



## POLICY REVIEW COMMITTEE

Mike McDonough, Deputy Superintendent  
Friday, September 16, 2022, 9:30 AM, Central Office

HILLIARD CITY SCHOOL DISTRICT  
OPERATIONS DEPARTMENT

### Committee Members

Beth Murdoch, Board of Education

Brian Perry, Board of Education

Brian Wilson, Treasurer/CFO

Mike McDonough, Deputy Superintendent

Jill Abraham, Assistant Superintendent

Stacie Raterman, Communications Director

Herb Higginbotham, Director of Elementary Education

Jacob Grantier, Director of Secondary Education

Jamie Lennox, Assistant Special Education Director

Hilary Sloat, Director of Diversity, Equity & Inclusion

Matt Middleton, Principal Hilliard Darby HS

Katherine Hueter, Principal Hilliard Weaver MS

Erin Dooley, Principal Hilliard Station Sixth Grade School

Holly Meister, Principal Scioto Darby Elementary

Stephanie Borlaza, Principal Britton Elementary

# AGENDA

### Agenda Notes

- White copies are OSBA sample policies
- Blue copies are current HCSD policies
- Yellow copies are proposed revisions
- Item Status: M (Move Forward), T (Tabled), R (Refs Only) & N (No Action)

### Section I – Public Participation

- None scheduled for this meeting

### Section II – Review of Policies/Regulations/Exhibits – OSBA May 2022 PDQ

#### Status

May 2022 PDQ  
Pages 3-4

#### 1. SENATE BILL 135 REQUIRES CAREER ADVISING REVISIONS

Senate Bill (SB) 135, effective July 21, 2022, makes several changes to the operations of institutions of higher education in Ohio, ranging from student tuition and financial aid to free speech and tax exemptions related to renewable energy facilities. SB 135 also directly impacts K-12 educational institutions through changes to career advising policies and the establishment of apprenticeship programs for high school students.

In addition to the existing requirements, the district now must also:

- Provide students with information regarding career fields that require an industry-recognized credential, certificate, associate's degree, bachelor's degree, graduate degree or professional degree.
- Provide students with information about ways to offset the costs of a postsecondary education, including programs such as: the Reserve Officers' Training Corps, College Credit Plus program, Ohio Guaranteed Transfer Pathways initiative and joint academic programming or dual enrollment opportunities. The chancellor of higher education is required to develop informational materials that illustrate the cost estimates for each of these options and a list of individual college courses that are transferable under RC 3333.16.

#### IJA – Career Advising

- A required policy – HCSD re-adopted June 15, 2020
- IJA has been updated to reflect the new requirements of RC 3313.6020.
- Add underlined language and remove language with a ~~line drawn through it~~

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Regarding apprenticeships, SB 135 also requires the superintendent of public instruction, in consultation with the chancellor of higher education and the director of the Ohio Department of Job and Family Services, to develop a proposal to create a statewide apprenticeship program for high school students.

- The proposal must be submitted to the governor and General Assembly for consideration no later than June 1, 2023.
- In developing the proposal, the superintendent, chancellor and director must consider at least the following:
  - eligibility requirements for the program, including a minimum GPA or its equivalent; a process by which a student may secure an apprenticeship; a process for approval of apprenticeships and a method for evaluating educational benefits of an apprenticeship that gives consideration to “qualifying apprenticeships,” as defined by the bill; a limit on the number of hours per week a student may work for an apprenticeship;
  - a method for determining actual costs to a business participating in an apprenticeship, including workers’ compensation and other insurance and training costs; a funding formula for public high school students, including a maximum amount, to pay businesses for costs associated with employing students under an apprenticeship; a funding formula for chartered nonpublic high school students, including a maximum amount, to pay businesses for costs associated with employing students under an apprenticeship; a method for making payments to participating businesses; a method for transferring college credit for a certificate or certificates earned in an apprenticeship to institutions of higher education.
- No policy changes are necessary at this time to reflect the apprenticeship programs; OSBA will continue to monitor the process to determine if policy updates are necessary at a later date.

