administered while on field trips. The Student Code of Conduct applies to all field trips.

A. Attendance rules apply to all field trips.
B. While the Center encourages students to participate in field trips, alternative assignments will be provided for any student whose parent does not give permission for the student to attend.
C. Students who violate school rules may lose the privilege to go on field trips.

EMERGENCY MEDICAL AUTHORIZATION

A complete Emergency Medical Authorization Form must be on file with the School in order for a student to participate in any activity off school grounds, including field trips, spectator trips, athletic and other extracurricular activities, and co-curricular activities. The Emergency Medical Authorization form is provided at the time of enrollment and at the beginning of each school year.

Transportation

Transportation shall not be provided for typical preschool students. Transportation shall be provided to disabled children as required by law: specialized transportation is provided if the child's disability requires it. If the child's disability does not require transportation or specialized transportation, the child's parents are responsible for ensuring that the child has transportation to and from school. If you have any questions, please ask your child's teacher and they will be able to direct you to the appropriate school district representative.

STUDENT VALUABLES

Students should not bring items of value to school. Items such as jewelry, expensive clothing, electronic equipment, and the like, are tempting targets for theft and extortion. The School is not liable for any loss or damage to personal valuables.

USE OF MEDICATIONS

Students who must take prescribed medication during the school day, must comply with the following guidelines:

A. Parents should, determine with the counsel of their child's prescriber whether the medication schedule can be adjusted to avoid administering medication during school hours.
B. The appropriate form must be filed with the respective classroom teacher and program supervisor before the student will be allowed to begin taking any medication during school hours or to use an inhaler to self-administer asthma medication. Such forms must be filed annually and as necessary for any change in the medication.
C. All medications must be registered with the classroom teacher and program supervisor and must be delivered to school in the original containers in which they were dispensed by the prescribing physician or licensed pharmacist, labeled with the date, the student's name, and the exact dosage to be administered.
D. Medication brought to the designated location will be properly secured. Students may not bring medication to school. Students may carry emergency medications for allergies and/or reactions, or asthma inhalers during school hours provided the student has written permission from a parent or physician and has submitted the proper forms. Students are strictly prohibited from transferring emergency medication, epi pens, or inhalers to any other student for their use or possession.
E. The parents shall have sole responsibility to instruct their child to take the medication at the scheduled time.
F. The designated personnel will maintain a log noting the individual responsible for administering medication, as well as the date and the time of day that administration is required. This log will be maintained along with the prescriber's written request and the parent's written release.
G. Any unused medication unclaimed by the parent will be appropriately destroyed by school personnel when a prescription is no longer to be administered or at the end of a school year.

Non-prescribed (Over-the-Counter) Medications

No student may be allowed to possess and self-administer an over-the- counter medication. If a student is found with a medication in his/her possession, his/her record should be checked to determine if the proper authorization is on file. If not, the matter is to be reported to the program supervisor for disciplinary action.

The purpose of any disciplinary action on this matter should be to make it clear to all students and parents that, because of its policy on drug use, the school cannot allow possession or use of any form of unauthorized drug or medication at any time.

Dispensing of non-authorized, over-the-counter (OTC) medication by Governing Board employees to students served by the Center is prohibited. Where investigation confirms such allegations, prompt corrective action shall be taken up to and including dismissal.

Students shall be permitted to possess and self-administer over-the-counter topical sunscreen products while on school property or at a school-sponsored event provided the student has submitted prior written approval of his/her parent/guardian to the program supervisor.

In the preschool setting, sunscreen must be supplied by the parent and parental permission to apply sunscreen will be required. Sunscreen will be used only when necessary and appropriate.

Nutritional Standards for preschool children

You are the most important influence on your child. You can do many things to help your child develop healthy eating habits for life. In the preschool program, we expect all staff and parents to follow the USDA recommendations, whether providing snacks for the classroom or packing lunches for their preschool children. We are required to follow the USDA guidelines at all times, those guidelines include:

1. Two cups of fruit per day
2. Two and a half cups of vegetables per day
3. Choose a variety of vegetables and fruits throughout the week.
4. Three or more ounce equivalents of whole-grain products per day
5. Three cups of fat-free or low-fat milk or equivalent milk products

☆ ***Important notice for parents- If you are packing a lunch for your child, it's very important that if there are perishable items in the lunch such as, meat, yogurt, cheese, etc… that you put in an ice pack so that foods do not spoil.***

Packed Lunch Requirements

In order to prevent food-borne illnesses, all packed lunches must be in an insulated lunch box with an ice pack.
Keeping Cold Lunches Cold

Why keep food cold? Harmful bacteria multiply rapidly in the 'danger zone' -- the temperatures between 40 and 140 degrees F. So, perishable food transported without an ice source won't stay safe long (typically only 1-2 hours). Here are safe handling recommendations to prevent food-borne illness from packed lunches.
-An ice source should be packed with perishable food in any type of lunch bag or box.
-Keep food refrigerated until time to leave home.
-Include a small frozen gel pack or frozen juice box.

It is especially important to keep all meats and dairy products (yogurt, soft cheeses, milk) cold. Also all of the things you find cold in the supermarket, as well as other food, which you would normally keep in the fridge, such as cooked leftovers need to be kept cold.
Some food is safe without a cold source. Items that do not require refrigeration include fruits, vegetables, chips, breads, crackers, peanut butter, jelly, mustard, and pickles.

For more information on packing school lunches, please visit
http://www.fsis.usda.gov/PDF/Keeping_Bag_Lunches_Safe.pdf
http://www.choosemyplate.gov/preschoolers/index.html

Children will participate in physical exercise every day as is appropriate for the child, whether outside or inside. The USDA recommends that children engage in at least 60 minutes per day of physical activity.

Medication & Specialized Diets

In order to provide medication, food supplements, modified diet, or fluoride supplements, the preschool program must have written instructions of a licensed physician or licensed dentist as appropriate. A written record shall be kept by the staff of the administration of medications, food supplements, modified diet, and fluoride supplements.

Dress Requirements

Preschool children play in preschool every day and must be dressed in play clothes and sturdy shoes. Pull-on clothing for children who cannot use fasteners is required. Overalls, belts and scarf-belts are not permitted unless

the child can fasten and unfasten them without assistance. Shoes with velcro fasteners are required for children unable to tie their own shoes. Sandals, party shoes and makeup are not permitted. Dress up clothes and party shoes may be worn on picture day.

Children may become wet or dirty at school, so an extra set of clothing is required to be sent in by parents for the exclusive use of their child. These clothes need to be replaced after use so that clean, dry clothes are always available.

Outdoor play is part of the preschool day. Children must dress for the weather. For cold weather, hats, mittens and boots are worn daily. When boots are worn, send shoes as well. The children go for brief walks outside when the temperature is 35° to 40°. They go outside for gross motor play when the temperature is 41° or higher. Temperature is verified by phone call and wind chill is considered.

DRESS AND GROOMING:

The Governing Board recognizes that each student's mode of dress and grooming is a manifestation of personal style and individual preference. The Board will not interfere with the right of students and their parents to make decisions regarding their appearance, except when their choices interfere with the educational program of the Center.

Student dress or grooming practices shall not:

A. present a hazard to the health or safety of the student or to others in the school;

B. materially interfere with school work, create disorder, or disrupt the educational program

C. cause excessive wear or damage to school property;

D. prevent the student from achieving the student's own educational objectives because of blocked vision or restricted movement.

Confidentiality

In an effort to protect all children, the TCESC Early Childhood Office requires that all employees, substitutes, parents, and visitors maintain confidentiality of the children in the program. We ask all parents, substitutes, visitors, and employees not to discuss anything of a personal nature regarding any child in the program to another person. Our staff is not permitted to discuss children in the classroom with other parents except the child's own parent. This not only protects your child, but all the children in the program.

Behavior Management and Discipline Policy

In accordance with the Trumbull County Educational Service Center and the district's discipline guidelines, as well as the Department of Early Learning and School Readiness, the following procedures shall be followed in the preschool program when dealing with behavior and discipline issues.

In preschool, we believe that when dealing with behavior issues it is a learning opportunity for children. Children often will use behavior as a means of communication at a very young age. Keeping that in mind we often have to figure out what the child is trying to tell us. Therefore, in preschool, we do not look at behavior management and

discipline as being punitive. We will try many other strategies to understand the child's behavior before any discipline takes place.

In all the Trumbull County Educational Service Center preschool programs, constructive, developmentally appropriate child guidance and management techniques are used at all times, and shall include such measures as redirection, modeling, separation from the problem situation, talking with the child about the situation, and praising the child for appropriate behavior. All staff is expected to follow the discipline guidelines. Those guidelines are as follows:

1. There shall be no cruel, harsh, corporal punishment or any unusual punishments such as, but not limited to, punching, pinching, shaking, spanking, or biting.
2. No discipline shall be delegated to any other child.
3. No physical restraints shall be used to confine a child by any means other than holding a child for a short period of time, such as in a protective hug, so the child may regain control.
4. No child shall be placed in a locked room or confined in enclosed areas such as a closet, a box, or a similar cubicle.
5. No child shall be subjected to profane language, threats, derogatory remarks about himself or his family, or other verbal abuse.
6. Discipline shall not be imposed on a child for failure to eat, failure to sleep, or for toileting accidents.
7. All techniques of discipline shall not humiliate, shame, or frighten a child.
8. Discipline shall not include withholding food, rest, or toilet use.
9. Should a technique such as "time-out" be used, it shall be brief in duration and appropriate to the child's age and developmental ability, and the child shall be within sight and hearing of a preschool staff member in a safe, lighted, and well ventilated space.
10. The preschool program will not in any way abuse or neglect children and shall protect children from abuse and neglect while in attendance.

POSITIVE BEHAVIOR INTERVENTION AND SUPPORTS & LIMITED USE OF RESTRAINT AND SECLUSION ADMINISTRATIVE GUIDELINES

The Trumbull County Educational Service Center (TCESC) is committed to the program-wide use of Positive Behavior Intervention and Supports (PBIS) with students. TCESC staff will work to prevent the need for the use of student restraints and seclusions by utilizing positive behavioral interventions and non-aversive intervention techniques.

TCESC staff, as determined appropriate by the TCESC Superintendent, are permitted to physically restrain or seclude a student, but only when there is an immediate risk of physical harm to the student or others, there is no other safe and effective intervention possible, and physical restraint or seclusion is used in a manner that is age and developmentally appropriate and protects the safety of all children and adults in the educational setting.

All restraint and seclusion shall only be done in accordance with TCESC Policy 5630.01 and the standards adopted by the State Board of Education. Training in PBIS methods and the use of restraint and seclusion will be provided to staff determined appropriate by the TCESC Superintendent and in accordance with State Standards. Only staff trained in permissible seclusion and restraint methods may implement the methods.

Every use of restraint and seclusion shall be documented and reported to the Program Supervisor and the TCESC Superintendent.

ADMISSION, WITHDRAWAL& STUDENT RECORDS PROTECTION AND PRIVACY OF STUDENT RECORDS

The Trumbull County Educational Service Center maintains many student records including both directory information and confidential information.

The Board designates as student "directory information": a student's name; address; telephone number; date and

place of birth; major field of study; participation in officially-recognized activities and sports; height and weight, if a member of an athletic team; dates of attendance; date of graduation; or awards received.

