STUDENT *and* PARENT

HANDBOOK

Multiple Disabilities (MD) PROGRAM

2026-2027
SCHOOL YEAR

TRUMBULL COUNTY
EDUCATIONAL SERVICE CENTER

6000 Youngstown Warren Road Niles, Ohio 44446
www.trumbullesc.org
Leading for Educational Excellence

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.

Therefore, there may have been changes to the documents reviewed in this Handbook since it was printed in August, 2026. 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's MD Program:

The staff and I are pleased to have you as a student and will do our best to help make your educational 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 us.

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Adopted by the Governing Board August 10, 2026

Student Code of Conduct (including Student Discipline Code) adopted by the Governing Board on: August 10, 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 August 10, 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 website: www.trumbullesc.org or https://www.boarddocs.com/oh/truesc/Board.nsf/Public?open&id:--policies

PUBLIC RECORDS

The Trumbull County Educational Service Center maintains its public records in accordance with Ohio law and Board Policy 8310. Copies of the Public Records Policy and Records Retention Schedule are available for review upon request and may be accessed through the Educational Service Center's administrative offices or website. Requests for public records should be directed to the Educational Service Center's records custodian.

INSTRUCTIONAL MATERIALS AND CURRICULUM REVIEW

Parents/guardians have the right to inspect, upon request and consistent with Board Policy 5780, textbooks, reading lists, instructional materials, and academic curriculum used by the Trumbull County Educational Service Center. Requests should be directed to the program supervisor.

SPECIAL EDUCATION MODEL POLICIES

The Governing Board annually reviews and adopts Special Education Model Policies and provides required notification to the Ohio Department of Education and Workforce. Copies of the Model Policies and related special education policies and procedures are available through the Trumbull County Educational Service Center in accordance with Board Policy 2460.

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
arlo.brookhart@trumbullesc.org

Rachael Miksit
Supervisor of Human Resources
(330) 505-2800
rachael.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.

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 goals.

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. Please return this promptly.

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

ATTENDANCE POLICIES AND PROCEDURES

The educational program offered by this Educational Service Center ("Center") is predicated upon the presence of the student and requires continuity of instruction and classroom participation. Absences for any reason, whether excused or unexcused, reduce instructional time and have an adverse impact on student learning. Attendance shall be required of all students enrolled in the schools during the days and hours that the school is in session or during the attendance sessions to which a student has been assigned.

A student in grades nine (9) through twelve (12) may be considered a full-time equivalent student provided the student is enrolled in at least five (5) units of instruction, as defined by State law, per school year.

In accordance with statute, the Superintendent shall require, from the parent of each student of compulsory school age or from an adult student who has been absent from school or from class for any reason, a written statement of the cause for such absence. The Governing Board reserves the right to verify such statements and to investigate the cause of each single absence or prolonged absence.

The Board considers the following factors to be reasonable excuses for time missed at school:

A. personal illness (a written physician's statement verifying the illness may be required)
B. appointment with a health care provider
C. illness in the family necessitating the presence of the child
D. quarantine of the home
E. death in the family
F. necessary work at home due to absence or incapacity of parent(s)/guardian(s)
G. attendance at a driver's education course for up to two (2) hours on no more than four (4) days (limited to a total of eight (8) hours during the school year), provided that the absence does not occur during a core curriculum subject course
H. religious expression days, up to three (3) of which may, after approval by the principal in accordance with this policy, permit the student to be absent without any academic penalty
I. such good cause as may be acceptable to the Superintendent
J. medically necessary leave for a pregnant student in accordance with Policy 5751
K. college visitation
   The Center requires verification of the date and time of the visitation by the college, university, or technical college.
L. absences due to a student's placement in foster care or change in foster care placement or any court proceedings related to their foster care status
M. absences due to a student being homeless

Attendance need not always be within the school facilities, but a student will be considered to be in attendance if present at any place where school is in session by authority of the Board.

The Board shall consider each student assigned to a program of other guided learning experiences to be in regular attendance for the program, provided that the student reports to such staff member the student is assigned for guidance at the place in which the student is conducting study, and regularly demonstrates progress toward the objectives of the course of study.

The Superintendent may excuse a student over fourteen (14) years of age from attendance at school for a future limited period for the purpose of performing essential work directly or exclusively for the student's parents or guardians. Such excuse should not exceed five (5) days and may, at the discretion of the Superintendent, be renewed for five (5) additional days. At no time, however, shall such excuse cause a student to be absent from school for a period of more than ten (10) consecutive days.

At the discretion of the Superintendent, a student may be excused for a longer period of time than ten (10) days if a child's parent or guardian has recently died or become totally or partially incapacitated and there is no older brother or sister living in the home who is out of school. (The Superintendent may request a certificate of a physician attesting to the physical condition of the parent or guardian.)

Attendance shall be taken at the beginning of every block/period in buildings with block/period-based scheduling. Absences from a class block/period shall be accounted for to the nearest full hour.

Attendance shall be taken at the commencement of the school day in buildings with non-period-based schedules. Attendance for students arriving late or leaving early must be tracked and recorded to the nearest full hour.

Contacting the Parent/Guardian of an Absent Student

When a parent, guardian, or other person having care of a student has failed to initiate a telephone call or other communication notifying the school or building administration of the student's excused or unexcused absence within 120 minutes after the beginning of the school day, the attendance officer or designee for each school building shall make at least one (1) attempt to contact the parent, guardian, or other person having care of any student who is recorded as absent without legitimate excuse within 120 minutes after the beginning of each school day by a method designated by the Superintendent in accordance with Ohio law (see AG 5200).

A student may have an excused absence for medical reasons, such as personal illness or medical visit, subject to the following rules. A student may have up to five (5) medically excused absences without a doctor’s note, but with a phone call from a parent/guardian. This policy will be extended beyond five (5) days if the student or someone in the student’s family is in quarantine due to a recognized pandemic/epidemic (e.g., COVID-19) or experiencing symptoms

of the pandemic/epidemic. A medical excuse for personal illness will be accepted in the form of a doctor's note within three (3) school days of the absence or parent call-in on the day of the absence due to illness or doctor's visit.

Attendance at a Driver's Education Course

The Center will excuse a high school student from school to attend a driver's education course that is approved by the Director of Public Safety in accordance with Chapter 4508 of the Revised Code. The student may be absent for up to two (2) hours per day on no more than four (4) days during the school year (limited to a total of eight (8) hours), provided that the absence does not occur during a core curriculum subject course. The Board deems all graded courses to be core curriculum including, but not limited to, courses that have State-approved learning standards. Days missed do not need to be consecutive.

Students who miss school to attend a driver's education course are required to complete any missed classroom assignments.

Religious Expression Days

The Program Supervisor will approve up to three (3) religious expression days per school year after receiving a written request from the student's parent or guardian. Religious expression days may be used to take holidays for reasons of faith or religious or spiritual belief system or participate in organized activities conducted under the auspices of a religious denomination, church, or other religious or spiritual organization. Students who are absent on approved religious expression days will not face any academic penalties and will be provided with academic accommodations with regard to examinations and other academic requirements that are missed.

To receive accommodations for religious expression days, parents or guardians must submit written requests to the Program Supervisor within fourteen (14) days after the start of the school year or fourteen (14) days after a student is enrolled in the Center. The requests must specify the religious expression day(s) to be approved. The Program Supervisor will approve the days without inquiring into the sincerity of a student's religious or spiritual belief system. However, the Principal may verify the authenticity of a request by contacting the parent or guardian to confirm they signed it. The Program Supervisor may deny the request for religious expression days if the parent or guardian indicates that the signature is not authentic. Once the days have been approved, the Program Supervisor will ensure that each teacher schedules a time and date for alternative examinations or other academic requirements that conflict with the student's absence. Students may participate in interscholastic athletics or other extracurricular activities on days in which the student is absent for religious expression.

The Center has adopted the following procedure for a student, parent, or guardian to notify the Center of any grievance with regard to the implementation of this policy. A grievance must be submitted in writing to the Pupil Service Director. The Pupil Service Director will review the

grievance and issue a written determination of whether the policy has been violated. The decision of the Pupil Service Director is final and not subject to further appeal.

The Center will notify parents and guardians annually about this policy and the procedures that they must follow to request accommodations for religious expression days.