### Section III – Review of Policies/Regulations/Exhibits – OSBA August 2022 PDQ

#### Status

August 2022 PDQ  
Pages 5-6

#### 1. **FIRST AMENDMENT AND SCHOOL EMPLOYEES**

The First Amendment to the U.S. Constitution, in fewer than 50 words, contains some of the most important protections to citizens, including freedom of speech, free exercise of religion, freedom of the press and the rights to peaceably assemble and petition the government for redress of grievances. It also prohibits any governmental entity from making any “law respecting an establishment of religion.”

- A case decided by the U.S. Supreme Court in June, *Kennedy v. Bremerton School Dist.*, touched on several of these protections as they apply to school district employees. It also provided guidance on the school district’s responsibilities under the establishment clause.
- Based on OSBA’s review of their sample policies discussing school prayer and teaching about religion, no changes are necessary due to the *Kennedy* decision.
- Districts whose policies include language either limiting or permitting prayer beyond the language in the model policies IND/INDA and IGAC provided here should consult with their legal counsel to determine whether the language is consistent with the U.S. Constitution following the *Kennedy* decision.

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### IGAC – Teaching About Religion

- Not a required policy – HCSD re-adopted May 11, 2015
- No recommended policy revisions

### IND/INDA – School Ceremonies and Observances/Patriotic Exercises

- A required policy – HCSD re-adopted April 11, 2022
- Revise to include language regarding school prayer?

August 2022 PDQ  
Pages 6-7

## 2. OHSAA BYLAWS AND OSBA SAMPLE POLICIES

The Ohio High School Athletic Association (OHSAA) annually reviews and considers amendments to its bylaws. When bylaw revisions are made, districts are informed of these changes and applicable OHSAA documents are updated. Districts then use the most current OHSAA documents and requirements when communicating various requirements, particularly eligibility, to students, parents and coaches.

- To avoid any potential inconsistencies between board policies and OHSAA bylaws and documents, OSBA is removing specific OHSAA eligibility criteria from their sample policies and instead generally referring to the OHSAA regulations for participation in such activities.
- Districts should pay close attention to local customization, including but not limited to, required GPAs and whether to allow nonresident student participation options indicated as permissive.

### IGCH-R (also LEC-R) College Credit Plus

- Not a required regulation – HCSD re-adopted August 8, 2022
- Add language in **bold type** and remove language with a ~~line drawn through it~~

### IGDJ – Interscholastic Athletics

- A required policy – HCSD re-adopted July 15, 2019
- Add language in **bold type** and remove language with a ~~line drawn through it~~

### IGDK – Interscholastic Extracurricular Eligibility

- A required policy – HCSD re-adopted August 8, 2016
- Remove language with a ~~line drawn through it~~

August 2022 PDQ  
Pages 7-8

## 3. RELATIONS WITH SUPPORT ORGANIZATIONS

Booster groups, parent-teacher organizations and other support organizations are an important part of public schools. Many districts rely heavily on these outside organizations to promote, support or enhance students' educational, athletic, cocurricular and extracurricular experiences. To ensure a successful working relationship between the school district and its support organization, board members, staff members and support organizations must have a shared understanding of each party's expectations.

- OSBA merged language in Policy KMA, Relations with Parent Organizations, with language in Policy KMB, Relations with Booster Organizations, to create Policy KMA, Relations with Support Organizations.
- This new policy requires support organizations to follow applicable board policies and regulations and receive approval from the board prior to using the school's or district's name, logo or mascot.
- The policy also includes language allowing the board to provide insurance coverage to support organizations under the district's liability program.
- OSBA also created Regulation KMA-R, Relations with Support Organizations.