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.

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 fourteen (14) days after receipt of the Superintendent's annual public notice.

Directory information can be provided upon request to any individual, other than a for profit organization, even without the written consent of a parent. Parents may refuse to allow the Board to disclose any or all "directory information" upon written notification to the Board.

Other than directory information, access to all other student records is protected by FERPA and Ohio law. Except in limited circumstances as specifically defined in State and Federal law, the Governing Board is prohibited from releasing confidential education records to any outside individual or organization without the prior written consent of the parents, or the adult student, as well as those individuals who have matriculated and entered a postsecondary educational institution at any age. The Board will provide access or release directory information to armed forces recruiters unless the parent or student request that prior written consent be obtained. See Form 8330 F13.

Confidential records include test scores, psychological reports, behavioral data, disciplinary records, and communications with family and outside service providers.
Students and parents have the right to review and receive copies of all educational records. Costs for copies of records may be charged to the parent. To review student records please
provide a written notice identifying requested student records to the program supervisor. You
will be given an appointment with the appropriate person to answer any questions and to review the requested student records.

Parents and adult students have the right to amend a student record when they believe that any of the information contained in the record is inaccurate, misleading or violates the student's privacy. A parent or adult student must request the amendment of a student record in writing and if the request is denied, the parent or adult student will be informed of his/her right to a hearing on the matter.

Consistent with the Protection of Pupil Rights Amendment (PPRA), no student shall be required, as a part of the school program or the District's curriculum, without prior written consent of the student (if an adult, or an emancipated minor) or, if an unemancipated minor, his/her parents, to submit to or participate in any survey, analysis, or evaluation that reveals information concerning:

A. political affiliations or beliefs of the student or the student's parents;
B. mental or psychological problems of the student or the student's family;
C. sex behavior or attitudes;
D. illegal, anti-social, self-incriminating or demeaning behavior;
E. critical appraisals of other individuals with whom respondents have close family relationships;
F. legally recognized privileged and analogous relationships, such as those of lawyers, physicians, and ministers;

G. religious practices, affiliations, or beliefs of the student or his/her parents; or
H. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such a program).

Consistent with the PPRA and Board policy, parents may inspect any materials used in conjunction with any such survey, analysis, or evaluation. Please contact the program supervisor to inspect such materials.

Further, parents have the right to inspect, upon request, a survey or evaluation created by a third party before the survey/evaluation is administered or distributed by the school to the student. The parent will have access to the survey/evaluation within a reasonable period of time after the request is received by the program supervisor.

The Family Policy Compliance Office in the U.S. Department of Education administers both FERPA and PPRA. Parents and/or eligible students who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office U.S.
Department of Education
400 Maryland Avenue, SW 20202-4605
Washington, D.C.
www.ed.gov/offices/OM/fpco

Informal inquiries may be sent to the Family Policy Compliance Office via the following email addresses: FERPAalED.Gov; and PPRA@ED.Gov.
Children are enrolled and withdrawn and records are maintained according to district policy. Registration must be complete before a child begins school. Preschool staff review cumulative and health records before classes begin and as needed throughout the school year. Parents need to report changes in name, address, phone, custody, or emergency contacts or school district as soon as the change occurs.

STUDENT CONDUCT

Respect for law and for those persons in authority shall be expected of all students. This includes conformity to school rules as well as general provisions of law affecting students. Respect for the rights of others, consideration of their privileges, and cooperative citizenship shall also be expected of all members of the school community. The Board has zero tolerance of violent, disruptive, or inappropriate behavior by its students.

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

A. allows teachers to communicate effectively with all students in the class;

B. allows all students in the class the opportunity to learn;

C. has consequences that are fair, and developmentally appropriate;

D. considers the student and the circumstances of the situation; and

E. enforces the student Code of Conduct/Student Discipline Code accordingly.

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

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

Gangs

Gangs that initiate, advocate or promote activities mat threaten the safety or wellbeing of persons or that are disruptive to the school environment will not be tolerated.
Incidents involving initiations, hazing, intimidations or related activities that are likely to cause harm or personal degradation are prohibited.

Students wearing, carrying or displaying gang paraphernalia or exhibiting behaviors or gestures that symbolize gang membership or causing and/or participating in activities that are designed to intimidate another student will be disciplined. Prohibited gang paraphernalia will be specifically identified and posted by the principal.

USE OF TOBACCO

The Governing Board is committed to providing students, staff, and visitors with an indoor tobacco and smoke-free environment. The negative health effects of tobacco use for both the users and nonusers, particularly in connection with second hand smoke, are well established. Further, providing a non-smoking and tobacco-free environment is consistent with the responsibilities of teachers and staff to be positive role models for our students.

For purposes of this policy, "use of tobacco" means to chew or maintain any substance containing tobacco, including smokeless tobacco, in the mouth to derive the effects of tobacco, as well as all uses of tobacco or tobacco substitutes, including cigarettes, cigars, pipe tobacco, chewing tobacco, snuff, or any other matter or substances that contain tobacco, in addition to papers used to roll cigarettes and/or the smoking of electronic, "vapor," or other substitute forms of cigarettes, clove cigarettes or other lighted smoking devices for burning tobacco or any other substance.

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

Students who violate this policy shall be subject to disciplinary action in accordance with the Student Code of Conduct/Student Discipline Code and in accordance with policies of the Board.

7217 - WEAPONS

The Governing Board prohibits professional staff members from possessing, storing, making, or using a weapon, including a concealed weapon, in a school safety zone and any setting that is under the control and supervision of the Board for the purpose of school activities approved and authorized by the Board including, but not limited to, property leased, owned, or contracted for by the Board, a school-sponsored event, or in a Board-owned vehicle, without the permission of the Superintendents, except as permitted by law.

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

The Superintendent shall immediately refer a staff member who violates this policy to law enforcement officials,

regardless of whether such staff member possesses a valid concealed weapon license. The staff member will also be subject to disciplinary action, up to and including termination, as permitted by applicable Board policy and the terms of existing collective bargaining agreements.

Exceptions to this policy include:

A. weapons under the control of law enforcement personnel;

B. handguns in the possession of a person who has a valid concealed handgun license or who is an active duty member of the armed forces with a valid military identification card and documentation of successful completion of firearms training if the handgun remains in a vehicle with the individual or is left in a locked vehicle when the person exits the vehicle;

C. weapons carried by an on-duty security officer employed by the Board;

D. objects indistinguishable from a firearm used during school safety trainings;

E. items approved by a program supervisor as part of a class or individual presentation under adult supervision, if used for the purpose of and in the manner approved (working firearms and ammunition shall never be approved.);

   The building principal shall be informed in advance.

F. theatrical props used in appropriate settings;

G. starter pistols used in appropriate sporting events.

Staff members shall report any information concerning weapons and/or threats of violence by students, staff members, or visitors to the Superintendent. Failure to report such information may subject the staff member to disciplinary action, up to and including termination.

The Board directs the Superintendent to post notices prohibiting the carrying and possession of concealed weapons in a school safety zone, including schools and school buildings, on school premises and school buses, and at school activities. The notices shall contain a statement substantially in the following form:

Unless otherwise authorized by law, pursuant to Ohio Revised Code 2923.122, no person shall knowingly possess, have under the person's control, convey, or attempt to convey a deadly weapon or dangerous ordnance into a school safety zone

The Superintendent shall conspicuously post such notices at each entrance of a school and/or school building and in areas inside the building where visitors are required to report. Notices shall also be posted at each entrance leading into a school activity (particularly those activities held outside of the school building) and parcel of land. Further, notices shall be posted in each school bus and other Board-owned vehicle, including a school van.

Use of Artificial Intelligence

Absent permission from the student's classroom teacher, a student who uses or otherwise solicits information from Artificial Intelligence in the completion of a classroom assignment / work may receive a zero for the assignment. Further, an offense of improper use of Artificial Intelligence may be addressed with disciplinary consequences in addition to receiving a zero on the assignment.

TITLE IX DISCRIMINATION AND HARASSMENT

The Trumbull County Educational Service Center complies with Title IX. A brief summary of what Title IX is along with the Trumbull County Educational Service Center's Title IX Compliance Officers is listed below but the full Title IX policy is included as Appendix A at the end of this handbook. The Title IX policy is also included in the Board's Policy Manual as Board Policy 2266 at https://go.boarddocs.com/oh/truesc/Board.nsf/Public?open&id=policies#.

What is Title IX?

Title IX is a federal civil rights law which protects individuals from discrimination and harassment based on sex, in education programs or activities, including discrimination on the basis of sexual orientation and gender identity. Title IX states:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

Title IX Coordinators:

The Board designates the following individuals to serve as "Title IX Coordinators" for the Center. They are hereinafter referred to as the "Title IX Coordinators":

Arlo Brookhart
Director of Curriculum and Instruction
330-505-2800
6000 Youngstown-Warren Rd., Niles, Ohio 44446
arlo.brookhart@trumbullesc.org

Michelle Tull
Pupil Services Director
330-505-2800
6000 Youngstown-Warren Rd., Niles, Ohio 44446
michelle.tul@trumbullesc.org

ANTI-HARASSMENT

General Policy Statement

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

The Board will vigorously enforce its prohibition against discriminatory harassment based on race, color, national origin, sex (including sexual orientation and transgender identity), disability, age, religion, ancestry, or genetic information (collectively, "Protected Classes") that are protected by Federal civil rights laws (hereinafter referred to as "unlawful harassment"), and encourages those within the Center community as well as third parties, who feel aggrieved to seek assistance to rectify such problems. The Board will investigate all allegations of harassment and in those cases where unlawful harassment is substantiated, the Board will take immediate steps to end the harassment,
prevent its reoccurrence, and remedy its effects. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

For purposes of this policy, "School Center community" means students, administrators, and professional and classified staff, as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

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

Other Violations of the Anti-Harassment Policy

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

A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation.

B. Filing a malicious or knowingly false report or complaint of unlawful harassment.

C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of harassment, when responsibility for reporting and/or investigating unlawful harassment charges comprises part of one's supervisory duties.

Definitions:

Bullying

Bullying rises to the level of unlawful harassment when one or more persons systematically and chronically inflict physical hurt or psychological distress on one (1) or more students or employees and that bullying is based upon

one (1) or more Protected Classes, that is, characteristics that are protected by Federal civil rights laws. It is defined as any unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational or work environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school or work performance or participation; and may involve:

A. teasing;
B. threats;
C. intimidation;
D. stalking;
E. cyberstalking;
F. cyberbullying;
G. physical violence;
H. theft;
I. sexual, religious, or racial harassment;
J. public humiliation; or
K. destruction of property.

Harassment

Means any threatening, insulting, or dehumanizing gesture, use of technology, or written, verbal or physical conduct directed against a student or school employee that:

A. places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property;

B. has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or an employee's work performance; or

C. has the effect of substantially disrupting the orderly operation of a school.

Sexual Harassment

– The Title IX policy, included in this handbook as Appendix A, addresses sexual harassment, including but not limited definitions, reporting and investigation procedures.