The policy will be placed in a prominent location on the Center's website and will include the contact information for an individual who can provide further information about the policy. The Center will also publish a non-exhaustive list of major religious holidays, festivals, and religious observations as published by the State Superintendent for which an absence will not be unreasonably withheld or denied. The list will be provided whenever the policy is posted, printed, or distributed, and will be accompanied by a statement that declares the list is non-exhaustive and may not be used to deny accommodations to a student for a holiday, festival, or observation that is not included in the list. Nothing in this policy, and no inclusion or exclusion of a religious holiday or festival on the list posted by a Center, shall preclude a student from full and reasonable accommodations for any sincerely held religious beliefs and practices with regard to all examinations or other academic requirements and absences for reasons of faith or religious or spiritual belief system.

Parent Notification of Excessive Absences

When a student of compulsory school age is absent from school in excess of forty-five (45) or more hours, the Center or school shall notify the child's parent or guardian of the child's absences, in writing. Written notice will be sent within ten (10) school days after the date of the absence that triggered the notice requirement. At the same time written notice is given, any appropriate intervention strategy listed in this policy may be taken.

Habitually Truant

A student will be considered habitually truant if the student is of compulsory school age and absent without a legitimate excuse for thirty (30) or more consecutive hours, for forty-two (42) or more hours in one (1) school month, or for seventy-two (72) or more hours in one (1) school year.

Legitimate excuses for the absence of a student who is otherwise habitually truant include, but are not limited to:

A. the student was enrolled in another school district;
B. the student was excused from attendance in accordance with R.C 3321.04; or
C. the student has received an age and schooling certificate.

The Center’s program supervisor(s) shall file a complaint in the juvenile court against any student who is habitually truant unless the Center or the student’s school determines that the student and the student’s family are making satisfactory progress in improving the student’s

attendance at school. If no determination of progress is made, or if the school determines that the student and the student's family have ceased to continue making progress in improving the student's attendance, the attendance officer shall proceed to file a complaint in juvenile court against the student. The complaint will allege that the child is unruly for being habitually truant, and the parent, guardian, or other person having care of the child has violated Revised Code 3321.38.

If a student who is habitually truant violates the order of a juvenile court regarding the student's prior adjudication as an unruly child for being a habitual truant, the student may further be adjudicated as a delinquent child.

Tiered System of More Intensive Interventions and Supports

The Center implements a tiered system of interventions and supports for students to increase attendance. The system is designed to provide resources to students and their families to address the root cause of student absences. More intensive interventions and support are provided to students with greater numbers of absences.

Intervention Strategies

The term "chronically absent" means that a student has missed at least ten percent (10%) of the minimum number of hours required in the school year. In order to address the attendance practices of students and prevent students from becoming chronically absent, the Center will implement one (1) or more of the following intervention strategies:

A. provide counseling to the student
B. request or require the student's parent to attend a parental involvement program
C. request or require a parent to attend a truancy prevention mediation program
D. take appropriate legal action

Students shall not be suspended, expelled, or otherwise prevented from attending school because of the student's absences.

Absence Intervention Team

The Center will establish at least one (1) absence intervention team ("AIT") in each school building. The AIT will work with students at risk of becoming chronically absent and their families to improve the students' attendance. The Superintendent will develop administrative guidelines that address AIT membership, criteria for when the AIT will work with students and families, and strategies and resources that may be utilized by the AIT to improve school attendance.

Educational Program

The Superintendent is authorized to establish an educational program for parents of truant students which is designed to encourage parents to ensure that their children attend school regularly. Any parent who does not complete the program is to be reported to law enforcement authorities for parental education neglect, a fourth-class misdemeanor if found guilty.

This policy was developed after consultation with the judge of the juvenile court of Trumbull County, with the parents, guardians, or other persons having care of the students attending school in the Center, and with appropriate State and local agencies. The policy aligns with the Center and school improvement plans developed pursuant to State and Federal law.

CANCELLATIONS AND CLOSINGS

Your child will not have school if any of the following occur:

- All Trumbull County schools or building of attendance are closed
- District of attendance is closed
- The student's home school district is closed due to **inclement weather**

School closings are generally announced on the local television stations (channels 21, 27, & 33) and on local radio stations Y103-FM, WHOT 101-FM and WKBN-AM.
If students must be sent home after their arrival at school, every effort will be made to reach the parent or to ensure the child's safety.

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.

CHANGE OF INFORMATION

It is very important that you keep your child's records at the school up to date. This includes medications being taken, home address, phone numbers (home, work, and cell), and emergency contacts. Please be advised that it could take Community Busing/Transit up to three days to accommodate a change of address. If custody changes occur throughout the course of the year, it is necessary for a copy of the custody documents to be supplied as soon as possible.

If a change of address results in a change in home school districts, the students must be promptly withdrawn from the previous school district, and must promptly register in the new school district. Please remember that busing may take up to three days to change routes.

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INJURY AND ILLNESS

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 students home who require more care than usual due to minor symptoms of illness or injury or if they exhibit symptoms of COVID-19. Parents are called to pick up ill or injured students, as ill or injured children may not ride the bus. Students 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. Students must be free of vomiting, running an above average temperature, and other symptoms for 24 hours before being readmitted to school. In the case of COVID-19, students must remain out of school until they are fever-free and the time period recommended by the CDC has passed.

Students who are sent home due to head lice must be checked by the teacher and school nurse or administrator before being readmitted to school. Sick students should be kept home so they do not make others ill. If students are exposed to communicable disease at school, parents will receive a phone call or a note explaining the exposure. Your family may be ordered to quarantine by the health department if the communicable disease is COVID-19. Students may not return to school unless they are completely well.

Management of Communicable Disease

To prevent the spread of communicable disease and other illnesses, all students and staff wash their hands upon entering the classroom and at appropriate times throughout the day.

Trumbull County Educational Service Center ensures that the health and safety of all students are safeguarded through organized school health services designed to identify health problems and to coordinate school and community health resources for students. The following precautions shall be taken for students suspected of having a communicable disease.

Do not send your student to school if he or she is sick. A student with any of the signs or symptoms of COVID-19 shall be immediately isolated from other students for the health and safety of that student and other students. In the case of illness other than COVID-19, decisions regarding whether the student 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. Students with symptoms of COVID-19 will be immediately sent home. You will need to pick up your student immediately and seek care. You will be provided with informational resources to locate testing and care upon picking up the student. Your student will not be able to ride the bus home, if transportation is provided. The student, while isolated at the program, will be carefully watched for symptoms.

Healthcare Services

The Trumbull County Educational Service Center may provide or facilitate certain health-related services for students as required by law, through a student's educational program, or in collaboration with community providers. Parents/guardians will be notified of the health care services offered at or facilitated through the school and will be informed of their right to withhold consent for or decline any service when permitted by law. Such notification will identify whether the service is required to be provided by the Educational Service Center and whether alternative options are available for the student to access the service. Parents/guardians who have questions regarding available health care services should contact their child's program supervisor.

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.

USE OF MEDICATIONS

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

a. Parents should, with the counsel of their child's prescriber, decide 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 teacher 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 that is 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. Designated personnel will maintain a log noting the individual responsible for administering the 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 appropriate 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 does not 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.

Directory information may 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 requests that prior written consent be obtained. See Form 8330 F13.

Educational Technology Providers and Student Records

In accordance with Ohio law and Board Policies 5610.01, 5780, and 5780.01, the Trumbull County Educational Service Center annually provides direct notice to parents/guardians regarding curriculum, testing, and assessment technology providers that may have access to student education records. This notice identifies the technology providers with access to education records, the categories of records that may be accessed, how parents may inspect applicable contracts, and whom to contact for additional information. Parents and eligible students may contact the Program Supervisor or the Educational Service Center for additional information regarding student data privacy and educational technology providers.

Data Security and Breach Notification

In the event of a breach involving personally identifiable information or a cybersecurity or ransomware incident, affected individuals and appropriate government officials will be notified in accordance with Board Policy 8305 and applicable law.

Confidential records include but are not limited to; 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.

Diagnostic Assessment Results

Parents/guardian will receive copies of required diagnostic assessments, assessment results, and the accompanying documents used in the assessment process, when applicable and consistent with Board Policy 2623.02

STUDENT FEES AND FINES

Students will be provided the 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 may be fined for excessive wear and abuse of the property and equipment. Fees may be waived in situations where there is financial hardship. Students may 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 FUNDRAISING

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 fundraisers:

A. Students involved in the fundraiser must not interfere with students participating in other activities when soliciting funds.
B. Students may not participate in a fundraising activity for a group in which they are not members without the approval of the students' counselor.
C. Students may not participate in fundraising 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 fundraising 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.

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.