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- This new regulation outlines the rules that govern the relationship between the board, district staff and any district support organization.
- The regulation binds the support organization to the observation of good accounting and management practices; requires support organizations to send certain financial and governance documents to the superintendent/designee on an annual basis; and encourages collaboration between the support organizations and district staff on potential fundraising activities.

#### KMA – Parent/Citizen Organizations

- Not a required policy – HCSD re-adopted May 17, 2021
- Revise language to match OSBA’s new KMA?

#### KMB – Relations with Booster Organizations

- Not a required policy – not an adopted HCSD policy

#### KMA-R – Relations with Support Organizations (**new regulation**)

- Not a required regulation
- Adopt as new regulation?

August 2022 PDQ  
Pages 9-12

#### 4. **REVISED RULE FOR EMERGENCY MANAGEMENT PLAN AND TEST**

House Bill (HB) 123, effective March 24, 2021, recodified Ohio Revised Code (RC) 3313.536, which addresses emergency management plans, to RC 5502.262 and transferred from the State Board of Education to the director of public safety the authority to administer the emergency management plan law and adopt rules pertaining to comprehensive emergency management plans for schools. The Ohio Department of Public Safety (ODPS) completed the rule adoption process, and the new rule, Ohio Administrative Code (OAC) 4501:5-1-01, was effective Aug. 5, 2022. Some of the significant changes include:

- New and updated definitions
- Comprehensive emergency plan requirements
- ‘Stakeholder’ community engagement
- Annual review of emergency management plan
- Emergency management test
- Threat assessment teams and training, and threat assessment plans

#### EBC – Emergency Management and Safety Plans

- A required policy – HCSD re-adopted May 17, 2021
- Updated to reflect the rule revisions and HB 99 revisions
- Add language in **bold type** and remove language with a ~~line drawn through it~~

### Section IV – Review of Policies/Regulations/Exhibits – as Requested by Board of Education/District Administration

#### Status

1. EEAA – Eligibility Zones for Pupil Transportation
  - Not a required policy – HCSD re-adopted May 11, 2015
  - Review proposed revisions submitted by Board of Education Member
2. JFCG-R/JFCH-R/JFCI-R – Tobacco Use by Students/Alcohol Use by Students/Student Drug Abuse (Offenses and Disciplinary Action)
  - Not a required regulation – HCSD re-adopted August 8, 2016



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- Policy JFCG/JFCH/JFCI – Tobacco Use by Students/Alcohol Use by Students/Student Drug Abuse is included for informational purposes
  - A required policy – HCSD re-adopted February 10, 2020
  - Revise regulation to include language regarding City of Hilliard Diversion Program
3. JFI – Student Demonstrations and Strikes
- Not a required policy – HCSD re-adopted May 11, 2015
  - Reviewed at May 13, 2022 PRC meeting, recommended with revisions at June 13, 2022 BOE meeting, revised after first reading, removed from approval process after second reading at July 7, 2022 BOE meeting (revised policy draft included)
  - Review proposed revisions submitted by Board of Education Member

### Section V – Additional Information to Review – OSBA May 2022 PDQ (Board Action Not Required)

1. **HB 126 IMPACTS BOARD OF REVISIONS PROCESS**

May 2022 PDQ  
Page 1

OSBA sample policies do not outline in detail the BOR process. However, some districts may have locally adopted board policy language outlining the process for the tax appeals. Districts with such language should work with legal counsel to update the language and work with legal counsel when appealing tax valuations to ensure the new requirements are followed.

2. **SB 11 REVISES JUNETEENTH AGAIN**

May 2022 PDQ  
Pages 1-2

In 2021, House Bill (HB) 110 addressed the addition of Juneteenth as a legal holiday in several different sections of the Ohio Revised Code (RC).