Race/Color Harassment

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

Religious (Creed) Harassment

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program

or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

National Origin/Ancestry Harassment

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

Disability Harassment

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

Reports and Complaints of Harassing Conduct

Members of the School Center community, which includes all staff, and third parties are encouraged to promptly report incidents of harassing conduct to an administrator, supervisor or other School Center official so that the Board may address the conduct before it becomes severe, pervasive, or persistent. Any administrator, supervisor, or other Center official who receives such a complaint shall file it with the Center’s Anti-Harassment Compliance Officer at his/her first convenience.

Members of the School Center community or third parties who believe they have been unlawfully harassed by another member of the School Center community or a third party are entitled to utilize the Board's complaint process that is set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the complaining individual's employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints of harassment under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

If, during an investigation of alleged bullying, aggressive behavior and/or harassment in accordance with Policy 5517.01 – Bullying and Other Forms of Aggressive Behavior, the Principal believes that the reported misconduct may have created a hostile work environment and may have constituted unlawful discriminatory harassment based on a Protected Class, the Principal shall report the act of bullying, aggressive behavior and/or harassment to one of the Anti-Harassment Compliance Officers who shall investigate the allegation in accordance with this policy. While the Compliance Officer investigates the allegation, the Principal shall suspend his/her Policy 5517.01 investigation to await the Compliance Officer's written report. The Compliance Officer shall keep the Principal informed of the status of the Policy 1662 investigation and provide him/her with a copy of the resulting written report.

Anti-Harassment Compliance Officers

The Board designates the following individuals to serve as "Anti-Harassment Compliance Officers" for the Center. They are hereinafter referred to as the "Compliance Officers".

Arlo Brookhart, Director of Curriculum and Instruction
330-505-2800 Ext. 225
arlo.brookhart@trumbullesc.org

Michelle Tul, Director of Pupil Services
(330) 505-2800 Ext 133
michelle.tul@trumbullesc.org

Rachel Miskit, Supervisor of Human Resources
(330) 505-2800 Ext: 123
rachel.miskit@trumbullesc.org

The Compliance Officers will be available during regular school/work hours to discuss concerns related to unlawful harassment, to assist students, other members of the Center community, and third parties who seek support or advice when informing another individual about "unwelcome" conduct, or to intercede informally on behalf of the individual
in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.

Compliance Officers shall accept complaints of unlawful harassment directly from any member of the School Center community or a visitor to the Center, or receive complaints that are initially filed with a school building administrator. Upon receipt of a complaint either directly or through a school building administrator, a Compliance Officer will begin either an informal or formal process (depending on the request of the person alleging the harassment or the nature of the alleged harassment), or the Compliance Officer will designate a specific individual to conduct such a process. In the case of a formal complaint, the Compliance Officer will prepare recommendations for the Superintendent or will oversee the preparation of such recommendations by a designee. All members of the School Center community must report incidents of harassment that are reported to them to the Compliance Officer within two (2) business days of learning of the incident.

Any Board employee who directly observes unlawful harassment of a student is obligated, in accordance with this policy, to report such observations to one of the Compliance Officers within two (2) business days. Additionally, any Board employee who observes an act of unlawful harassment is expected to intervene to stop the harassment, unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Board employees and/or local law enforcement officials, as necessary, to stop the harassment. Thereafter, the Compliance Officer or designee must contact the student, if age eighteen (18) or older, or the student's parents if under the age eighteen (18), within two (2) business days to advise s/he/them of the Board's intent to investigate the alleged misconduct, including the obligation of the Compliance Officer or designee to conduct an investigation following all the procedures outlined for a formal complaint.

Investigation and Complaint Procedure (See Form 5517 F1)

Any employee or other member of the School Center community or third party (e.g., visitor to the Center) who believes that s/he has been subjected to unlawful harassment or retaliation may seek resolution of his/her complaint through either the informal or formal procedures as described below. Further, a process for investigating claims of harassment or retaliation and a process for rendering a decision regarding whether the claim of legally

prohibited harassment or retaliation, was substantiated are set forth below.

Due to the sensitivity surrounding complaints of unlawful harassment or retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) business days of the complaint being received).

The informal and formal procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of unlawful harassment or retaliation with the United States Department of Education Office for Civil Rights, the Ohio Civil Rights Commission ("OCRC") or Equal Employment Opportunity Commission ("EEOC").

Informal Complaint Procedure

The goal of the informal complaint procedure is to stop inappropriate behavior and to investigate and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student, other member of the School Center community, or third party who believes s/he has been unlawfully harassed or retaliated against. This informal procedure is not required as a precursor to the filing of a formal complaint and will only be utilized where the parties (alleged target of harassment and alleged harasser(s)) agree to participate in such process.

Employees, other members of the School Center community, or third parties who believe that they have been unlawfully harassed or retaliated against may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

However, all complaints of harassment involving a Center employee, any other adult member of the School Center community, or a third party against a student will be formally investigated. Similarly, any allegations of sexual violence will be formally investigated.

As an initial course of action, if an individual feels that s/he is being unlawfully harassed and s/he is able and feels safe doing so, the individual should tell or otherwise inform the harasser that the conduct is unwelcome and must stop. Such direct communication should not be utilized in circumstances involving sexual violence. The complaining individual should address the allegedly harassing conduct as soon after it occurs as possible. The Compliance Officers are available to support and counsel individuals when taking this initial step or to intervene on behalf of the individual if requested to do so. An individual who is uncomfortable or unwilling to inform the harasser of his/her complaint is not prohibited from otherwise filing an informal or a formal complaint. In addition, with regard to certain types of unlawful harassment, such as sexual harassment, the Compliance Officer may advise against the use of the informal complaint process.

An individual who believes s/he has been unlawfully harassed may make an informal complaint, either orally or in writing: (1) to a teacher, other employee, or building administrator; (2) directly to one of the Compliance Officers; and/or (3) to the Superintendent or other Center-level employee.

All informal complaints must be reported to one of the Compliance Officers who will either facilitate an informal resolution as described below on his/her own, or appoint another individual to facilitate an informal resolution.

The School Center's informal complaint procedure is designed to provide employees, other members of the School Center community, or third parties who believe they are being unlawfully harassed with a range of options designed to bring about a resolution of their concerns. Depending upon the nature of the complaint and the wishes of the

individual claiming unlawful harassment, informal resolution may involve, but not be limited to, one or more of the following:

A. Advising the individual about how to communicate the unwelcome nature of the behavior to the alleged harasser.

B. Distributing a copy of the anti-harassment policy as a reminder to the individuals in the school building or office where the individual whose behavior is being questioned works or attends.

C. If both parties agree, the Compliance Officer may arrange and facilitate a meeting between the individual claiming harassment and the individual accused of harassment to work out a mutual resolution. Such a meeting is not appropriate in circumstances involving sexual violence.

While there are no set time limits within which an informal complaint must be resolved, the Compliance Officer or designee will exercise his/her authority to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. Parties who are dissatisfied with the results of the informal complaint process
may proceed to file a formal complaint. And, as stated above, parties may request that the informal process be terminated at any time to move to the formal complaint process.

All materials generated as part of the informal complaint process will be retained by the Compliance Officers in accordance with the Board's records retention policy and/or Student Records policy. (See Policy 8310 and Policy 8330)

Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one of the parties has requested that the informal complaint process be terminated to move to the formal complaint process, or if the individual elects to file a formal complaint initially, the formal complaint process shall be implemented.

An individual who believes s/he has been subjected to offensive conduct/harassment/retaliation hereinafter referred to as the "Complainant", may file a formal complaint, either orally or in writing, with a teacher, principal, the Compliance Officer, Superintendent, or other Center employee. Due to the sensitivity surrounding complaints of unlawful harassment and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available. If a Complainant informs a teacher, principal, Superintendent, or other Center employee, either orally or in writing, about any complaint of harassment or retaliation, that employee must report such information to the Compliance Officer or designee within two (2) business days.

Throughout the course of the process, the Compliance Officer should keep the parties informed of the status of the investigation and the decision-making process.

All formal complaints must include the following information to the extent it is available: the identity of the individual believed to have engaged in, or be engaging in, offensive conduct/harassment/retaliation; a detailed description of the facts upon which the complaint is based; a list of potential witnesses; and the resolution sought by the Complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the Compliance Officer shall ask for such details in an oral interview. Thereafter, the Compliance Officer will prepare a written summary of the oral interview, and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the Compliance Officer will consider whether any action should be taken in the investigatory phase to protect the Complainant from further harassment or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the alleged harasser. In making such a determination, the Compliance Officer should consult the Complainant to assess his/her agreement to the proposed action. If the Complainant is unwilling to consent to the proposed change, the Compliance Officer may still take whatever actions s/he deem appropriate in consultation with the Superintendent.

Within two (2) business days of receiving the complaint, the Compliance Officer or a designee will initiate a formal investigation to determine whether the Complainant has been subjected to offensive conduct/harassment/retaliation.

Simultaneously, the Compliance Officer will inform the individual alleged to have engaged in the harassing or retaliatory conduct, hereinafter referred to as the "Respondent", that a complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant administrative guidelines, including the Board's Anti-Harassment Policy. The Respondent must also be informed of the opportunity to submit a written response to the complaint within five (5) business days.

Although certain cases may require additional time, the Compliance Officer or a designee will attempt to complete an investigation into the allegations of harassment/retaliation within fifteen (15) business days of receiving the formal complaint. The investigation will include:

A. interviews with the Complainant;

B. interviews with the Respondent;

C. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;

D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the Compliance Officer or the designee shall prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful harassment as provided in Board policy and State and Federal law as to whether the Complainant has been subjected to unlawful harassment. The Compliance Officer's recommendations must be based upon the totality of the circumstances, including the ages and maturity levels of those involved. In determining if discriminatory harassment or retaliation occurred, a preponderance of evidence standard will be used.

Absent extenuating circumstances, within five (5) business days of receiving the report of the Compliance Officer or the designee, the Superintendent must either issue a final decision regarding whether the complaint of harassment has been substantiated or request further investigation. A copy of the Superintendent's final decision will be delivered to both the Complainant and the Respondent.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) business days. At the conclusion of the additional investigation, the Superintendent must issue a final written decision as described above.

A Complainant or Respondent who is dissatisfied with the final decision of the Superintendent may appeal through a signed written statement to the Board within five (5) business days of his/her receipt of the Superintendent's final

decision.

In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representative within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting. The decision of the Board will be final.

The Board reserves the right to investigate and resolve a complaint or report of unlawful harassment/retaliation regardless of whether the member of the School Center community or third party alleging the unlawful harassment/retaliation pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

Privacy/Confidentiality

The School Center will employ all reasonable efforts to protect the rights of the Complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy and related administrative guidelines shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. All Complainants proceeding through the formal investigation process will be advised that their identities may be disclosed to the Respondent.

During the course of a formal investigation, the Compliance Officer or his/her designee will instruct all members of the School Center community and third parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that s/he learns or that s/he provides during the course of the investigation.

All public records created as a part of an investigation of a complaint of harassment will be maintained by the Compliance Officer in accordance with the School Board's records retention policy. Any records that are considered student education records in accordance with the Family Educational Rights and Privacy Act or under Ohio's student records law will be maintained in a manner consistent with the provisions of the Federal and State laws.

Sanctions and Monitoring

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

Where the Board becomes aware that a prior remedial action has been taken against a member of the School Center community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effects.