VISITORS

While visitors, particularly parents, are welcome at the school, the COVID-19 pandemic requires us to limit visits to school in an effort to ensure the ongoing safety of students and staff. Visits must be pre-approved; please contact the teacher and/or building office by phone or email to discuss the current status of visits before coming to the school. If the county health department in consultation with the school district deems such visit inadvisable, visits will be suspended until such time as it is determined there is a lower risk. If a visit is approved, 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. We encourage you to conduct these meetings via videoconference, phone or email.

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 to protect the safety and wellbeing of students and staff. During the pandemic, there may be specific entrances and exits that may be used while others remain closed. We will advise you and place signage to indicate which entrances and exits are designated for visitors.

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 the 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. As required by law, three (3) school safety drills will be conducted during the school year. At least one of the three required drills must include a scenario where students are secured in the building, as

opposed to being rapidly dismissed. In addition, one (1) theoretical safety drill will be conducted; however, the theoretical drill may not include student participation.

Drill of Rapid Dismissal: As required by law, at least one drill or rapid dismissal must be conducted each month during the school year. The first emergency evacuation drill of each school year must be conducted within ten (10) days of the beginning of the school year. Drills will occur at unexpected times, under varying conditions, and at different times during the school day.

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 limited on school grounds, at school-sponsored events and on school buses or other vehicles provided by the Educational Service Center for educational purposes only.

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 supervisor.

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.

Monitoring of Center-Issues Devices

The Trumbull County Educational Service Center may access student activity on Center-issued devices when necessary to protect the safety and security of students, staff, educational technology systems, or school operations. In accordance with Ohio law and Board Policy 5610.01, if student activity on a Center-issued device is accessed due to a threat assessment or safety concern, the student's parent/guardian will receive notice within seventy-two (72) hours. The notice will include the circumstances prompting the access, the features or information accessed, and a description of the threat or concern that resulted in the access.

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 extracurricular 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.

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 may threaten the safety or well-being 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 Supervisor.

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.

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.

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 that protects individuals from discrimination or 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 Tul
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 recurrence, 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 to the definitions, reporting and investigation procedures, is addressed in the Title IX policy in Appendix A.

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 Supervisor 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 Supervisor 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 Supervisor shall suspend his/her Policy 5517.0 I investigation to await the Compliance Officer's written report. The Compliance Officer shall keep the Supervisor 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 Brookhard
Director of Curriculum and Instruction
(330) 505-2800
arlo.brookhart@trumbullesc.org

Rachael Miksit,
Supervisor of Human Resources (330)
505-2800
rachael.miksit@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 as appropriate 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 or are reported by any school employee. 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 an investigative report for the Superintendent or will oversee the preparation of such investigative report 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 or receives a report or complaint from a student or other person about unlawful harassment of a student is obligated, in accordance with this policy, to report such observations to one of the Compliance Officers within two 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 Fl)

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 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 a 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.

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, Program Supervisor, 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.

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 en route 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

wellbeing. 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 Program Supervisor 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 website (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.

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.

SB 234 – Suicide Prevention

SB 234, codified as R.C. 3313.474, requires schools serving grades 9 through 12 to publish the telephone number for the suicide and crisis lifeline (988) on:

- Each student ID card issued after April 9, 2025;
- Each planner issued to a student after April 9, 2025; and
- Any electronic portal administered by the District or a building that can be accessed by students.

Note that the legislature used the term "issued," meaning even if a student's planner was printed or published before April 9, it must include the 988 number if next year's planners are given to students after April 9. But if a student's ID card was issued before April 9, and does not need to be renewed, the district is not obligated to reprint and reissue those cards.

COMPUTER TECHNOLOGY AND NETWORKS/ACCEPTABLE USE POLICY

TCESC provides Internet services to its students. The Internet system has a limited educational purpose, and has not been established as a public access service or a public forum.

Student use of TCESC's computers, network and Internet services/connection ("Network") are governed by the following principles and guidelines, and the Student Code of Conduct. Users have a limited privacy expectation in the content of their personal files and records of their online activity while on the Network.

Parents and students are advised that the Governing Board may not be able to technologically limit access through the Governing Board's Internet connection to only those services that have been authorized for the purpose of instruction, study and research related to the curriculum.

Because it serves as a gateway to any publicly available file server in the world, the Internet opens classrooms and students to electronic information resources that have not been screened by educators for use by students of various ages. TCESC utilizes a Technology Protection Measure, which is a specific technology that will protect against (e.g., filter or block) access to visual displays/depictions that are obscene, pornographic, and materials that are harmful to minors, as defined by the Children's Internet Protection Act. At the discretion of the Governing Board or the Superintendent, the Technology Protection Measure may be configured to protect against access to other material considered inappropriate for students to access.

TCESC further utilizes software and/or hardware to monitor online activity of students to restrict access to child pornography and other material that is obscene, objectionable, inappropriate and/or harmful to minors. Nevertheless, parents/guardians are advised that a determined user may be able to gain access to services on the Internet that are

not authorized for educational purposes. In fact, it is impossible to guarantee students will not gain access through the Internet to information and communications that they and/or their parents/guardians may find inappropriate, offensive, objectionable or controversial. Parents/Guardians assume risks by consenting to allow their child to participate in the use of the Internet. Parents/Guardians of minors are responsible for setting and conveying the standards that their children should follow when using the Internet. TCESC supports and respects each family's right to decide whether to apply for independent student access to the Internet.

Students are encouraged to use the ''Network" for educational purposes. Use of the Network is a privilege, not a right. When using the Network, students must conduct themselves in a responsible, efficient, ethical, and legal manner. Students are responsible for good behavior on TCESC's computers/network and the Internet just as they are in classrooms, school hallways, and other school premises and school sponsored events. Communications on the Internet are often public in nature. General school rules for behavior and communication apply.

Unauthorized or inappropriate use of the Network, including any violation of these rules, may result in cancellation of the privilege, disciplinary action consistent with the Student Code of Conduct, and/or civil or criminal liability. Prior to accessing the Network, students must sign the Student Network and Internet Acceptable Use and Safety Agreement. Parent permission is required for minors. Parents are encouraged to discuss their values with their children so that students can make decisions regarding their use of the Network that is in accord with their personal and family values, in addition to the Governing Board's standards.

Students must complete a mandatory training session/program regarding the appropriate use of technology and online safety and security as specified in Policy 7540.03 -Student Network and Internet Acceptable Use and Safety before being permitted to access the Network and/or being assigned an email address.

Smooth operation of the Network relies upon users adhering to the following guidelines. The guidelines outlined below are not exhaustive but are provided so that users are aware of their general responsibilities. . The following are violations of the acceptable use 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 may not bring into the network any electronic media, including CDs, DVDs, floppy disks, or any other external media (e.g. iPods, thumb drives, mp3 players, pagers, etc.)
- Students shall not connect a personal portable device such as a laptop, PDA, cell phone/smartphone, 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, TikTok, 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 the Network to engage in cyberbullying is prohibited. “Cyberbullying” involves the use of information and communication technologies such as e-mail, cell phone and pager text messages, instant messaging (IM), defamatory personal Web sites or other social media accounts, and defamatory online personal polling Websites, to support deliberate, repeated, and hostile behavior by an individual or group that is intended to harm others. Cyberbullying includes, but is not limited to the following:

1. posting slurs or rumors or other disparaging remarks about a student or school staff member on a web site or on weblog;
2. sending e-mail or instant messages that are mean or threatening, or so numerous as to drive up the victim's cell phone bill;
3. using a camera phone to take and send embarrassing photographs/recordings of students or school staff members or post these images on video sharing sites such as YouTube;
4. posting misleading or fake photographs of students or school staff members on web sites; and/or
5. any other form or harassment, intimidation or bullying that occurs via electronic device, internet or social media.

To the extent permitted by the First Amendment, instances of cyberbullying off school grounds that disrupt the school environment or interfere with the learning process will be considered violations of the Student Code of Conduct.

Students are expected to abide by the following generally-accepted rules of network etiquette:

1. Be polite, courteous, and respectful in your messages to others. Use language appropriate to school situations in any communications made through the Network. Do not use obscene, profane, lewd, vulgar, rude, inflammatory, sexually explicit, defamatory, threatening, abusive or disrespectful language in communications through the Network (including, but not limited to, public messages, private messages, and material posted on web pages).

2. Do not engage in personal attacks, including prejudicial or discriminatory attacks.

3. Do not harass another person. Harassment is persistently acting in a manner that distresses or annoys another person. If a student is told by

a person to stop sending him/her messages, the student must stop.

4. Do not post information that, if acted upon, could cause damage or a danger of disruption.

5. Never reveal names, addresses, phone numbers, or passwords of yourself or other students, family members, teachers, administrators, or other staff members while communicating on the Internet. This prohibition includes, but is not limited to, disclosing personal identification information on commercial web sites.