- RC 3319.087, which addresses paid holidays for nonteaching school employees, also was amended to include Juneteenth as a holiday; however, the statute distinguishes 11-12-month employees from those employed on a nine-10-month basis. HB 110 originally included Juneteenth as a paid holiday for nine-10 month-employees. Senate Bill (SB) 11, effective June 10, 2022, revises these provisions to now include the nineteenth day of June as a paid holiday for 11-12-month employees and not for nine-10-month employees.
- The language in policy GDBE-Support Staff Vacations and Holidays is general enough that no policy changes are needed.
- When reviewing this policy recommendation, ensure consistency with all collective bargaining requirements.

3. **OAC CHANGES IMPACT PUPIL-ACTIVITY PERMITS, FOOD SERVICE PROGRAMS**

May 2022 PDQ  
Pages 2-3

**Pupil-activity permits** - Changes were made to Ohio Administrative Code (OAC) 3301-27-01 as a result of the five-year review. The rule amplifies Ohio Revised Code (RC) 3319.303, standards and requirements for obtaining a pupil-activity program permit.

- No policy changes are necessary to reflect these revisions. Districts should be aware of and comply with these requirements in hiring decisions for those subject to the requirements for issuance of a pupil-activity permit.

**Food service programs** - Several rules impacting district's food service programs were revised, effective March 31, 2022.

- The OAC food service changes do not require changes to OSBA model policies. Districts, however, should review locally adopted policies and procedures to ensure compliance with the updated rules.

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#### 4. **CHANGES TO SCHOOL PROPERTIES DISPOSAL EFFECTIVE JULY 1**

May 2022 PDQ  
Page 3

House Bill (HB) 110 made significant changes to the current law on how school districts are permitted to dispose of unused school property.

#### 5. **UNDERSTANDING STUDENT RELIGIOUS DRESS AND ATHLETICS**

May 2022 PDQ  
Pages 4-5

Senate Bill (SB) 181, effective May 30, 2022, enacts Ohio Revised Code (RC) 3313.5317. This new section prohibits any school or interscholastic athletics conference or organization from restricting the ability of participants to wear religious apparel during interscholastic athletics or extracurricular activities.

- R
- JFCA – Student Dress Code – add legal reference

#### 6. **CONCEALED CARRY LAW CHANGES**

May 2022 PDQ  
Pages 5-6

Senate Bill (SB) 215, effective June 13, 2022, will have several impacts on Ohio's concealed carry gun laws, including the removal of a license requirement for carrying a concealed handgun.

- Under current law, individuals can only carry a concealed handgun if they have been issued a concealed handgun license and carry that license with them on their person. Once the bill takes effect, all "qualifying adults" will no longer be required to obtain a concealed handgun license in order to carry handguns that are not "restricted firearms."
- Districts should be aware of the impact of these changes on school safety zones. Under RC 2901.01, a "school safety zone" covers a school, school building, school premises, school activity and school bus. RC 2923.122 already permits individuals with a valid concealed handgun license to leave a firearm in their vehicle while in a school safety zone so long as the vehicle is locked. Given that SB 215 treats references to concealed handgun licensees as also applying to qualifying adults, it follows that qualifying adults are also now permitted to leave their firearm in their vehicles while in a school safety zone so long as the vehicle is locked.
- No changes were made to other rights to carry in a school safety zone, therefore existing law and case law in these other areas still applies including the inability to carry a concealed handgun in a school building unless a specific exemption applies.
- Based on OSBA's review of SB 215, no changes are necessary to the substantive content of OSBA model policies. Language regarding staff and community member possession of weapons generally states that "unless otherwise permitted by law, no person is permitted to bring a deadly weapon or dangerous ordnance into a school safety zone."

- R
- GBCB – Staff Conduct – add legal reference

- R
- KGB – Public Conduct on District Property – add legal reference

To help districts manage the new provisions for "qualifying adults," RC 2923.111 has been added to the legal references on GBCB, Staff Conduct, and KGB, Public Conduct on District Property. The addition of a legal reference is a non-substantive change, and therefore Board action is not required. Districts also should review locally adopted policies, handbooks and postings to determine if any updates are necessary.