Retaliation

Any act of retaliation against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation is prohibited.

Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct

State law requires any school teacher or school employee who knows or suspects that a child with a disability under the age of twenty- one (21) or that a child under the age of eighteen (18) has suffered or faces a threat of suffering a physical or mental wound, disability or condition of a nature that reasonably indicates abuse or neglect of a child to immediately report that knowledge or suspicion to the county children's services agency. If, during the course of a harassment investigation, the Compliance Officer or a designee has reason to believe or suspect that the alleged conduct reasonably indicates abuse or neglect of the Complainant, a report of such knowledge must be made in accordance with State law and Board Policy.

State law defines certain contact between a teacher and a student as "sexual battery." If the Compliance Officer or a designee has reason to believe that the Complainant has been the victim of criminal conduct as defined in Ohio's Criminal Code, such knowledge should be immediately reported to local law enforcement.

Any reports made to a county children's services agency or to local law enforcement shall not terminate the Compliance Officer or a designee's obligation and responsibility to continue to investigate a complaint of harassment. While the Compliance Officer or a designee may work cooperatively with outside agencies to conduct concurrent investigations, in no event shall the harassment investigation be inhibited by the involvement of outside agencies without good cause after consultation with the Superintendent.

Allegations Involving Conduct Unbecoming the Teaching Profession/Suspension

The Superintendent will report to the Ohio Department of Education, on forms provided for that purpose, matters of misconduct on the part of licensed professional staff members convicted of sexual battery, and will, in accordance with Policy 8141, suspend such employee from all duties that concern or involve the care, custody, or control of a child during the pendency of any criminal action for which that person has been arrested, summoned and/or indicted in that regard.

Education and Training

In support of this Anti-Harassment Policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent or designee shall provide appropriate information to all members of the School Center community related to the implementation of this policy and shall provide training for Center students and staff where appropriate. All training, as well as all information provided regarding the Board's policy and harassment in general, will be age and content appropriate.

Retention of Investigatory Records and Materials

All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, which may include but not be limited to:

A. all written reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;

B. any narratives that memorialize oral reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;

C. any documentation that memorializes the actions taken by Center personnel related to the investigation and/or the Center's response to the alleged violation of this policy;

D. written witness statements;

E. narratives, notes from, or audio, video, or digital recordings of witness interviews/statements;

F. e-mails, texts, or social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after-the-fact commentary about or media coverage of the incident);

G. notes or summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;

H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;

I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of this policy;

J. documentation of any interim measures offered and/or provided to complainants and/or the alleged perpetrators, including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;

K. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;

L. copies of the Board policy and/or procedures/guidelines used by the Center to conduct the investigation, and any documents used by the Center at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student and/or Employee Handbooks or Codes of Conduct);

M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment.

The documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records

and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State law (e.g., R.C. 3319.321) – e.g., student records and confidential medical records.

The documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the Center's records retention schedule.

BULLYING AND OTHER FORMS OF AGGRESSIVE BEHAVIOR

The Governing Board is committed to providing a safe, positive, productive, and nurturing educational environment for all of its students. The Board encourages the promotion of positive interpersonal relations between members of the school community.

Harassment, intimidation, or bullying toward a student, whether by other students, staff, or third parties is strictly prohibited and will not be tolerated. This prohibition includes aggressive behavior, physical, verbal, and psychological abuse, and violence within a dating relationship. The Board will not tolerate any gestures, comments, threats, or actions which cause or threaten to cause bodily harm or personal degradation. This policy applies to all activities in the Educational Service Center, including activities on school property, on a school bus, or while enroute to or from school, and those occurring off school property if the student or employee is at any school- sponsored, school-approved or school-related activity or function, such as field trips or athletic events where students are under the school's control, in a school vehicle, or where an employee is engaged in school business.

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

Harassment, intimidation, or bullying means:

A. any intentional written, verbal, electronic, or physical act that a student or group of students exhibits toward another particular student(s) more than once and the behavior both causes mental or physical harm to the other student(s) and is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student(s); or

B. violence within a dating relationship.

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

Aggressive behavior is defined as inappropriate conduct that is repeated enough, or serious enough, to negatively impact a student's educational, physical, or emotional well-being. This type of behavior is a form of intimidation and harassment, although it need not be based on any of the legally protected characteristics, such as sex, race, color, national origin, marital status, or disability. It would include, but not be limited to, such behaviors as stalking, bullying/cyberbullying, intimidating, menacing, coercion, name calling, taunting, making threats, and hazing.

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

Any student or student's parent/guardian who believes s/he has been or is the victim of aggressive behavior should immediately report the situation to the Program supervisor or assistant principal, or the Superintendent. The student may also report concerns to teachers and other school staff who will be responsible for notifying the

appropriate administrator or Board official. Complaints against the Program supervisor should be filed with the Superintendent. Complaints against the Superintendent should be filed with the Board President.

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

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

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

If, during an investigation of a reported act of harassment, intimidation and/or bullying/cyberbullying, the Program Supervisor or appropriate administrator believes that the reported misconduct may have created a hostile learning environment and may have constituted unlawful discriminatory harassment based on a Protected Class, the Principal will report the act of bullying and/or harassment to one of the Anti-Harassment Compliance Officers so that it may be investigated in accordance with the procedures set forth in Policy 5517 - Anti-Harassment.

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

Deliberately making false reports about harassment, intimidation, bullying and/or other aggressive behavior for the purpose of getting someone in trouble is similarly prohibited and will not be tolerated. Deliberately making false reports may result in disciplinary action as indicated above.

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

The Center shall implement intervention strategies (AG 5517.01) to protect a victim or other person from new or additional harassment, intimidation, or bullying and from retaliation following such a report.

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

The complainant shall be notified of the findings of the investigation, and as appropriate, that remedial action has been taken. If after investigation, acts of bullying against a specific student are verified, the Program supervisor or appropriate administrator shall notify the custodial parent/guardian of the victim of such finding. In providing such notification care shall be taken to respect the statutory privacy rights of the perpetrator of such harassment, intimidation, and/or bullying.

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

Complaints

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

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

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

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

Privacy/Confidentiality

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

Reporting Requirement

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

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

Immunity

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

Notification

Notice of this policy will be annually circulated to and posted in conspicuous locations in all school buildings and departments within the Center and discussed with students, as well as incorporated into the teacher, student, and parent/guardian handbooks. At least once each school year a written statement describing the policy and consequences for violations of the policy shall be sent to each student's custodial parent or guardian.
The statement may be sent with regular student report cards or may be delivered electronically.
The policy and an explanation of the seriousness of bullying by electronic means shall be made available to students in the Center and to their custodial parents or guardians.

State and Federal rights posters on discrimination and harassment shall also be posted at each building. All new hires will be required to review and sign off on this policy and the related complaint procedures.

Education and Training

In support of this policy, the Board promotes preventative educational measures to create greater awareness of aggressive behavior, including bullying and violence within a dating relationship. The Superintendent or designee shall provide appropriate training to all members of the Center community related to the implementation of this policy and its accompanying administrative guidelines. All training regarding the Board's policy and administrative guidelines about aggressive behavior and bullying in general, will be age and content appropriate.

Annually, the Center shall provide all students enrolled in the Center with age-appropriate instruction regarding the Board's policy, including a written or verbal discussion of the consequences for violations of the policy to the extent that State or Federal funds are appropriated for this purpose.

Students in grades seven (7) through twelve (12) shall receive age-appropriate instruction in dating violence prevention education, including instruction in recognizing dating violence warning signs and characteristics of healthy relationships.
Parents, who submit a written request to the Program supervisor to examine the dating violence prevention instruction materials used in the school, will be afforded an opportunity to review the materials within a reasonable period of time.

The Center shall provide training, workshops, and/or courses on this policy for school employees and volunteers who have direct contact with students, to the extent that State or Federal funds are appropriated for these purposes. Time spent by school staff in these training programs shall apply toward mandated continuing education requirements.

In accordance with Board Policy 8462, the Superintendent shall include a review of this policy on bullying and other forms of harassment in the required training in the prevention of child abuse, violence, and substance abuse and the promotion of positive youth development.

The Superintendent shall develop administrative guidelines to implement this policy. Guidelines shall include reporting and investigative procedures, as needed. The complaint procedure established by the Superintendent shall be followed.

STUDENT FEES AND FINES

Students will be provided necessary textbooks for courses of instruction without cost. In accordance with State law. Charges may also be imposed for loss, damage or destruction of school apparatus, equipment, musical instruments, library materials, textbooks and for damage to school buildings or property. Students using school property and equipment can be fined for excessive wear and abuse of the property and equipment. Fees may be waived in situations where there is financial hardship.

Students can avoid late fines by promptly returning borrowed materials.
Failure to pay fines, fees, or charges may result in the withholding of grades and credits.

STUDENT FUND-RAISING

Students participating in school-sponsored groups and activities may solicit funds from other students, staff members, and members of the community in accordance with school guidelines. The following general rules apply to all fund-raisers:

A. Students involved in the fund-raiser must not interfere with students participating in other activities when soliciting funds.
B. Students may not participate in a fund-raising activity for a group in which they are not members without the approval of the students' counselor.
C. Students may not participate in fund-raising activities off school property without proper supervision by approved staff or other adults.
D. Students should not engage in house-to-house canvassing for any fundraising activity without parent/guardian supervision.
E. Students may not participate in a fund-raising activity conducted by a parent group, booster club, or community organization on school property without the approval of the program supervisor and program supervisor.

Students may not sell any item or service in school without the prior approval of the program supervisor. Violation of this policy may lead to disciplinary action.

The Governing Board does not permit or sanction the use of crowdfunding for Center or specific school programs or activities, including co-curricular or extracurricular activities. – be it a specific classroom, grade level, department, school, or curricular or extracurricular activity. "Crowdfunding" refers to a campaign to collect typically small amounts of money from a large number of individuals to finance a project or fundraise for a specific cause. Through the use of personal networking, social media platforms, and other Internet based resources, funds are solicited or raised to support a specific campaign or project.