Do not transmit pictures or other information that could be used to establish your identity without prior approval of a teacher.

6. Never agree to get together with someone you "meet" on-line without parent approval and participation.

7. Check email frequently and diligently delete old mail on a regular basis from the personal mail directory to avoid excessive use of the electronic mail disk space.

8. Students should promptly disclose to their teacher or other school employee any message they receive that is inappropriate or makes them feel uncomfortable, especially any e-mail that contains pornography. Students should not delete such messages until instructed to do so by a staff member.

9. Malicious use of the Network to develop programs that harass other users or infiltrate a computer or computer system and/or damage the software components of a computer or computing system is prohibited. Students may not use the Network in such a way that would disrupt its use by others. Students must avoid intentionally wasting limited resources. Students may not bypass or attempt to bypass the TCESC's Technology Protection Measure. Students must immediately notify the teacher if they identify a possible security problem. Students should not go looking for security problems, because this may be construed as an unlawful attempt to gain access.

10. All communications and information accessible via the Internet should be assumed to be private property (i.e. copyrighted and/or trademarked). All Copyright issues regarding software, information, and attributions/acknowledgement of authorship must be respected. Rules against plagiarism will be enforced.

11. Downloading of information onto the Governing Board's hard drives is prohibited, without prior approval from the classroom teacher. If a student transfers files from information services and electronic bulletin board services, the student must check the file with a virus-detection program before opening the file for use. Only public domain software may be downloaded. If a student transfers a file or software program that infects the Network with a virus and causes damage, the student will be liable for any and all repair costs to make the Network once again fully operational.

12. Students must secure prior approval from the classroom teacher before joining a Listserv (electronic mailing lists) and should not post personal messages on bulletin boards or "Listserv."

Use of the Internet and any information procured from the Internet is at the student's own risk. The Governing Board makes no warranties of any kind, either express or implied, that the functions or the services provided by or through the Network will be error-free or without defect. The Governing Board is not responsible for any damage a user may suffer, including, but not limited to, loss of data, service interruptions, or exposure to inappropriate material or people. The Governing Board is not responsible for the accuracy or quality of information obtained through the Internet. Information (including text, graphics, audio, video, etc.) from Internet sources used in student papers, reports, and projects should be cited the same as references to printed materials. The Governing Board will not be responsible for financial obligations arising through the unauthorized use of the Network. Students or parents of students will indemnify and hold the Governing Board harmless from any losses sustained as the result of misuse of the Network by the student. Use of the Network by students will be limited to those students whose parents have signed a release of claims for damages against the Governing Board.

A. File-sharing is strictly prohibited. Students are prohibited from downloading and/or installing file-sharing software or programs on the Network.
B. Students may not establish or access web-based e-mail accounts on commercial services through the Network (e.g., Gmail), Hotmail, Yahoo mail, etc.).
C. Since there is no central authority on the Internet, each site is responsible for its own users. Complaints received from other sites regarding any of the TCESC's users will be fully investigated and disciplinary action will be taken as appropriate.
D. Preservation of Resources and Priorities of Use: Computer resources are limited. Because space on disk drives and bandwidth across the lines which connect the Network (both internally and externally) are limited, neither

programs nor information may be stored on the system without the permission.

Each student is permitted reasonable space to store email, web, and personal files. The Governing Board reserves the right to require the purging of files in order to regain disk space. Students who require access to the Network for class-or instruction related activities have priority over other users.

Students not using the Network for class-related activities may be ''bumped" by any student requiring access for class-or instruction related purposes.

The following hierarchy will prevail in governing access to the Network:

1. Class work, assigned and supervised by a staff member.
2. Class work, specifically assigned but independently conducted.
3. Personal correspondence (checking, composing, and sending email).
4. Training (use of such programs as keyboarding tutors, etc.)
5. Personal discovery ("surfing the Internet").
6. Other uses -access to resources for "other uses" may be further limited during the school day at the discretion of the program supervisor or classroom teacher.

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 supervisor.

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.

STUDENT DISCIPLINE CODE

Each of the behaviors and/or types of misconduct described below are prohibited and may subject the student to disciplinary action including, but not limited to, student conference, parent/guardian notification, parent/guardian conference, detention, in-school discipline, suspension and/or expulsion from school. Furthermore, any criminal acts committed at or related to the School will be reported to law enforcement officials as well as disciplined at school.
Certain criminal acts may result in permanent exclusion from school.

1. Possession/use of drugs and/or alcohol

Possessing, using, transmitting or concealing, or being under the influence of any alcoholic beverage, controlled substance including, but not limited to, narcotics, mood altering drugs, counterfeit controlled substances, lookalikes, over the counter stimulants or depressants, anabolic steroids, or drug related paraphernalia.

2. Possession/use of tobacco

Possession, consumption, distribution, purchase or attempt to purchase, and/or use of tobacco products or electronic cigarettes or similar devices in school, on school grounds, on school buses, and at any interscholastic competition, extracurricular event, or other school sponsored event. Tobacco products include, but are not limited to cigarettes, cigars, pipe tobacco, chewing tobacco, snuff or any other matter or substance that contains tobacco. Smoking of electronic, "vapor", other substitute forms of cigarettes, or clove cigarettes is also prohibited.

Pursuant to state law, students under the age of 21 are strictly prohibited from smoking and may be referred to law enforcement.

3. Use and/or possession of a firearm

Bringing a firearm (as defined in the Federal Gun-Free Schools Act of 1994) onto school property or to any school-sponsored activity, competition, program, or event, regardless of where it occurs, will result in a mandatory one (1) year expulsion under Ohio law. This expulsion may be reduced on a case-by-case basis by the Superintendent using the guideline(s) set forth in Board Policy.

Firearm is defined as any weapon (including a starter gun) that will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; or any destructive device (as defined in the Federal Gun-Free Schools Act of 1994). Firearms include any unloaded firearm and any firearm that is inoperable but that can be readily operated.

Students are prohibited from knowingly possessing an object on school premises, in a school or a school building, at a school activity or on a school bus that is indistinguishable from a firearm, whether or not the object is capable of being fired, and indicating they are in possession of such an object and that it is a firearm or knowingly displaying or brandishing the object and indicating it is a firearm.

4. Use of an object as a weapon

Any object that is used to threaten, harm, or harass another may be considered a weapon. This includes but is not limited to padlocks, pens, pencils, laser pointers, and jewelry.

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 whatsoever, 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 and explosives.

5. Knowledge of dangerous weapons or threats of violence

Because the Governing Board believes that students, staff members, and visitors are entitled to function in a safe school environment, students are required to

report knowledge of dangerous weapons or threats of violence to the Supervisor.

Failure to report such knowledge may subject the student to discipline.

6. Arson

Intentional or purposeful destruction or damage to school or district buildings or property by means of fire. Anything, such as fire, that endangers school property and its occupants will not be tolerated. Arson is a felony if committed as an adult and a delinquency offense for a minor.

7. Physically assaulting a staff member/student/person associated with the District.

Acting with intent to cause fear in another person of immediate bodily harm or death, or intentionally bullying, inflicting or attempting to inflict bodily harm upon another person. Physical assault of a staff member, student, or other person associated with the District, regardless of whether it causes injury, will not be tolerated. Any intentional, harmful or potentially harmful physical contact or bullying initiated by a student against a staff member will be considered to be assault. Assault may result in criminal or delinquency charges and may subject the student to expulsion.

8. Verbally threatening (either orally, in writing or otherwise expressed) a staff member/student/person associated with the District.

Any oral or written statement or otherwise expressed action that a staff member, student, or other person associated with the District reasonably feels to be a threat will be considered a verbal assault.
Profanity directed toward a staff member in a threatening tone may also be considered a verbal assault.

Confrontation with a student or staff member that bullies, intimidates, or causes fear of bodily harm or death is also prohibited.

9. Misconduct against a school official or employee, or the property of such a person, regardless of where it occurs.

The Board prohibits misconduct committed by a student against a school official or employee, including, but not limited to harassment (of any type), vandalism, assault, verbal and/or physical misconduct off school grounds.

Students may be subject to discipline for their misconduct even when it occurs off school property when the misconduct is connected to activities or incidents that occurred on property owned or controlled by the District.

Misconduct is defined as any violation of the Student Discipline Code.