#### 7. **APPROVED DYSLEXIA GUIDEBOOK AVAILABLE**

May 2022 PDQ  
Pages 6-7

New dyslexia requirements take effect for the 2022-23 school year.

- An overview of the new dyslexia requirements was included in the November 2021 issue of PDQ.
- Districts are encouraged to review the article for foundational understanding of the new changes taking effect.

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- A key component of the new requirements is the required dyslexia guidebook.
- The guidebook and more information on implementing the dyslexia requirements is available on ODE's website: <https://education.ohio.gov/Topics/Learning-inOhio/Literacy/Dyslexia>.

### 8. **OSBA MEMBERSHIP IN COSSBA IMPACTS BOARD POLICY**

May 2022 PDQ  
Page 7

OSBA continually reviews and evaluates their sample policies to ensure they are current. Through membership in OSBA, boards have access to various services and offerings.

- On April 10, 2022, OSBA, along with 21 other founding school boards associations, signed a resolution to officially form the Consortium of State School Boards Associations (COSSBA).
- COSSBA is a voluntary, nonpartisan, national alliance of state school boards associations. This consortium strives to provide member-focused information that is powered by collaboration and driven by shared commitment, shared resources and shared responsibility.
- Planning is underway for a full complement of professional development that OSBA member districts will be able to take advantage of.
- More information about the services and focus of COSSBA can be found on its website at [www.cossba.org](http://www.cossba.org).
- OSBA will continue to share COSSBA updates with members through publications and email.

## Section VI – Additional Information to Review – OSBA August 2022 PDQ (Board Action Not Required)

### 1. **HB 99 IMPACTS SCHOOL SAFETY AND ARMING STAFF IN SCHOOLS**

August 2022 PDQ  
Pages 1-3

House Bill (HB) 99, effective Sept. 12, 2022, will have significant impacts on school safety and the ability of Ohio school districts to arm their staffs.

#### **Arming staff**

- Under HB 99, all the following requirements must be met to arm staff:
  - The board must grant written authorization for the person employed by the district to voluntarily convey or possess deadly weapons or dangerous ordnance into a school safety zone.
  - The person is not being employed as a special police officer or security officer.
  - The board has notified the public, by whatever means the school regularly communicates with the public, that the board has authorized one or more persons to go armed within a school operated by the board.
  - The person authorized under these provisions submits to an annual criminal records check. The person authorized either has received a certificate of satisfactory completion of an approved basic peace officer training program or is a law enforcement officer or has successfully completed the new curriculum and training established under the act.
  - If the person is subject to the new training established under the act, the person must meet all training requirements, which include instruction in the following: mitigation techniques; communications capabilities and coordination and collaboration techniques; neutralization of potential threats and active shooters; accountability; reunifications; psychology of critical incidents; de-escalation techniques; crisis intervention; trauma and first aid care; the history and pattern of school shootings; tactics of responding to critical incidents in schools; at least four hours of training in scenario-based or simulated training exercises; completion of tactical live firearms training; realistic urban training.

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### Ohio Mobile Training Team

- The bill establishes the Ohio Mobile Training Team within the department of public safety, which is tasked with developing a curriculum and providing firearms instruction and training to qualify a school employee to be armed in a school building (RC 5502.70).
- The bill also creates the Ohio School Safety and Crisis Center to provide safety services and firearms training to districts, which will be operated by the mobile training team.
- The crisis center and mobile training team will be able to provide school safety and security services to all public and nonpublic schools, not just those that decide to arm staff.

### Public records impact

- RC 149.43 (A)(1)(pp) is added through the bill, exempting records pertaining to individuals who have completed training and are authorized to carry weapons in accordance with the law from the definition of a public record, thereby protecting this information from disclosure under Ohio's public records laws.
- However, the public notice districts are required to provide, stating the board has authorized one or more persons to go armed within a school operated by the board, is not classified as documents protected from disclosure (RC 149.433 (B)(4)).