COMPUTER/TECHNOLOGY ACCEPTABLE USE POLICY

The Trumbull County ESC provides access to its computer networks and the Internet only for educational purposes. All computers are the property of the Trumbull County ESC, and therefore, are subject to review and inspection by authorized personnel at any time without suspicion or cause. All users are expected to abide by the rules covered below. **Any violation of the following rules and items found in the Technology Acceptable Use Policy will be considered a violation of said Policy and the Student Code of Conduct.** The program supervisor and classroom staff reserve the right to deny a student access if he/she is in violation of the Policy. ***If applicable, the student further agrees to abide by host district's acceptable use policies and procedures.*** All students will participate annually in an internet safety lesson. A signed permission form is required in order to have access to computer/technology in the classroom. The permission form will be included in student packets and needs to be returned **FIRST WEEK OF SCHOOL.**

THE FOLLOWING ACTS ARE VIOLATIONS OF THE TECHNOLOGY ACCEPTABLE POLICY:

- Students shall not use the classroom network for improper activity, including violation of copyright or other laws. This includes but is not limited to downloading, installing games, game emulators, music, or video files.
- Students shall not alter computer settings (internal or electronic) or the physical appearance in any way. This includes but not limited to screen savers, system passwords, backgrounds, or menu settings.
- Students cannot bring into the network any electronic media, including CDs, DVDs, floppy disks, or any other external media (e.g. iPods, thumb drives, mp3 players, etc.)
- Students shall not connect a personal portable device such as a laptop, PDA, cell phone/smart phone, or handheld computer to the classroom's network, wired or wireless.
- Students shall not use the Internet for purposes unrelated to education. Use of the school Internet is for educational purposes only. Examples of sites that are NOT considered educational are: auction sites, games, music, videos and personal communication such as e-mail, chat systems, Facebook, Instagram, Snapchat, Tumblr, Reddit, and other social media websites or "apps" unless they are related to a teacher's lesson and the students are given prior approval to access these sites or apps. Personal use is not permitted.
- Students shall not waste technology resources, including bandwidth, file space, paper and printer supplies.
- Students shall not bring food, beverages, and gum/candy around any computer or electronic equipment.
- Students shall not physically vandalize, degrade, damage, or disrupt the computer system or network performance.
- Students shall not intentionally upload/download a computer virus that contains a form of a worm, time bomb, Trojan horse, or other malware that is intended to disrupt the computer network or gain access to secured information.
- Students shall not intentionally upload/download inappropriate material including but not limited to pornography, vulgar text, or other forms of "electronic bullying."
- Students shall not gain access to another student's, teacher's, or administrator's account and/or data without permission.
- Students shall not use technology in any form that violates any offense in the school's code of conduct.

USE OF WIRELESS PERSONAL COMMUNICATION DEVICES

Personal communication devices (PCD) includes computers, tablets (e.g., iPad-like devices), electronic readers ("e-readers"; e.g., Kindle-like devices), cell phones, smartphones (e.g., iPhones, Android devices, Windows Mobile devices, etc.), telephone paging devices (e.g., beepers or pagers), and/or other web-enabled devices of any type.

In order to avoid disruption of the educational environment and protect students' right of privacy, student possession and/or use of (PCDs) is prohibited on school grounds, at school-sponsored events and on school buses or other vehicles provided by the Educational Service Center.

A "wireless communication device" is a device that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor. The following devices are examples of PCDs: cellular and wireless telephones (including camera phones), pagers/beepers, personal digital assistants (PDAs), BlackBerries/Smartphones, WiFi- enabled or broadband access devices, laptops, and other devices that allow a person to record and/or transmit, on either a real time or delayed basis, sound, video or still images, text, or other information.

Technology including, but not limited to, laptop computers and (WDAs) intended and actually used for instructional purposes (e.g. taking notes, recording classroom lectures, writing papers) will be permitted, as approved by the program supervsor.

Violation of this policy can result in discipline ranging from a warning up to and including suspension or expulsion, and notification of law enforcement authorities. The particular discipline imposed will depend on the number of prior violations and the nature of the violation at issue. In addition, if a student violates this policy, his/her PCD may be confiscated. Under such circumstances, the PCD will be released/returned to the student's parent/guardian after the student complies with any other disciplinary consequence that is imposed. In particular egregious offenses involving the invasion of another person's privacy, the Board reserves the right to confiscate the PCD and hold it until the end of the school year. Confiscated devices will be marked in a removable manner with the student's name and held in a secure location in the building's central office until they are retrieved by the parent/guardian. While in Center custody, students' PCDs will not be searched or otherwise tampered with unless exceptional circumstances are present (i.e. school officials reasonably suspect a student has violated the law or other school rules). Any search will be conducted in accordance with Board Policy 5771 – Search and Seizure.

VIRTUAL LEARNING/EDUCATIONAL PACKETS/BLENDED LEARNING

On March 12, 2020, the Ohio Director of Health issued an order which prohibits all of Ohio's public, community and private K-12 school buildings to be open to students to diminish the spread of the novel coronavirus (COVID-19). The Trumbull County Educational Service Center (TCESC) will continue to offer educational services to students in compliance with the current and any future orders issued from the Ohio Department of Health and/or county health agencies during this health emergency.

Trumbull County Educational Service Center (TCESC) will continue to provide opportunities for remote educational services to students. There will be intention to continue with each student's

educational program in light of this unique and unprecedented medical emergency. Educational packets reflecting individualized education plans may continue to be sent home. Related service personnel (speech

therapy, occupational therapy, physical therapy, vision /mobility services, hearing impaired services, audiological services, school psychological services etc.) will be provided through remote delivery of services.

TCESC will continue to consider guidance issued by state and federal educational and regulatory agencies as well as available resources in developing the remote services being offered. Blended learning will include non-computer-based learning opportunities.

Telephone calls are an important service delivery method that will help TCESC staff to provide appropriate educational services. Communication may also be delivered in other available ways, such as interactive classroom applications and email. Please let us know if you have a preference and/or any technology-related challenges and we may be able to assist and/or modify this plan.

TCESC intends to meet its obligation to provide children with disabilities with equal access to curriculum and services during an extended school closure in accordance with state and federal law. If your child is unable to access or participate in the program remotely because of a disability-related reason, please contact your child's classroom teacher to notify us so that we can explore possible solutions with you. We are also able to convene a remote IEP meeting upon request to discuss any concerns or questions that you may have. Contact your child's classroom teacher if you wish to schedule a meeting.

Telehealth

Trumbull County Educational Service Center (TCESC) will continue to offer telehealth services to students in compliance with the current and any future orders issued from the Ohio Department of Health and/or county health agencies during this health emergency.

Upon parent approval, staff will perform the telehealth related services and/or evaluations through secure, non-public facing remote technologies during any mandated school closure due to COVD-19.

We understand there are potential benefits and risks of videoconferencing that differ from in- person services. As a benefit, this technology will help us to continue to provide services to students while state executive orders remain in effect that prevent your student from coming to school. Some additional risks include but are not limited to the following: confidential information may be accessed by a third party through the Internet even if a user is on a secured connection (e.g. data breaches); technology disruptions may occur during a session; damage may occur to software from computer viruses or other electronic threats; and students may be able to use the connection to access inappropriate material online.

Confidentiality still applies while your student receives telehealth services. Sessions will not be recorded without the permission of parents. Any data or information received or transmitted during a telehealth session will not be disclosed to another party except as permitted by state and federal law.

The TCESC shall not be responsible for any material encountered on a computer network which may be

deemed objectionable to a student or his/her parents, for any inaccurate information disseminated over the network, for any hostile or injurious actions of third parties encountered through a computer network, for any charges incurred by the user of a computer network without prior permission, or for any damage or loss incurred by a user or any subsequent party by the use of files or software obtained over a computer network. Due to the nature of electronic communications, it is also impossible for the TCESC to guarantee the confidentiality of communication sent and received over any computer network.

Video Conferencing platforms that have been approved by the Trumbull County Educational Service Center will be used. Videoconferencing is defined as the use of real-time audiovisual communications of such quality as to permit accurate and meaningful interaction between at least two persons. Activities that are asynchronous (not at the same time) and do not have both audio and video elements, such as telephone calls, images transmitted via facsimile machine, and electronic mail, shall be considered interaction videoconferencing. Videophones utilized for communication which allow visual interaction with a deaf or hard of hearing person are permitted under interactive videoconferencing. Secure, non-public facing approved platforms for telehealth include Google Applications (ex. Gmail, Google Classroom), Class Dojo, Unique and N2Y Curriculum, Learning Without Tears, Zoom, REMIND, and Classcraft. A “non-public facing” remote communication product is one that, as a default, allows only the intended parties to participate in the communication.

Some telehealth platforms may require the use of a webcam or smartphone and it is important to have a secure internet connection rather than public/free Wi-Fi. Using public/free Wi-Fi is at the discretion of the parent and highly discouraged by the Trumbull County Educational Service Center.

It is important to have my child in a quiet, private space that is free of distractions during related telehealth services. I further agree that by allowing anyone else to view the session and/or be present with my student during the session, I have voluntarily waived any claim about breach of confidentiality regarding any information discussed or relayed during the session that they have viewed or heard. I understand I have the right to ask the telehealth provider to discontinue the telehealth conference at any time.

Solving Problems

Ask questions of and discuss problems with your child’s teacher. If a good solution cannot be developed, the preschool program supervisor may be called at 330-505-2800. Additionally, any parent who has a complaint about this program may call the Ohio Department of Education Ombudsman at 1-614-466-1221 or the Office of Early Childhood Education at 1-614-466-0224.

Ohio Department of Children and Youth

The Ohio Department of Education’s Early Learning Content Standards establish a framework for instruction to meet the needs of all young children.

Inspection Reports

Parents may request copies of Ohio Department of Children and Youth preschool inspection reports. Copies are also displayed in the classroom

Helpful Websites

Ohio Department of Education and Workforce
www.odew.state.oh.us

Trumbull County Educational Service Center
www.trumbullesc.org

APPENDIX A

2260 - **NONDISCRIMINATION AND ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY**

Any form of discrimination or harassment can be devastating to an individual's academic progress, social relationship and/or personal sense of self-worth. As such, the Governing 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.

The Board also does not discriminate on the basis of Protected Classes in its employment policies and practices as they relate to students, and does not tolerate harassment of any kind.

Equal educational opportunities shall be available to all students, without regard to the Protected Classes, age (unless age is a factor necessary to the normal operation or the achievement of any legitimate objective of the program/activity), place of residence within the boundaries of the Educational Service Center, or social or economic background, to learn through the curriculum offered in this Center. Educational programs shall be designed to meet the varying needs of all students.

In order to achieve the aforesaid goal, the Superintendent shall:

A. **Curriculum Content**

review current and proposed courses of study and textbooks to detect any bias based upon the Protected Classes; ascertaining whether or not supplemental materials, singly or taken as a whole, fairly depict the contribution of both genders, various races, ethnic groups, etc. toward the development of human society;

B. **Staff Training**

develop an ongoing program of in-service training for school personnel designed to identify and solve problems of bias based upon the Protected Classes in all aspects of the program;

C. **Student Access**

1. review current and proposed programs, activities, facilities, and practices to verify that all students have equal access thereto and are not segregated on the basis of the Protected Classes in any duty, work, play, classroom, or school practice, except as may be permitted under State and Federal laws and regulations;

2. verify that facilities are made available, in accordance with Board Policy 7510 - Use of Center Premises, for non-curricular student activities that are initiated by parents or other members of the community, including but not limited to any group officially affiliated with the Boy Scouts of America or any other youth group listed in Title 36 of the United States Code as a patriotic society;

D. **Center Support**

verify that like aspects of the Center program receive like support as to staff size and compensation, purchase and maintenance of facilities and equipment, access to such facilities and equipment, and related matters;

E. **Student Evaluation**

verify that tests, procedures, and guidance and counseling materials, which are designed to evaluate student progress, rate aptitudes, analyze personality, or in any manner establish or tend to establish a category by which a student may be judged, are not differentiated or stereotyped on the basis of the Protected Classes.

Definitions:

Words used in this policy shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.

Complainant is the individual who alleges, or is alleged, to have been subjected to unlawful discrimination/retaliation, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged discrimination/retaliation.

Respondent is the individual who has been alleged to have engaged in unlawful discrimination/retaliation, regardless of whether the Reporting Party files a formal complaint or is seeking an informal resolution to the alleged discrimination/retaliation.