10. Extortion

Extortion is the use of threat, intimidation, force, or deception to take, or receive something from someone else. Extortion is against the law and may be a delinquency or criminal offense.
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11. Gambling

Gambling (i.e., playing a game of chance for stakes) includes casual betting, betting pools, organized-sports betting, and any other form of wagering. Students who bet on any school activity in which they are involved also may be banned from that school activity.

12. Falsification of school work, identification, forgery

Falsifying signatures or data, or refusing to give proper identification or giving false information to a staff member. This prohibition includes, but is not limited to, forgery of hall/bus passes and excuses, as well as use of false I.D.'s.

Plagiarism and cheating are also forms of falsification and will subject the student to academic penalties as well as disciplinary action.

13. Bomb Threats, and other false alarms and reports

Making a bomb threat (i.e., intentionally giving a false alarm of a bomb) against a school building or any premises at which a school activity is being held at the time the threat is made may result in expulsion for a period of up to one (1) school year. Additionally, intentionally giving a false alarm of a fire, or tampering or interfering with any fire alarm is prohibited. It should be remembered that false emergency alarms or reports endanger the safety forces that are responding to the alarm/report, the citizens of the community, and the persons in the building. What may seem like a prank is actually a dangerous stunt that is against the law and will subject the student to disciplinary action and possible delinquency or criminal charges.

14. Terroristic Threat

Threatening, directly or indirectly, to commit a crime of violence with the purpose to terrorize a person and/or use of explosives and/or fireworks Possessing or using any compound or mixture, the primary or common purpose of which is to function by explosion, with substantially instantaneous release of gas and heat (including, but not limited to explosives and chemical-reaction objects such as smoke bombs and poppers). Additionally, possessing or offering for sale any substance, combination of substances or article prepared to produce a visible and/or audible effect by combustion, explosion, deflagration or detonation.

15. Trespassing

Although schools are public facilities, the law allows the Board to restrict access to school property. Being present in any Board-owned facility or portion of a

Board-owned facility when it is closed to the public or when the student does not have the authorization to be there, or unauthorized presence in a Board owned vehicle; or unauthorized access or activity in a Board-owned computer, into district, school or staff computer files, into a school or district file server, or into the Network. When a student has been removed, suspended, expelled, or permanently excluded from school, the student is prohibited from being present on school property without authorization of the program supervisor.

16. Theft, or knowingly receiving or possessing stolen property

Unauthorized taking of property of another person or receiving or possessing such property. Students caught stealing will be disciplined and may be reported to law enforcement officials. Students should not bring anything of value to school without prior authorization from the classroom teacher. The school is not responsible for personal property.

17. Insubordination

Students are expected to comply with the reasonable directions of staff. Willful refusal or failure to follow or comply with an appropriate direction given by a staff member, or acting in defiance of staff members.

18. Damaging property (Vandalism)

Defacing, cutting, or otherwise damaging property that belongs to the school, district, other students, employees or others and disregard for school property.

19. Persistent absence or tardiness

Attendance laws require students to be in school all day or to have a legitimate excuse for their absence. Penalties for unexcused absences can range from detention to a referral to court and/or revocation of the student's driver's license but shall not result in suspension or expulsion.

20. Unauthorized use of school or private property

Students must obtain permission to use any school property or any private property located on school premises. Any unauthorized use of school property, or private property located on school premises, shall be subject to disciplinary action.

21. Refusing to accept discipline

Students failing to comply with disciplinary penalties may face enhanced penalties for such action.

22. Aiding or abetting violation of school rules

Assisting other students in the violation of any school rule. Students are expected to resist peer pressure and exercise sound decision-making regarding their behavior.

23. Displays of affection/sexual activities

Affection between students is personal and not meant for public display. This includes touching, petting, or any other contact that may be considered sexual in nature. Sexual activity of any nature is prohibited and will result in disciplinary action.

24. Possession of electronic equipment

The School will supply any electronic equipment or devices necessary for participation in the educational program. Students shall not use or possess any electronic equipment on school property or at any school sponsored activity without the permission of the classroom teacher.

25. Violation of individual school/classroom rules

Each learning environment has different rules for students. These rules are for the safe and orderly operation of that environment. Students will be oriented to specific rules within each learning environment, all of which will be consistent with this Code.

26. Violation of bus rules

Students will be instructed on the proper procedure for bus stops, loading, unloading, and riding on the school bus. Violations of these directives or any other conduct violates of any part of the student disciplinary code will result in discipline.

AA. Interference, disruption or obstruction of the educational process

Any actions or manner of dress that materially and substantially disrupts or interferes with school activities or the educational process, or which threaten to do so are unacceptable. Such disruptions include, but are not limited to, delay or prevention of lessons, assemblies, field trips, athletic and performing arts events.

BB. Harassment and/or Aggressive Behavior (including Bullying/Cyberbullying)

The Board encourages the promotion of positive interpersonal relations between members of the school community. Harassment and/or aggressive behavior (including bullying/cyberbullying) toward a student, whether by other students, staff, or third parties is strictly prohibited and will not be tolerated. This prohibition includes physical, verbal, and psychological abuse, and any speech or action that creates a hostile, intimidating, or offensive learning environment. The Board will not tolerate any gestures, comments, threats, or actions which cause or threaten to cause bodily harm or personal degradation. Individuals engaging in such conduct will be subject to disciplinary action. Conduct constituting sexual harassment, may include, but is not limited to:

A. verbal harassment or abuse;
B. pressure for sexual activity;
C. repeated remarks with sexual or demeaning implications;
D. unwelcome touching;
E. sexual jokes, posters, cartoons, etc.;
F. suggesting or demanding sexual involvement, accompanied by implied or explicit threats concerning one's grades or safety;
G. a pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another;
H. remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.
I. An inappropriate boundary invasion by a District employee or other adult member of the School District community into a student1s personal space and personal life is sexual harassment. Further, any administrator, teacher, coach, other school authority who engages in sexual or other inappropriate physical contact with a student may be guilty of criminal "child abuse" as defined in State law.

Conduct constituting harassment on the basis of race, color, national origin, religion, or disability may take different forms, including, but not limited to, the following:

A. Verbal:
The making of offensive written or oral innuendoes, comments, jokes, insults, threats, or disparaging remarks concerning a person's race, color, national origin, religious beliefs, or disability.

B. Nonverbal:
Placing offensive objects, pictures, or graphic commentaries in the school environment or making insulting or threatening gestures based upon a person's race, color, national origin, religious beliefs, or disability.

C. Physical:
a. Any intimidating or disparaging action such as hitting, pushing, shoving, hissing, or spitting, on or by a fellow staff member, students, or other person associated with the District, or third parties, based upon the person's race, color, national origin, religious beliefs, or disability.

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, 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.

Any student who believes that s/he is the victim of any of the above actions or has observed such actions by another student, staff member, or other person associated with the District, or by third parties should contact the District's Anti-Harassment Complaint Coordinator(s):

Arlo Brookhart
Director of Curriculum and Instruction
(330) 505-2800
arlo.brookhart@trumbullesc.org

Rachael Miksit, Supervisor of Human Resources
(330) 505-2800
rachael.miksit@trumbullesc.org

The Complaint Coordinators are available during regular school hours to discuss a student’s concerns related to harassment and/or bullying/cyberbullying, to assist a

student who seeks support or advice when informing another individual about "unwelcome" conduct, or to intercede informally on behalf of the student.

The student may report his/her concerns to the Anti-Harassment Complaint Coordinators either by a written report, telephone, or personal visit, In reporting his/her concerns, the student should provide the name of the person(s) whom s/he believes to be responsible for the harassment and or bullying/cyberbullying and the nature of the harassing and/or bullying/cyberbullying incident(s).

The Anti-Harassment Complaint Coordinators will promptly compile a written summary of each such report that will be forwarded to the program supervisor.

Each report will be investigated in a timely manner and as confidentially as possible. TCESC 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 Governing Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. While a charge is under investigation, no information will be released to anyone who is not involved with the investigation, except as may be required by law or in the context of a legal or administrative proceeding. All records generated under the terms of this policy and its related administrative guidelines shall be maintained as confidential to the extent permitted by law.
All individuals involved in an investigation as either a witness, victim or alleged harasser and/or bully/cyberbully will be instructed not to discuss the subject outside of the investigation.

If an investigation reveals that a harassment and/or bullying/cyberbullying complaint is valid, appropriate remedial and or disciplinary action will be taken promptly to prevent the continuance of the harassment and/or bullying/cyberbullying or its recurrence.

Given the nature of harassing and/or bullying/cyberbullying behavior, the School recognizes that false accusations can have serious effects on innocent individuals. Therefore, all students are expected to act responsibly, honestly, and with the utmost candor whenever they present harassment and/or bullying/cyberbullying allegations or charges.