R

- GBCB – Staff Conduct – add legal reference

August 2022 PDQ  
Pages 3-4

## 2. TITLE IX UPDATE

On May 6, 2020, the U.S. Department of Education (USDOE) issued final Title IX regulations, which took effect Aug. 14, 2020. Title IX provides that “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.” Prior to the amendments, Title IX regulations did not reference sexual harassment. Now, they specifically define sexual harassment and establish detailed procedures for how school districts must respond to allegations of sexual harassment. Since that time, districts have been implementing the new requirements, which cannot be changed absent the federal rule-making process.

- Due to concerns about the Title IX regulations, USDOE has followed the requirements of the federal Administrative Procedure Act (APA) to develop new regulations for the enforcement of Title IX. A draft of those regulations was released to the public on June 23, 2022. The proposed regulations would expand the definition of “sex-based harassment” to include discrimination based on sexual orientation and gender identity.
- Note that the proposed Title IX regulations are not yet effective and may change between now and when the new rules are implemented and enforced. Districts must continue to follow the current Title IX regulations.
- OSBA is continuing to monitor the proposed Title IX rules and any federal guidance changes that may be reinstated or issued. Districts must follow Title IX regulations, as they are in law, until such time as formal changes are made.

August 2022 PDQ  
Pages 4-5

## 3. ELECTRONIC BOARD MEETING PROVISIONS EXPIRED

In February, the Ohio General Assembly passed House Bill (HB) 51, which allowed public bodies, including boards of education, to meet remotely but only until June 30, 2022.

- The expiration of HB 51's authorizing language means that the original open meetings provisions in Ohio Revised Code (RC) 121.22 are again in effect. The law requires board members to be present “in person” at a meeting to vote at the meeting and for purposes of determining whether a quorum is present.
- Although the board is again prohibited from conducting the entire meeting virtually, it could

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allow an individual board member to “participate” via conference call or videoconference so long as there is a quorum present in person at the meeting. Such participation would be limited to listening to and participating in the board’s discussions. A board member who participates via electronic means may not be counted for quorum purposes, nor may the board member vote.

August 2022 PDQ  
Page 8

#### 4. DYSLEXIA UPDATE

House Bill (HB) 583, effective Sept. 22, 2022, revises Ohio’s dyslexia support law. The changes include:

- The requirement for annual tier one dyslexia screenings for grades K-six is delayed for one year. The screenings must now begin in the 2023-24 school year, rather than in 2022-23. Districts may choose to implement the screenings prior to the 2023-24 school year (Ohio Revised Code (RC) 3323.251).
- “Multi-sensory structured literacy” terminology is replaced with “structured literacy.”
- Replaces maintaining a list of “courses” with “list of training” and makes conforming changes throughout as it relates to the requirements for the Ohio Department of Education (ODE) to maintain training opportunity lists under current law.
- Districts still must establish a structured literacy certification process for teachers beginning in the 2022-23 school year.
- Due to the changes in implementation dates, OSBA is delaying release of policy language regarding the new dyslexia requirements until the February 2023 PDQ issue.

August 2022 PDQ  
Pages 8-9

#### 5. HOUSE BILL 583 PROVISIONS IMPACTING DISTRICT OPERATIONS

In addition to the dyslexia requirement changes, House Bill (HB) 583, effective Sept. 23, 2022, makes several additional changes impacting district operations.

- HB 583 extends temporary flexibility for school districts regarding the educational requirements of substitute teachers until June 30, 2024.
- Until July 1, 2028, prohibits the State Board and Ohio Department of Education from limiting the subject areas in which an individual may receive an alternative resident educator license.
- Establishes October as Ohio School Safety Month
- Makes some technical and corrective changes to the school financing system
- Revises the Educational Choice (EdChoice) and Cleveland scholarship programs
- Extends the provisions of the After School Child Enrichment Educational Savings Account Program
- Revises the community school sponsor ratings and evaluations
- Establishes a tutoring and remedial services program

August 2022 PDQ  
Page 12

#### 6. OPTING OUT OF ACT/SAT ASSESSMENTS

House Bill (HB) 110, which went into effect in September 2021, made several changes to assessments, including kindergarten readiness, updates to testing security and allowing for ACT/SAT opt-out.