School Center **community** means students and Board employees (i.e., administrators, and professional and classified staff), as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

Third Parties include, but are not limited to, guests and/or visitors on School Center property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals

who come in contact with members of the School Center community at school-related events/activities (whether on or off Center property).

Day(s): Unless expressly stated otherwise, the term "day" or "days" as used in this policy means a business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday - Friday, excluding State-recognized holidays).

Center Compliance Officers

The Board designates the following individuals to serve as the Center's "Compliance Officers" (also known as "Civil Rights Coordinators") (hereinafter referred to as the "COs").

2266 - NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS OR ACTIVITIES

Introduction

The Governing Board of the Trumbull County Educational Service Center (hereinafter referred to as "the Board" or "the Center") does not discriminate on the basis of sex (including sexual orientation or gender identity), in its education programs or activities, and is required by Title IX of the Education Amendments Act of 1972, and its implementing regulations, not to discriminate in such a manner. The requirement not to discriminate in its education program or activity extends to admission and employment. The Board is committed to maintaining an education and work environment that is free from discrimination based on sex, including sexual harassment.

The Board prohibits Sexual Harassment that occurs within its educational programs and activities. When the Center has actual knowledge of Sexual Harassment in its education program or activity against a person in the United States, it shall promptly respond in a manner that is not deliberately indifferent.

Pursuant to its Title IX obligations, the Board is committed to eliminating Sexual Harassment and will take appropriate action when an individual is determined responsible for violating this policy. Board employees, students, third-party vendors and contractors, guests, and other members of the School Center community who commit Sexual Harassment are subject to the full range of disciplinary sanctions set forth in this policy. The Board will provide persons who have experienced Sexual Harassment ongoing remedies as reasonably necessary to restore or preserve access to the Center's education programs and activities.

Coverage

This policy applies to Sexual Harassment that occurs within the Center's education programs and activities and that is committed by a member of the School Center community or a Third Party.

This policy does not apply to Sexual Harassment that occurs off school grounds, in a private setting, and outside the scope of the Center's education programs and activities; such Sexual Misconduct/Sexual Activity may be prohibited by the Student Code of Conduct if committed by a student, or by Board policies and administrative guidelines, applicable State and/or Federal law and/or Employee/Administrator Handbook(s) if committed by a Board employee.

Consistent with the U.S. Department of Education's implementing regulations for Title IX, this policy does not apply to Sexual Harassment that occurs outside the geographic boundaries of the United States, even if the Sexual Harassment occurs in the Center's education programs or activities. Sexual Harassment that occurs outside the geographic boundaries of the United States is governed by the Student Code of Conduct if committed by a student, or by Board policies and administrative guidelines, applicable State and/or Federal laws and/or Employee/Administrator Handbook(s) if committed by a Board employee.

Definitions

Words used in this policy shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.

Sexual Harassment: "Sexual Harassment" means conduct on the basis of sex that satisfies one or more of the following:

A. A Board employee conditioning the provision of an aid, benefit, or service of the Center on an individual's participation in unwelcome sexual conduct (often called "quid pro quo" harassment);

B. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, **and** objectively offensive that it effectively denies a person equal access to the Center's education program or activity; or

C. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)A(v), or "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

"Sexual assault" means any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. Sexual assault includes rape, sodomy, sexual assault with an object, fondling, incest, and statutory rape.

1. Rape is penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity. Attempted rape is included.

   Rape is the carnal knowledge of a person (i.e., penetration, no matter how slight, of the genital or anal opening of a person), without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

2. Sodomy is oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

3. Sexual Assault with an Object is using an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity. An "object" or "instrument" is anything used by the offender other than the offender's genitalia.

4. Fondling is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

5. Incest is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by State law.

6. Statutory Rape is sexual intercourse with a person who is under the statutory age of consent as defined by State law.

D. "Domestic violence" includes felony or misdemeanor crimes of violence committed by:

1. a current or former spouse or intimate partner of the victim;

2. a person with whom the victim shares a child in common;

3. a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;

4. a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime occurred; or

5. any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime occurred.

E. "Dating violence" means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

F. "Stalking" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to – (1) fear for the person's safety or the safety of others; or (2) suffer substantial emotional distress.

Complainant: "Complainant" means an individual who is alleged to be the victim of conduct that could constitute Sexual Harassment.

Respondent: "Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute Sexual Harassment.

Formal Complaint: "Formal Complaint" means a document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Harassment against a Respondent and requesting that the Center investigate the allegation(s) of Sexual Harassment. At the time of filing a Formal Complaint with the Center, a Complainant must be participating in or attempting to participate in the Center's education program or activity. A "document filed by a complainant'' means a document or electronic submission (such as by electronic mail or through an online portal that the Board provides for this purpose) that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the Formal Complaint. Where the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator is not a Complainant or a party to the Formal Complaint and must not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

Actual Knowledge: "Actual knowledge" means notice of Sexual Harassment or allegations of Sexual Harassment to the Center's Title IX Coordinator, or any Center official who has authority to institute corrective measures on behalf of the Board, or any Board employee. The mere ability or obligation to report Sexual Harassment or to inform a student about how to report Sexual Harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of the Center. "Notice" includes, but is not limited to, a report of Sexual Harassment to the Title IX Coordinator. This standard is not met when the only Center official with actual knowledge is the Respondent.

Supportive Measures: "Supportive measures" means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Such measures are designed to restore or preserve equal access to the Cener's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the Center's educational environment, or deter Sexual Harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, school/campus escort services, mutual restrictions of contact between the parties, changes in work locations), leaves of absence, increased security and monitoring of certain areas of the campus (including school buildings and facilities), and other similar measures.

Education Program or Activity: "Education program or activity" refers to all operations of the Center, including but not limited to in-person and online educational instruction, employment, extracurricular activities, athletics, performances, and community engagement and outreach programs. The term applies to all activity that occurs on school grounds or on other property owned or occupied by the Board. It also includes locations, events and circumstances that take place off-school property/grounds over which the Board exercises substantial control over both the Respondent and the context in which the Sexual Harassment occurs.

School Center community: "School Center community" refers to students and Board employees (i.e., administrators, and professional and classified staff), as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

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

Inculpatory Evidence: "Inculpatory evidence" is evidence that tends to establish a Respondent's responsibility for alleged Sexual Harassment.

Exculpatory Evidence: "Exculpatory evidence" is evidence that tends to clear or excuse a Respondent from allegations of Sexual Harassment.

Day(s): Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday – Friday, excluding State-recognized holidays),

Eligible Student: "Eligible Student" means a student who has reached eighteen (18) years of age or is attending an institution of postsecondary education.

Title IX Coordinator(s)

The Board designates and authorizes the following individual(s) to oversee and coordinate its efforts to comply with Title IX and its implementing regulations:

Arlo Brookhart
Director of Curriculum and
Instruction
330-505-2800
6000 Youngstown-Warren Rd. Niles, Ohio 44446
arlo.brookhart@trumbullesc.org

Michelle Tul
Pupil Service Director
330-505-2800
6000 Youngstown-Warren Rd. Niles, Ohio 44446
michelle.tul@trumbullesc.org

The Title IX Coordinator shall report directly to the Superintendent. Questions about this policy should be directed to the Title IX Coordinator.

The Superintendent shall notify applicants for admission and employment, students, parents or legal guardians of elementary and secondary school students, Board employees, and all unions or professional organizations holding collective bargaining or professional agreements with the Board of the following information:

> The Board of the Trumbull County Educational Service Center does not discriminate on the basis of sex in its education program or activity, and is required by Title IX and its implementing regulations not to discriminate in such a manner. The requirement not to discriminate in its education program or activity extends to admission and employment. The Center's Title IX Coordinator(s) is/are:

Arlo Brookhart
Director of Curriculum and
Instruction
330-505-2800
6000 Youngstown-Warren Rd. Niles, Ohio 44446
arlo.brookhart@trumbullesc.org

Michelle Tul
Pupil Service Director
330-505-2800
6000 Youngstown-Warren Rd. Niles, Ohio 44446
michelle.tul@trumbullesc.org

Any inquiries about the application of Title IX and its implementing regulations to the Center may be referred to the Title IX Coordinator(s), the Assistant Secretary for the U.S. Department of Education's Office for Civil Rights, or both.

The Board has adopted a grievance process and procedures that provide for the prompt and equitable resolution of student and employee complaints alleging any action that is prohibited by Title IX and/or its implementing regulations. The grievance process and procedures are included in Policy 2266 – Nondiscrimination on the Basis of Sex in Education Programs or Activities. The grievance process and procedures specifically address how to report or file a complaint of sex discrimination, how to report or file a formal complaint of Sexual Harassment, and how the Center will respond.

The Superintendent shall also prominently display the Title IX Coordinator's(s') contact information – including name(s) and/or title(s), phone number(s), office address(es), and e-mail address(es) – and this policy on the Center's website and in each handbook or catalog that the Board makes available to applicants for admission and employment, students, parents or legal guardians of elementary and secondary school students, Board employees, and all unions or professional organizations holding collective bargaining or professional agreements.

Grievance Process and Procedures

The Board is committed to promptly and equitably resolving student and employee complaints alleging Sexual Harassment. The Center's response to allegations of Sexual Harassment will treat Complainants and Respondents equitably, including providing supportive measures to the Complainant and Respondent, as appropriate, and following this Grievance Process before imposition of any disciplinary sanctions or other actions, other than supportive measures, against the Respondent.

The Title IX Coordinator(s), along with any investigator(s), decision-maker(s), or any person(s) designated to facilitate an informal resolution process, shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

If a determination of responsibility for Sexual Harassment is made against the Respondent, the Board will provide remedies to the Complainant. The remedies will be designed to restore or preserve equal access to the Center's education program or activity. Potential remedies include, but are not limited to, individualized services that constitute supportive measures. Remedies may also be disciplinary or punitive in nature and may burden the Respondent.

Report of Sexual Discrimination/Harassment

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

Students, Board members, and Board employees are required, and other members of the School Center community, and Third Parties)

are encouraged, to report allegations of sex discrimination or Sexual Harassment promptly to the/a Title IX Coordinator or to any Board employee, who will in turn notify the/a Title IX Coordinator. Reports can be made orally or in writing and should be as specific as possible. The person making the report should, to the extent known, identify the alleged victim(s), perpetrator(s), and witness(es), and describe in detail what occurred, including date(s), time(s), and location(s).

If a report involves allegations of Sexual Harassment by or involving the Title IX Coordinator, the person making the report should submit it to the Superintendent, or another Board employee who, in turn, will notify the Superintendent of the report. The Superintendent will then serve in place of the Title IX Coordinator for purposes of addressing that report of Sexual Harassment.

The Board does business with various vendors, contractors, and other third-parties who are not students or employees of the Board. Notwithstanding any rights that a given vendor, contractor, or third-party Respondent may have under this policy, the Board retains the right to limit any vendor's, contractor's, or third-party's access to school grounds for any reason. The Board further retains all rights it enjoys by contract or law to terminate its relationship with any vendor, contractor, or third-party irrespective of any process or outcome under this policy.