Some forms of sexual harassment of a student may reasonably be considered child abuse that must be reported to the proper authorities.

These guidelines 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).

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 harassment and/or aggressive behavior is prohibited and will not be tolerated. Such retaliation shall be considered a serious violation and independent of whether a complaint is substantiated.
Suspected retaliation should be reported in the same manner as harassment and aggressive behavior. Making intentionally false reports about harassment or aggressive behavior for the purpose of getting someone in trouble is similarly prohibited and will not be tolerated. Retaliation and intentionally false reports may result in disciplinary action as indicated above.

Anyone having further questions concerning prohibited behaviors and/or the complaint process should request a copy of Board policies and administrative guidelines.

CC. Hazing

Performing any act, or coercing another, including the victim, to perform any act of initiation into any class, team, or organization, that causes or creates a substantial risk of causing mental or physical harm. Permission, consent, or assumption or risk by an individual subjected to hazing shall not lessen the prohibitions contained in this rule.

Hazing by any individual, school group, club, or team is not permitted. This includes any form of initiation that causes or creates a risk of causing mental or physical harm, no matter how willing the participant may be. Hazing activities are prohibited at any time in school facilities, on school property, and/or off school property but connected to activities or incidents that have occurred on school property.

Policy 5516 applies to all athletic teams (whether interscholastic, intramural, or club teams); groups affiliated with an academic class such as band; Honor societies; performing arts groups; spirit groups (e.g., cheer, dance, drill, etc.); and any other student extracurricular activities, including any outside organizations that are affiliated with or that sponsor the extracurricular organization.

For the purpose of initiating, admitting, or affiliating a student into or with a team or extracurricular activity, or for the purpose of continuing or enhancing the student's membership or status on a team or in an extracurricular activity, intentionally, knowingly, or recklessly causing, coercing, or forcing a student to do

any of the following, regardless of whether such conduct occurs on or off school property:

A. violate Federal or State criminal law;

B. consume any food, liquid, alcoholic liquid, drug, or other substance that subjects the student to a risk of emotional or physical harm;

C. endure brutality of a physical nature, including whipping, beating, branding, calisthenics, or exposure to the elements;

D. endure brutality of a mental nature, including actively adversely affecting the mental health or dignity of the individual, sleep deprivation, exclusion from social contact, or conduct that could result in extreme embarrassment;

E. endure brutality of a sexual nature; or

F. endure any other activity that creates a reasonable likelihood of bodily injury to the student.

It is not a defense to a charge of hazing that the student consented to the conduct in question.

Policy 5516 also applies to behavior conducted online, via email, or through electronic media (e.g., texts, instant messages, social media) that relates to school activities and is not protected by freedom of expression. The District does not regularly search for online information but may act if such information is brought to the administration's attention.

Identifying Acts of Hazing

The following are key indicators that an individual is or has been subjected to hazing:

A. the activity is degrading and/or demeaning

B. there is risk of injury or a question of safety

C. alcohol or drugs are present

D. cryptic language is used to describe an event, activity, or interaction

E. active members of the team or extracurricular activity are unwilling to participate in the same activity with new members

F. active and new members are unwilling to discuss the activity with advisors, coaches, family members, or other school staff

G. members of the team or extracurricular activity justify their actions as "traditional" in an attempt to convince others that is an acceptable event

H. changes in behavior such as oversleeping, constant exhaustion, or an inability to focus

I. a drop in GPA

All incidents of hazing must be reported immediately to any of the following individuals: the program supervisor or other administrator; teacher; coach; student club advisor/supervisor, and/or Superintendent. Students who engage in hazing may also be liable for civil and criminal penalties.

DD. Violent Conduct

Students may be expelled for up to one school year for committing an act of violence at school, on other school property, at an interscholastic competition, extracurricular event, or any other school program, or directing an act of violence at a Board official or employee, regardless of where or when that act may occur, or their property that would be a criminal offense if committed by an adult and results in serious physical harm to person(s) or property.

EE. Improper Dress

Clothing may not include words or visuals that are lewd, obscene, disruptive, abusive, or discriminatory, or that advertise drugs, alcohol or tobacco. Dress or grooming that is disruptive of the classroom or school atmosphere is not allowed. Footwear must be worn at all times for health and safety reasons.

FF. Careless or Reckless Driving

Driving on school property in such a manner as to endanger persons or property.

GG. Burglary

Entering a building or a specific area of a building without consent and with intent to commit a crime, or entering a building without consent and committing a crime.

HH. Fighting

Engaging in adversarial physical contact (differentiated from poking, pushing, shoving or scuffling) in which one or the other party(ies) or both contributed to the situation by verbally instigating a fight and/or physical action. Promoting or instigating a fight (i.e., contributing to a fight verbally or through behavior).

II. Lighting Incendiary Devices

Unauthorized igniting of matches, lighters and other devices that produce flames.

JJ. Possession of Pornography Possessing sexually explicit material.

KK. Unauthorized use of vehicles

Occupying or using vehicles during school hours without parental permission and/or school authorization.

38. 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.

DISCIPLINE

It is important to remember that the School's rules apply going to and from school, at school, on school property, at school-sponsored events, on school transportation, and on property not owned or controlled by the Governing Board but that is connected to activities or incidents that have occurred on property owned or controlled by the Governing Board. Furthermore, students may be disciplined for conduct that, regardless of where or when it occurs, is directed at a Governing Board official or employee, or the property of such official or employee. In some cases, a student can be suspended from school transportation for infractions of school bus rules.

TCESC is committed to providing prompt, reasonable discipline consistent with the severity of the incident. The consequences for misbehavior are designed to be fair, firm and consistent for all students in the program.

Because it is not possible to list every misbehavior that occurs, misbehaviors not listed above will be responded to as necessary by staff.

The TCESC MD Program will utilize the school resource officers provided by the district the classroom is housed in. All memorandum of understanding, rules and regulations developed by the school resource officers' local police department and district will be followed by the TCESC MD Program.

SEARCH AND SEIZURE

Administrators may search a student or his/her property (including vehicles, purses, knapsacks, gym bags, etc.) with or without the student's consent, whenever they reasonably suspect that a search will lead to the discovery of evidence of a violation of law or school rules. The extent of the search will be governed by the seriousness of the alleged infraction and the student's age.

General housekeeping inspection of school property may be conducted with reasonable notice. Student lockers are the property of the TCESC and students have no reasonable expectation of privacy in their contents or in the contents of any other TCESC property including desks or other containers.

School authorities may conduct random searches of the lockers and their contents at any time without announcement. Unannounced and random canine searches may also be conducted.

Additionally, students have NO reasonable expectation of privacy in their actions in public areas including but not limited to, common areas, hallways, cafeterias, classrooms and gymnasiums. TCESC may use video cameras in such areas and on all school vehicles transporting students to and from regular and extracurricular activities.

Anything that is found in the course of a search may be used as evidence of a violation of school rules or the law, and may be taken, held or turned over to the police. The School reserves the right not to return items that have been confiscated

INTERROGATION OF STUDENTS

The School is committed to protecting students from harm that may be connected with the school environment and also recognizes its responsibility to cooperate with law enforcement and public child welfare agencies. While the School believes these agencies should conduct their investigations off school property if possible, investigations may

take place at school in emergency situations or if the violation being investigated occurred on school property.

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

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

If law enforcement or a children's services agency removes a student from school, the program supervisor will notify a parent.

STUDENT RIGHTS OF EXPRESSION

The School recognizes the right of students to express themselves. With the right of expression comes the responsibility to do so appropriately. Students may distribute or display, at appropriate times, non-sponsored, noncommercial written material and petitions; buttons, badges, or other insignia; clothing, insignia, and banners; and audio and video materials. All items must meet school guidelines.

A. Material may not be displayed if it:
    1. is obscene to minors, libelous, or pervasively indecent or vulgar;
    2. advertises any product or service not permitted to minors by law;
    3. intends to be insulting or harassing;
    4. intends to incite fighting; or
    5. presents a clear and present likelihood that, either because of its content or manner of distribution or display, it will cause or is likely to cause a material and substantial disruption of school or school activities, a violation of school regulations, or the commission of an unlawful act. Material may not be displayed or distributed during class periods or between classes. Permission may be granted for display or distribution during lunch periods, and/or before or after school in designated locations, as long as exits are not blocked and there is proper access and egress to the building.

B. Material may not be displayed or distributed during class periods, or between classes. Permission may be granted for display or distribution during lunch

periods, and/or before or after school in designated locations, as long as exits are not blocked and there is proper access and egress to the building.