- While HB 110 went into effect last year, the ACT/SAT opt-out provision had a delayed effective date of July 1, 2022.
- The opt-out provision in Ohio Revised Code 3301.0712(B) allows the parent or guardian of a student to elect not to have a nationally standardized assessment administered to that student.
- This opt-out provision only applies to students who enter the ninth grade for the first time on or after July 1, 2022.



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Mike McDonough, Deputy Superintendent  
September 16, 2022, Central Office

HILLIARD CITY SCHOOL DISTRICT  
OPERATIONS DEPARTMENT

### OHIO SCHOOL BOARDS ASSOCIATION POLICY DEVELOPMENT QUARTERLY

MAY 2022 ISSUE

#### **HB 126 IMPACTS BOARD OF REVISIONS PROCESS**

*by Kenna S. Haycox, senior policy consultant*

House Bill (HB) 126, effective July 21, 2022, modifies the board of revision (BOR) process by doing the following:

- Prohibits boards of education from filing residential and agricultural complaints.
- Permits boards of education to file commercial complaints only when the property was sold in the year before the tax year for which the complaint was filed and the sale price was at least 10% and \$500,000 more than the auditor's value. The \$500,000 value will be indexed to inflation each year after tax year 2022.
- Requires boards of education to provide notice and pass a resolution for each parcel, with the notice going to the tax address and mailing address.
- Requires boards of education to give notice to property owners at least seven days in advance when they plan to vote on a resolution authorizing a valuation challenge.
- Eliminates notice to boards of education by county auditors for counter-complaints. Districts will have to file counter-complaints within 30 days of the date the owner files the original complaint. However, property owners must still receive notice of board of education complaints and have 30 days from receipt of that notice to file a counter-complaint.
- Bans private-pay settlement agreements entered into after the effective date of the legislation.
- Provides that the BOR must dismiss a case if it is not decided by the BOR within one year of its filing.
- Prohibits boards of education from appealing a BOR decision.

#### *Policy implications*

OSBA sample policies do not outline in detail the BOR process. However, some districts may have locally adopted board policy language outlining the process for the tax appeals referenced above. Districts with such language should work with legal counsel to update the language and work with legal counsel when appealing tax valuations to ensure the new requirements are followed.

#### **SB 11 REVISES JUNETEENTH AGAIN**

*by Kenna S. Haycox, senior policy consultant*

In 2021, House Bill (HB) 110 addressed the addition of Juneteenth as a legal holiday in several different sections of the Ohio Revised Code (RC). RC 124.19 specifically defines certain state holidays and includes "any day appointed and recommended by the governor of this state or the president of the United States." This section was amended to specifically include "the nineteenth day of June."

Two sections of the Ohio Revised Code address Juneteenth as it relates to schools. First, RC 3313.63 lists specific days that boards of education may dismiss the schools under their control. HB 110 specifically adds "the nineteenth day of June" to that list of holidays.

RC 3319.087, which addresses paid holidays for nonteaching school employees, also was amended to include Juneteenth as a holiday; however, the statute distinguishes 11-12-month employees from those employed on a nine-10-month basis. HB 110 originally included Juneteenth as a paid holiday for nine-10 month-employees. Senate Bill (SB) 11, effective June 10, 2022, revises these provisions to now include the nineteenth day of June as a paid holiday for 11-12-month employees and not for nine-10-month employees.

Districts should consider any applicable collective bargaining agreements when adding this holiday as the effects will need to be bargained.