A person may file criminal charges simultaneously with filing a Formal Complaint. A person does not need to wait until the Title IX investigation is completed before filing a criminal complaint. Likewise, questions or complaints relating to Title IX may be filed with the U.S. Department of Education's Office for Civil Rights at any time.

Any allegations of Sexual Misconduct/Sexual Activity not involving Sexual Harassment will be addressed through the procedures outlined in Board policies the applicable Student Code of Conduct, applicable collective bargaining agreement, and/or Employee/Administrator Handbook.

Because the Board is considered to have actual knowledge of Sexual Harassment or allegations of Sexual Harassment if any Board employee has such knowledge, and because the Board must take specific actions when it has notice of Sexual Harassment or allegations of Sexual Harassment, a Board employee who has independent knowledge of or receives a report involving allegations of sex discrimination and/or Sexual Harassment must notify the/a Title IX Coordinator within two (2) days of learning the information or receiving the report. The Board employee must also comply with mandatory reporting responsibilities pursuant to R.C. 2151.412 and Policy 8462 – Student Abuse and Neglect, if applicable. If the Board employee's knowledge is based on another individual bringing the information to the Board employee's attention and the reporting individual submitted a written complaint to the Board employee, the Board employee must provide the written complaint to the Title IX Coordinator.

If a Board employee fails to report an incident of Sexual Harassment of which the Board employee is aware, the Board employee may be subject to disciplinary action, up to and including termination.

When a report of Sexual Harassment is made, the Title IX Coordinator shall promptly reply.' upon receipt of the report of Sexual Harassment) contact the Complainant (including the parent/guardian if the Complainant is under 18 years of age or under guardianship) to discuss the availability of supportive measures, consider the Complainant's wishes with respect to supportive measures, inform the Complainant of the availability of supportive measures with or without the filing of a Formal Complaint, and explain to the Complainant the process for filing a Formal Complaint. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. Any supportive measures provided to the Complainant or Respondent shall be maintained as confidential, to the extent that maintaining such confidentiality will not impair the ability of the Center to provide the supportive measures.

Emergency Removal: Subject to limitations and/or procedures imposed by State and/or Federal law, the Center may remove a student Respondent from its education program or activity on an emergency basis after conducting an individualized safety and risk analysis. The purposes of the individualized safety and risk analysis is to determine whether the student Respondent poses an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Harassment that justifies removal. If the Center determines the student Respondent poses such a threat, it will so notify the student Respondent and the student Respondent will have an opportunity to challenge the decision immediately following the removal. See Policy 5610 – Removal, Suspension, Expulsion, and Permanent Exclusion of Student, Policy 5610.03 – Emergency Removal of Students, and Policy 5611 – Due Process Rights.

If the Respondent is a non-student employee, the Center may place the Respondent on administrative leave during the pendency of the grievance process.

For all other Respondents, including other members of the School Center community and Third Parties, the Board retains broad discretion to prohibit such persons from entering onto its school grounds and other properties at any time and for any reason, whether after receiving a report of Sexual Harassment or otherwise.

Formal Complaint of Sexual Harassment

A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information set forth above. If a Formal Complaint involves allegations of Sexual Harassment by or involving the Title IX Coordinator, the Complainant should submit the Formal Complaint to the Superintendent, who will designate another person to serve in place of the Title IX Coordinator

for the limited purpose of implementing the grievance process and procedures with respect to that Formal Complaint.

When the Title IX Coordinator receives a Formal Complaint or signs a Formal Complaint, the Center will follow its Grievance Process and Procedures, as set forth herein. Specifically, the Center will undertake an objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence – and provide that credibility determinations will not be based on a person's status as a Complainant, Respondent, or witness.

It is a violation of this policy for a Complainant(s), Respondent(s), and/or witness(es) to knowingly making false statements or knowingly submitting false information during the grievance process, including intentionally making a false report of Sexual Harassment or submitting a false Formal Complaint. The Board will not tolerate such conduct, which is a violation of the Student Code of Conduct and the Employee/Administrator Handbook.

The Respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

Timeline

The Center will seek to conclude the grievance process, including resolving any appeals, within ninety (90) days or the extent possible upon receipt of the Formal Complaint.

If the Title IX Coordinator offers informal resolution processes, the informal resolution processes may not be used by the Complainant or Respondent to unduly delay the investigation and determination of responsibility. The timeline, however, may be subject to a temporary delay of the grievance process or a limited extension for good cause with written notice to the Complainant and the Respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; and the need for language assistance or accommodation of disabilities.

Upon receipt of a Formal Complaint, the Title IX Coordinator will provide written notice of the following to the parties who are known:

A. Notice of the Board's grievance process, including any informal resolution processes;

B. Notice of the allegations of misconduct that potentially constitutes Sexual Harassment as defined in this policy, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting Sexual Harassment, and the date and location of the alleged incident, if known. The written notice must:

    1. include a statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the grievance process;

    2. inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence.

    3. inform the parties of any provision in the Student Code of Conduct, this policy, and/or Employee/Administrator Handbook that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, during the course of the investigation, the investigator becomes aware of allegations about the Complainant or Respondent that are not included in the original notice provided to the parties, the investigator will notify the Title IX Coordinator and the Title IX Coordinator will decide whether the investigator should investigate the additional allegations; if the Title IX Coordinator decides to include the new allegations as part of the investigation, the Title IX Coordinator will provide notice of the additional allegations to the parties whose identities are known.

Dismissal of a Formal Complaint

The Center shall investigate the allegations in a Formal Complaint, unless the conduct alleged in the Formal Complaint: would not constitute Sexual Harassment (as defined in this policy) even if proved;

A. did not occur in the Center's education program or activity; or

B. did not occur against a person in the United States.

If one of the preceding circumstances exist, the Title IX Coordinator shall dismiss the Formal Complaint. If the Title IX Coordinator dismisses the Formal Complaint due to one of the preceding reasons, the Center may still investigate and take action with respect to such alleged misconduct pursuant to another provision of an applicable code of conduct, Board policy, and/or Employee/Administrator

Handbook.

The Title IX Coordinator may dismiss a Formal Complaint, or any allegations therein, if at any time during the investigation or hearing:

A. a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein;

B. the Respondent is no longer enrolled in the Center or employed by the Board; or

C. specific circumstances prevent the Center from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.

If the Title IX Coordinator dismisses a Formal Complaint or allegations therein, the Title IX Coordinator must promptly send written notice of the dismissal and the reason(s) therefor simultaneously to the parties.

Consolidation of Formal Complaints

The Title IX Coordinator may consolidate Formal Complaints as to allegations of Sexual Harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of Sexual Harassment arise out of the same facts or circumstances.

Where a grievance process involves more than one Complainant or more than one Respondent, references in this policy to the singular ''party,'' ''Complainant,'' or ''Respondent'' include the plural, as applicable.

Informal Resolution Process

Under no circumstances shall a Complainant be required as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, to waive any right to an investigation and adjudication of a Formal Complaint of Sexual Harassment. Similarly, no party shall be required to participate in an informal resolution process.

If a Formal Complaint is filed, the Title IX Coordinator may offer to the parties an informal resolution process. If the parties mutually agree to participate in the informal resolution process, the Title IX Coordinator shall designate a trained individual to facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication. The informal resolution process may be used at any time prior to the decision-maker(s) reaching a determination regarding responsibility.

If the Title IX Coordinator is going to propose an informal resolution process, the Title IX Coordinator shall provide to the parties a written notice disclosing:

A. the allegations;

B. the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a Formal Complaint arising from the same allegations; and

C. any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

Any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the Formal Complaint.

Before commencing the informal resolution process, the Title IX Coordinator shall obtain from the parties their voluntary, written consent to the informal resolution process. During the pendency of the informal resolution process, the investigation and adjudication processes that would otherwise occur have stayed and all related deadlines are suspended.

The informal resolution process is not available to resolve allegations that a Board employee sexually harassed a student.

The informal resolution process is not available to resolve allegations involving a sexual assault involving a student Complainant and a student Respondent.

Investigation of a Formal Complaint of Sexual Harassment

In conducting the investigation of a Formal Complaint and throughout the grievance process, the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility is on the Center, not the parties.

In making the determination of responsibility, the decision-maker(s) is(are) directed to use the preponderance of the evidence standard. The decision-maker(s) is charged with considering the totality of all available evidence, from all relevant sources.

The Center is not permitted to access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the party provides the Center with voluntary, written consent to do so; if a student party is not an Eligible Student, the Center must obtain the voluntary, written consent of a parent.

Similarly, the investigator(s) and decision-maker(s) may not require, allow, rely upon or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege in writing.

As part of the investigation, the parties have the right to:

A. present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence; and

B. have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney. The Center may not limit the choice or presence of an advisor for either the Complainant or Respondent in any meeting or grievance proceeding.

C. Any Center established restrictions, which will be applied equally to both parties, regarding the extent to which an advisor may participate in the proceedings, including but not limited to the rules of decorum, will be provided to both parties by the Title IX Coordinator prior to such proceeding. NOTE: Board Policy 2461 - Recording of Center Meetings Involving Student(s) and/or Parent(s) controls whether a person is allowed to audio record or video record any meeting or grievance proceeding.

Neither party shall be restricted in their ability to discuss the allegations under investigation or to gather and present relevant evidence.

The Center will provide to a party whose participation is invited or expected written notice of the date, time, location, participants, and purpose of all investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.

Both parties shall have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which the Center does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation.

Prior to completion of the investigative report, the Title IX Coordinator will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have at least ten (10) calendar days to submit a written response, which the investigator will consider prior to completion of the investigative report.

At the conclusion of the investigation, the investigator shall create an investigative report that fairly summarizes relevant evidence and send the report to each party and the party's advisor, if any, for their review and written response. The investigator will send the investigative report in an electronic format or a hard copy, at least ten (10) calendar days prior to the decision-maker(s) issuing a determination regarding responsibility.

Determination of Responsibility

The Title IX Coordinator shall appoint a decision-maker(s) to issue a determination of responsibility. The decision-maker(s) cannot be the same person(s) as the Title IX Coordinator(s) or the investigator(s).

After the investigator sends the investigative report to the parties and the decision-maker(s), and before the decision-maker(s) reaches a determination regarding responsibility, the decision-maker(s) will afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.

Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent. The decision-maker(s) must explain to the party proposing the

questions any decision to exclude a question as not relevant.

Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

If a party or witness does not submit to cross-examination at the hearing, the decision-maker(s) must not rely on any statement of that party or witness in reaching a determination regarding responsibility; provided, however, that the decision-maker(s) cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the hearing or refusal to answer cross-examination or other questions.

Hearings may be conducted with all parties physically present in the same geographic location or, at the discretion of the Title IX Coordinator(s), any or all parties, witnesses, and other participants may appear at the hearing virtually, with technology enabling participants simultaneously to see and hear each other. At the request of either party, the decision-maker shall provide for the hearing to occur with the parties located in separate rooms with technology enabling the decision-maker(s) and parties to simultaneously see and hear the party or witness answering questions. The Center will create an audio or audiovisual recording, or transcript, of any hearing and make it available to the parties for inspection and review.

Determination regarding responsibility: The decision-maker(s) will issue a written determination regarding responsibility. To reach this determination, the decision-maker(s) must apply the preponderance of the evidence standard.