C. Students who are unsure whether materials they wish to display meet school guidelines may present them to the twenty-four (24) hours prior to display

BUS CONDUCT

Students who are riding to and from school on District-provided transportation must follow all basic safety rules. This applies to school-owned buses as well as any contracted transportation. The driver may assign seating or direct students in any reasonable manner to maintain transportation safety. Rules and procedures for bus stops, loading and unloading and riding the bus may differ in 2026-27 from previous years. You will be provided with the rules and procedures for bus conduct.

Students must comply with the following basic safety rules: Prior to loading (on the road and at school). Each student shall:

A. be on time at the designated loading zone;
B. stay off the road at all times while walking to and waiting for school transportation;
C. line up single file off the roadway to enter;
D. wait until the school transportation is completely stopped before moving forward to enter;
E. refrain from crossing a highway/street until the driver signals it is safe to cross;
F. properly board and depart the vehicle;
G. go immediately to seat and be seated.
H. it is the parents' responsibility to inform the bus driver when their child will not be aboard school transportation. Drivers will not wait for students who are not at their designated stops on time.

During the trip each student shall:

A. remain in seat;
B. keep head, hands, arms, and legs inside the school transportation at all times;
C. not push, shove or engage in scuffling;
D. not litter in the school vehicle or throw anything in, into, or from the vehicle;
E. keep books, packages, coats, and all other objects out of the aisle;
F. be courteous to the driver and to other riders;
G. not eat or play games, cards, etc.;

H. not use nuisance devices (e.g., laser pointers) on the bus in a way that disrupt;
I. the safe transportation of students and/or endangers students or employees;
J. not tamper with the school vehicle or any of its equipment (including, but not limited to emergency and/or safety equipment).

Exiting the school vehicle Each student shall:

A. remain seated until the vehicle has stopped;
B. cross the street., when necessary, at least 10 feet in front of the vehicle, but only after the driver signals that it is safe;
C. be alert to a possible danger signal from the driver.

The driver will not discharge students at places other than their regular stop at home or at their assigned stop.

Videotapes on School Buses

Video recording devices are installed on school buses to monitor student behavior. If a student misbehaves on a bus and his/her actions are recorded on a videotape, the tape will be submitted to the program supervisor and may be used as evidence of misbehavior. If a recording constitutes an education record for a particular student or students, the School will follow state and federal student confidentiality laws in the event disclosure of the recording is requested.

Penalties for Infractions

A student who misbehaves on the bus shall be disciplined in accordance with the Student Discipline Code and may lose the privilege of riding on the bus.

REMOVAL, SUSPENSION, EXPULSION, AND PERMANENT EXCLUSION OF STUDENTS

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

No student is to be removed, suspended out-of-school, expelled and/or permanently excluded unless his/her behavior represents misconduct as specified in the Student Code of Conduct/Student Discipline Code approved by the Governing Board. The Code shall also specify the procedures to be followed by school officials when implementing such discipline. In addition to the procedural safeguards and definitions set forth in this policy

and the student/parent handbook, additional procedures and considerations shall apply to students identified as disabled under the IDEA, ADA, and/or Section 504 of the Rehabilitation Act of 1973. (See Policy 5605 "Suspension/Expulsion of Disabled Students.")

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

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

A. "Emergency removal" shall be the exclusion of a student who poses a continuing danger to Center property or persons in the Center or whose behavior presents an on-going threat of disrupting the educational process provided by the Center. (See Policy 5610.03 “Emergency Removal”)

B. “Suspension” shall be the temporary exclusion of a student by the Superintendent, Program Supervisor, principal, assistant principal, or any other administrator from the Center's instructional program for a period not to exceed ten (10) school days. Suspension shall not extend beyond the current school year, if at the time a suspension is imposed, fewer than ten (10) days remain in the school year.

The Superintendent may instead require a student to participate in a community service program or another alternative consequence for a number of hours equal to the remaining part of the period of the suspension. The student shall be required to begin such a community service program or alternative consequence during the first full week day of summer break.

In the event, the student fails to complete the required community service or the assigned alternative consequence, the Superintendent may determine the next course of action. Such course of action, however, shall not include requiring the student to serve the remaining time of the suspension at the beginning of the following year.

The procedures for suspension are set forth in the Student Code of Conduct/Student Discipline Code and Due Process Rights.

A student who is suspended shall be permitted to complete any classroom assignments missed because of the suspension and is permitted to receive full credit for completed assignments.

C. "Expulsion" shall be the exclusion of a student from the schools of this Center for a period not to exceed the greater of eighty (80) school days or the number of school days remaining in a semester or term in which the incident that gives rise to the expulsion takes place or for one (1) year as specifically provided in this policy and the Student Code of Conduct/Student Discipline Code. Only the Superintendent may expel a student. The procedures for expulsion are set forth in the Student Code of Conduct/ Student Discipline Code and Board Policy 5611 "Due Process Rights".

1. Firearm or Knife

Unless a student is permanently excluded from school, the Superintendent shall expel a student from school for a period of one (1) year for bringing a firearm or knife capable of causing serious bodily injury to a school building or on to any other property (including a school vehicle) owned, controlled, or operated by the Board, to an interscholastic competition, an extra-curricular event, or to any other school program or activity that is not located in a school or on property that is owned or controlled by the Board, except that the Superintendent may reduce this period on a case-by-case basis in accordance with this policy.

Similarly, the Superintendent shall expel a student from school for a period of one (1) year for possessing a firearm or knife capable of causing serious bodily injury at school or on any other property (including a school vehicle) owned, controlled, or operated by the Board, at interscholastic competition an extra- curricular event, or at any other school program or activity that is not located in a school or on property that is owned or controlled by the Board, except the Superintendent may reduce this period on a case-by-case basis in accordance with this policy.

The expulsion may extend, as necessary, into the school year following the school year in which the incident that gives rise to the expulsion takes place. The Superintendent shall refer any student expelled for bringing a firearm (as defined in 18 U.S.C. 921(a)(3)) or weapon to school to the criminal justice or juvenile delinquency system serving the Center.

A firearm is defined as any weapon, including a starter gun, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, any firearm muffler or silencer, or any destructive device. A destructive device, includes, but is not limited to any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more

than four (4) ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or other similar device.

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

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

a. Applicable State or Federal laws and regulations relating to

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

2. Violent Conduct

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

a. would be a criminal offense if committed by an adult; and

b. results in serious physical harm to person(s) as defined in R.C. 2901.0l(A)(S), or to property as defined in R.C. 2901.0l(A)(6) the Superintendent may expel the student for a period of up to one (1) year. The Superintendent may extend the expulsion into the next school year or reduce the expulsion as necessary on a case-by- case basis as specified below. The student need not be prosecuted or convicted of any criminal act to be expelled under this provision,

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

a. Applicable State or Federal laws and regulations relating to students with disabilities (for example, where the incident involves a student with a disability and

the misconduct is determined by a group of persons knowledgeable about the child to be a manifestation of the student's disability), or;

b. Other extenuating circumstances, including, but not limited to, the academic and disciplinary history of the student, including the student's response to the imposition of any prior discipline imposed for behavioral problems.

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

3. Bomb Threats

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

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

a. For students identified as disabled under the IDEA, ADA, and Section 504 of the Rehabilitation Act of 1973, upon recommendation from the group of persons knowledgeable of the student's educational needs;

b. Other extenuating circumstances, including, but not limited to, the academic and disciplinary history of the student, including the student's response to the imposition of any prior discipline imposed for behavioral problems,

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

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

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

Beginning with the 2025-2026 school year, except as permitted by law, suspension or expulsion proceedings shall not be initiated against a student in any of grades Pre-kindergarten through 3 unless the student has committed the following acts:

a. The student brings a firearm or knife capable of causing serious bodily injury to a school building or on to any other property (including a school vehicle) owned, controlled, or operated by the Board, to an

interscholastic competition, an extra-curricular event, or to any other school program or activity that is not located in a school or on property that is owned or controlled by the Board, or possesses a firearm or knife capable of causing serious bodily injury at school or on any other property (including a school vehicle) owned, controlled, or operated by the Board, at interscholastic competition, an extracurricular event, or at any other school program or activity that is not located in a school or on property that is owned or controlled by the Board.

b. The student commits an act at school, on other school property, at an interscholastic competition, extra-curricular event, or any other school program or activity and the act: 1) would be a criminal offense if committed by an adult; and 2) results in serious physical harm to person(s) as defined in R.C. 2901.01(A)(5), or to property as defined in R.C. 2901.0l(A)(6).

c. The student makes a bomb threat to a school building or to any premises at which a school activity is occurring at the time of the threat.

d. The student engages in behavior of such a nature that suspension or expulsion is necessary to protect the immediate health and safety of the student, the student's fellow classmates, the classroom staff and teachers, or other school employees.

Prior to suspending or expelling a student in any of grades Pre-K through 3, the Supervisor shall, whenever possible, consult with a mental health professional under contract. If the events leading up to the student's suspension or expulsion from school indicate that the student is in need of additional mental health services, the student's Supervisor or the Center's mental health professional shall assist the student's parent or guardian with locating providers or obtaining such services, including referral to an independent mental health professional, provided such assistance does not result in a financial burden to the Center or the student's school.

If a student in any of grades Pre-K through 3 is suspended or expelled, the student shall be afforded the same notice and hearing, procedural, and educational opportunities as set forth in Board policy and the law. The suspension or expulsion of a student in any of grades Pre-K through 3 shall not limit the Board's responsibilities with respect to the provision of special education and related services to such students in accordance with Board policy and the law.

Further, the Board shall not be limited in its authority to issue an in-school suspension to a student in any of grades Pre-K through 3, provided that the in-school suspension is served in a supervised learning environment.

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

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

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

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

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

When a student is expelled from this Center, the Superintendent shall send written notice to any college in which the expelled student is enrolled under Postsecondary Enrollment Options at the time the expulsion is imposed. The written notice shall indicate the date the expulsion is scheduled to expire.

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

The Superintendent may require a student to perform community service in conjunction with or in place of a suspension or expulsion. The Governing Board may adopt guidelines to permit the Superintendent to impose a community service requirement

beyond the end of the school year in lieu of applying the expulsion into the following school year.

CONFERENCES

Conferences are held twice a year. Parents are required to attend 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 encouraged for you to arrange these conferences via video conference or telephone. 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 or email the teacher, and we will get back to you as quickly as possible. If it is an emergency, you may always call the office. Due to the circumstances presented by the pandemic, teleconferences may be scheduled instead of in-person conferences.

CURRICULUM

Although the core subjects are valuable in the educational atmosphere, the Trumbull County ESC alternative site classrooms focus primarily on social skills, building self-esteem, functional skills, and daily living. Subjects are taught in accordance with the curriculum established by the home school districts for each grade level, excluding special subjects such as band, foreign languages, sciences requiring labs, etc. Subjects will be adjusted to meet the individual needs of each student. All coursework is based on the Ohio Learning Standards.

GRADING SCALE

A grading scale will be utilized and posted in the classroom. For example,

90-100% = A

80-89% =B

70-79% =C

60-69%=D

This is to be determined by the students' teacher and may vary based on school district.

HOMELESS STUDENTS

Homeless students will be provided with a free and appropriate public education in the same manner as other students served by TCESC. Homeless students are eligible to receive transportation services, participate in education programs for students with disabilities or limited English proficiency, participate in gifted and talented programs, and receive meals under school nutrition programs.

Homeless students will not be denied enrollment based on lack of proof of residency. For additional information, please contact the Director of Pupil Services who also serves as the Homeless Liaison:

Michelle Tul (330) 505-2800 EXT. 145

INFORMATION DISCLOSURE

The Family Educational Rights and Privacy Act (FERPA) requires that public schools obtain written permission from the parent/guardian prior to the disclosure of personally identifiable information from a child's education record absent certain conditions that allow the release of student information without consent. Schools may, however, disclose appropriately designated "directory information" without parental consent unless the parent/guardian provides the school with written notification of refusal to allow disclosure of directory information.

Directory information includes a student's name, address, telephone number, date and place of birth, honors and awards, photograph, participation of recognized activities and sports, height and weight if member of a school athletic team, dates of attendance and date of graduation.

LAW ENFORCEMENT

All crimes that are in direct violation of civil and criminal statutes, and juvenile offenses will be reported to the proper authorities. This includes a probation officer if the student has been assigned one, and/or local law enforcement.

LEAVING SCHOOL

Students are not permitted to leave the school grounds at any time during the school day for any reason without the knowledge and consent of staff. Police and the student's parent/guardian shall be immediately contacted if a student leaves school grounds without prior permission.

LUNCH

Lunch will be provided for students through the school district they attend. The cost of a full lunch is determined by the host school district. Free/reduced lunch forms will be provided. Students may choose to bring lunch from home. Students are NOT permitted to have lunch delivered by anyone other than a parent/guardian.

Lunchroom Guidelines

- All paper and other forms of trash are to be thrown away in the proper waste receptacles.
- Food is not to be taken from the lunchroom to other areas of the building without permission.
- Students are to remain seated and may not leave the lunchroom or the location of their lunch period without permission. All provisions of the student code of conduct apply to the cafeteria and/or lunch period, and violations will result in disciplinary action.

STUDENTS 18 YEARS OR OLDER AND/OR MARRIED

Adult and/or married students are subject to the same rules and policies of the Trumbull County ESC classroom/building as all other students. They must also follow the rules established on transportation, during outings/field trips, and those rules developed for facilities outside of the primary classroom, which includes home school if mainstreamed, TCTC, etc.

RESTRAINT AND SECLUSION (PBIS)

TCESC is committed to the program-wide use of Positive Behavior Intervention and Supports (PBIS) with students. TCESC staff work to prevent the need for the use of student restraint and seclusion 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 be done only 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 is 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 those methods.

Every use of restraint and seclusion shall be documented and reported to the Program Supervisors, Pupil Services Director and TCESC Superintendent.

APPENDIX A

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.

The Board of Education does not discriminate on the basis of the Protected Classes of race, color, national origin, sex , 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 District, or social or economic background, to learn through the curriculum offered in this District. Educational programs shall be designed to meet the varying needs of all students.

The District's Compliance Officers shall handle inquiries regarding the Board's non-discrimination policies and address any complaint of discrimination.

The District will identify, evaluate, and provide a free appropriate public education to students with disabilities (i.e., students who have a physical or mental impairment that substantially limits one or more major life activities).

Sex-Based Harassment/Discrimination

The United States Department of Education, Office for Civil Rights ("OCR") considers gender-based harassment to be a form of sex discrimination. In 2010, OCR stated:

Title IX prohibits harassment of both male and female students regardless of the sex of the harasser – i.e., even if the harasser and target are members of the same sex. It also prohibits gender-based harassment, which may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping. Thus, it can be sex discrimination if students are harassed either for exhibiting what is perceived as a stereotypical characteristic of their sex, or failing to conform to stereotypical notions of masculinity and femininity. Title IX also prohibits sexual harassment and gender-based harassment of all students, regardless of the actual or perceived sexual orientation or gender identity of the harasser or target.

Although Title IX does not prohibit discrimination based solely on sexual orientation, Title IX does protect all students, from sex discrimination. When students are subjected to harassment on the basis of their LGBT status, they may also be subjected to forms of sex discrimination prohibited under Title IX. The fact that the harassment includes anti-LGBT comments or is partly based on the target's actual or perceived sexual orientation does not relieve a school of its obligation under Title IX to investigate and remedy overlapping sexual harassment or gender-based harassment.

Courts have endorsed this interpretation of Title IX.

Administrators and professional staff are directed to thoroughly investigate any allegations of gender-based harassment.

Any questions concerning whether alleged conduct might involve gender-based harassment/sex discrimination should be promptly brought to the Superintendent's attention.

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:

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

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

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

d. 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

e. 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 Center'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') 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 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:

C. 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;

D. 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.

E. 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:

A. would not constitute Sexual Harassment (as defined in this policy) even if proved;

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

C. 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) therefore 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:

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

2. 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.

3. findings of fact supporting the determination;

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

5. 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

6. 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

B. writing assignments;

C. changing of seating or location:
D. pre-school, lunchtime, after-school detention;

E. in-school discipline;

F. Formal Discipline

G. suspension of bus riding/transportation privileges;

H. removal from co-curricular and/or extra-curricular activity(ies), including athletics;

I. emergency removal;

J. suspension for up to ten (10) school days;

K. expulsion for up to eighty (80) school days or the number of school days remaining in a semester, whichever is greater;

L. expulsion for up to one (1) year;

M. permanent exclusion; and

N. 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) five days 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)

Please return to your child's classroom teacher.

STUDENT HANDBOOK CERTIFICATION

We received and read the MD Student handbook. We understand the rights and responsibilities pertaining to students and agree to support and abide by the rules, guidelines, procedures, and policies of the School District.

Parent/Guardian Signature: _____

Student Signature: _____

Date Received: _____