The written determination will include the following content:

A. identification of the allegations potentially constituting Sexual Harassment pursuant to this policy;

B. a description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, [and] methods used to gather other evidence.

C. findings of fact supporting the determination;

D. conclusions regarding the application of the applicable code of conduct to the facts;

E. a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the decision-maker(s) is recommending that the Center impose on the Respondent(s), and whether remedies designed to restore or preserve equal access to the Center's education program or activity should be provided by the Center to the Complainant(s); and

F. the procedures and permissible bases for the Complainant(s) and Respondent(s) to appeal.

The following disciplinary sanctions/consequences may be imposed on a student Respondent who is determined responsible for violating this policy (i.e., engaging in Sexual Harassment):

A. Informal Discipline

1. writing assignments;
2. changing of seating or location:
3. pre-school, lunchtime, after-school detention;
4. in-school discipline;

B. Formal Discipline

1. suspension of bus riding/transportation privileges;
2. removal from co-curricular and/or extra-curricular activity(ies), including athletics;
3. emergency removal;
4. suspension for up to ten (10) school days;

5. expulsion for up to eighty (80) school days or the number of school days remaining in a semester, whichever is greater;
6. expulsion for up to one (1) year;
7. permanent exclusion; and
8. any other sanction authorized by the Student Code of Conduct.

If the decision-maker(s) determines the student Respondent is responsible for violating this policy (i.e., engaging in Sexual Harassment), the decision-maker(s) will recommend appropriate remedies, including disciplinary sanctions/consequences. The Title IX Coordinator will notify the Superintendent of the recommended remedies, so an authorized administrator can consider the recommendation(s) and implement an appropriate remedy(ies) in compliance with Policy 5600 – Student Discipline, Policy 5605 – Suspension/Expulsion of Students with Disabilities, Policy 5610 – Removal, Suspension, Expulsion, and Permanent Exclusion of Students, Policy 5601.01 – Permanent Exclusion of Nondisabled Students, Policy 5610.02 – In-School Discipline, Policy 5610.03 – Emergency Removal of Students, Policy 5610.04 – Suspension of Bus Riding/Transportation Privileges, Policy 5610.05 – Prohibition from Extra-Curricular Activities, and Policy 5611 – Due Process Rights. Discipline of a student Respondent must comply with the applicable provisions of the Individuals with Disabilities Education Improvement Act (IDEA) and/or Section 504 of the Rehabilitation Act of 1972, and their respective implementing regulations.

The following disciplinary sanctions/consequences may be imposed on an employee Respondent who is determined responsible for violating this policy (i.e., engaging in Sexual Harassment):

A. oral or written warning;
B. written reprimands;
C. performance improvement plan;
D. required counseling;
E. required training or education;
F. demotion;
G. suspension with pay;
H. suspension without pay;
I. termination, and any other sanction authorized by any applicable Employee/Administrator Handbook and/or collective bargaining agreement.

If the decision-maker(s) determines the employee Respondent is responsible for violating this policy (i.e., engaging in Sexual Harassment), the decision-maker(s) will recommend appropriate remedies, including disciplinary sanctions/consequences. The Title IX Coordinator will notify the Superintendent of the recommended remedies, so an authorized administrator can consider the recommendation(s) and implement an appropriate remedy(ies) in compliance with applicable due process procedures, whether statutory or contractual. Discipline of an employee will be implemented in accordance with Federal and State law, Board policy, and applicable provisions of any relevant collective bargaining agreement.

The following disciplinary sanctions/consequences may be imposed on a non-student/non-employee member of the School Center community or Third Party who is determined responsible for violating this policy (i.e., engaging in Sexual Harassment):

A. oral or written warning;
B. suspension or termination/cancellation of the Board's contract with the third-party vendor or contractor;
C. mandatory monitoring of the third-party while on school property and/or while working/interacting with students;
D. restriction/prohibition on the third-party's ability to be on school property; and
E. any combination of the same.

If the decision-maker(s) determines the third-party Respondent is responsible for violating this policy (i.e., engaging in Sexual

Harassment), the decision-maker(s) will recommend appropriate remedies, including imposition of sanctions. The Title IX Coordinator will notify the Superintendent of the recommended remedies, so appropriate action can be taken.

The decision-maker(s) will provide the written determination to the Title IX Coordinator who will provide the written determination to the parties simultaneously.

In ultimately, imposing a disciplinary sanction/consequence, the Superintendent will consider the severity of the incident, previous disciplinary violations (if any), and any mitigating circumstances.

The Center's resolution of a Formal Complaint ordinarily will not be impacted by the fact that criminal charges involving the same incident have been filed or that charges have been dismissed or reduced.

At any point in the grievance process and procedures, the Superintendent may involve local law enforcement and/or file criminal charges related to allegations of Sexual Harassment that involve a sexual assault.

The Title IX Coordinator is responsible for effective implementation of any remedies.

Appeal

Both parties have the right to file an appeal from a determination regarding responsibility, or from the Title IX Coordinator's dismissal of a Formal Complaint or any allegations therein, on the following bases:

A. Procedural irregularity that affected the outcome of the matter (e.g., material deviation from established procedures);

B. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and

C. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant(s) or Respondent(s) that affected the outcome of the matter.

Any party wishing to appeal the decision-maker(s)'s determination of responsibility, or the Title IX Coordinator's dismissal of a Formal Complaint or any allegations therein, must submit a written appeal to the Title IX Coordinator within five (5) fivedays after receipt of the decision-maker(s)'s determination of responsibility or the Title IX Coordinator's dismissal of a Formal Complaint or any allegations therein.

Nothing herein shall prevent the Superintendent from imposing any remedy, including disciplinary sanction, while the appeal is pending.

As to all appeals, the Title IX Coordinator will notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties.

The decision-maker(s) for the appeal shall not be the same person(s) as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator(s). The decision-maker(s) for the appeal shall not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant(s) or Respondent(s) and shall receive the same training as required of other decision-makers.

Both parties shall have a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.

The parties' written statements in support of, or challenging, the determination of responsibility must be submitted within (5) five days after the Title IX Coordinator provides notice to the non-appealing party of the appeal.

The decision-maker(s) for the appeal shall issue a written decision describing the result of the appeal and the rationale for the result. The original decision-makers(s') determination of responsibility will stand if the appeal request is not filed in a timely manner or the appealing party fails to show clear error and/or a compelling rationale for overturning or modifying the original determination. The written decision will be provided to the Title IX Coordinator who will provide it simultaneously to both parties. The written decision will be issued within five (5) days of when the parties' written statements were submitted.

The determination of responsibility associated with a Formal Complaint, including any recommendations for remedies/disciplinary sanctions, becomes final when the time for filing an appeal has passed or, if an appeal is filed, at the point when the decision-maker(s) for the appeal's decision is delivered to the Complainant and the Respondent. No further review beyond the appeal is permitted.

Retaliation

Neither the Board nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, or because the individual made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or Sexual Harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or Formal Complaint of Sexual Harassment, for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, constitutes retaliation. Retaliation against a person for making a report of Sexual Harassment, filing a Formal Complaint, or participating in an investigation.

Complaints alleging retaliation may be filed according to the grievance procedures set forth above.

The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under this policy.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy shall not constitute retaliation, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

Confidentiality

The Center will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a Formal Complaint of Sexual Harassment, any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act ("FERPA"), 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder (i.e., the Center's obligation to maintain confidentiality shall not impair or otherwise affect the Complainant's and Respondent's receipt of the information to which they are entitled related to the investigative record and determination of responsibility).

Application of the First Amendment

The Board will construe and apply this policy consistent with the First Amendment to the U.S. Constitution.

Training

The Center's Title IX Coordinator, along with any investigator(s), decision-maker(s), or person(s) designated to facilitate an informal resolution process, must receive training on:

A. the definition of Sexual Harassment (as that term is used in this policy);

B. the scope of the Center's education program or activity;

C. how to conduct an investigation and implement the grievance process, appeals and informal resolution processes, as applicable; and

D. how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interests, and bias.

All Board employees will be trained concerning their legal obligation to report Sexual Harassment to the Title IX Coordinator. This training will include practical information about how to identify and report Sexual Harassment.

Recordkeeping

As part of its response to alleged violations of this policy, the Center shall create, and maintain for a period of seven (7) calendar years, records of any actions, including any supportive measures, taken in response to a report or Formal Complaint of Sexual Harassment. In each instance, the Center shall document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the Center's education program or activity. If the Center does not provide a Complainant with supportive measures, then the Center will document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the Center in the future from providing additional explanations or detailing additional measures taken.

The Center shall maintain for a period of seven (7) calendar years the following records:

A. each Sexual Harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript that is made of any hearing, any disciplinary sanctions recommended and/or imposed on the Respondent(s), and any remedies provided to the Complainant(s) designed to restore or preserve equal access to the Center's education program or activity

B. any appeal and the result therefrom

C. any informal resolution and the result therefrom, and

D. all materials used to train Title IX Coordinators, investigators, decision makers, and any person who facilitates an informal resolution process.

Outside Appointments, Dual Appointments, and Delegations

The Board retains discretion to appoint suitably qualified persons who are not Board employees to fulfill any function of the Board under this policy, including, but not limited to, Title IX Coordinator, investigator, decision-maker, decision-maker for appeals, facilitator of informal resolution processes, and advisor.

The Board also retains discretion to appoint two or more persons to jointly fulfill the role of Title IX Coordinator, investigator, decision-maker, decision-maker for appeals, facilitator of informal resolution processes, and advisor.

The Superintendent may delegate functions assigned to a specific Board employee under this policy, including but not limited to the functions assigned to the Title IX Coordinator, investigator, decision-maker, decision-maker for appeals, facilitator of informal resolution processes, and advisor, to any suitably qualified individual and such delegation may be rescinded by the Superintendent at any time.

Discretion in Application

The Board retains discretion to interpret and apply this policy in a manner that is not clearly unreasonable, even if the Board's interpretation or application differs from the interpretation of any specific Complainant and/or Respondent.

Despite the Board's reasonable efforts to anticipate all eventualities in drafting this policy, it is possible unanticipated or extraordinary circumstances may not be specifically or reasonably addressed by the express policy language, in which case the Board retains discretion to respond to the unanticipated or extraordinary circumstance in a way that is not clearly unreasonable.

The provisions of this policy are not contractual in nature, whether in their own right, or as part of any other express or implied contract. Accordingly, the Board retains discretion to revise this policy at any time, and for any reason. The Board may apply policy revisions to an active case provided that doing so is not clearly unreasonable.

Legal

R.C. 3313.207/208/209, 5104

20 U.S.C. 1681 et seq., Title IX of the Education Amendments of 1972 (Title IX)

20 U.S.C. 1400 et seq., The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA)

42 U.S.C. 2000c et seq., Title IV of the Civil Rights Act of 1964

42 U.S.C. 2000d et seq.

42 U.S.C. 2000e et seq.

42 U.S.C. 1983

34 C.F.R. Part 106

OCR's Revised Sexual Harassment Guidance (2001)

20 U.S.C. 1092(F)(6)(A)(v)

34 U.S.C. 12291(a)(10)

34 U.S.C. 12291(a)(8)

34 U.S.C. 12291(a)(30)