*Policy implications*

GDBE, Support Staff Vacations and Holidays, was updated in the August 2021 issue of PDQ as a result of HB 110. The language is general enough that no policy changes are needed. The model policy does not delineate between which of the holidays are granted to employees based on their status as 11-12-month or nine-10-month employees but rather requires the superintendent to inform all employees of the specific holidays to which their particular job classification is entitled.

GDBE, Support Staff Vacations and Holidays, is included for review with this PDQ issue for districts that may not have adopted the language previously to include Juneteenth. When reviewing this policy recommendation, ensure consistency with all collective bargaining requirements.

**OAC CHANGES IMPACT PUPIL-ACTIVITY PERMITS, FOOD SERVICE PROGRAMS**

*by Kenna S. Haycox, senior policy consultant*

**Pupil-activity permits**

Changes were made to Ohio Administrative Code (OAC) 3301-27-01 as a result of the five-year review. The rule amplifies Ohio Revised Code (RC) 3319.303, standards and requirements for obtaining a pupil-activity program permit. Many of the changes are minor, reorganizing language and clarifying the required trainings. A more substantive change is under OAC 3301-27-01 (C). This section requires the district, prior to the employment of any individual for a pupil-activity program, to ensure compliance with all applicable law and confirm that the individual is competent to direct, supervise or coach a pupil-activity program. In making this determination, the district must use, at minimum, the existing criteria included in OAC 3301-27-01(C). The recent revisions add knowledge of the licensure code of professional conduct for Ohio educators to this list.

*Policy implications*

No policy changes are necessary to reflect these revisions. Standard OSBA sample policies already refer to educators complying with the licensure code of professional conduct and therefore covers those issued a pupil-activity permit under the revised OAC provisions. Districts should be aware of and comply with these requirements in hiring decisions for those subject to the requirements for issuance of a pupil-activity permit.

**Food service programs**

Several rules impacting district's food service programs were revised, effective March 31, 2022. Below is a summary of some of the changes made:

- OAC 3301-91-07: This rule has been updated to reflect the current parameters under which a district can request an extension of time to comply with RC 3313.813 and the data that must be included to make this appeal to the State Board of Education. Districts not following these requirements or considering an extension request for compliance should review the new rule to ensure the correct process is followed for such an appeal.
- OAC 3301-91-09: Districts must report compliance with the required nutrition standards through the consolidated school mandate report established in RC 3301.68. OAC 3301-91-09(D) is added to provide more information on implementing these requirements, including reports, presentations, designation of responsible staff, public reporting of information and availability of reports.
- 3301-91-10: This new rule outlines requirements for the provision of summer food service programs and associated costs. RC 3313.813 establishes requirements for the provision of meal programs to support summer intervention services. This new rule addresses the requirement for a district to provide

such programs or allow for an outside entity to provide such a program in accordance with the procedures outlined in the rule.

*Policy implications*

The OAC food service changes outlined above do not require changes to OSBA model policies. Districts, however, should review locally adopted policies and procedures to ensure compliance with the updated rules.

**CHANGES TO SCHOOL PROPERTIES DISPOSAL EFFECTIVE JULY 1**

*by Kenna S. Haycox, senior policy consultant*

House Bill (HB) 110 made significant changes to the current law on how school districts are permitted to dispose of unused school property. The definition of unused school facilities was revised with a delayed effective date of July 1, 2022. Ohio Revised Code (RC) 3313.411 now defines “unused school facilities” as either:

“(a) Any real property that has been used by a school district for school operations, including, but not limited to, academic instruction or administration, since July 1, 1998, but has not been used in that capacity for one year;

“(b) Any school building that has been used for direct academic instruction but less than sixty percent of the building was used for that purpose in the preceding school year.”

The new definition under (b) attempts to redefine what an unused school facility means. This change may cause school districts to use their facilities differently and could make more “unused” school facilities available to other education entities. It may also have an unintended consequence of forcing districts to consolidate some buildings and increase class size in others.

How the percentage of the building being used for direct academic instruction will be measured is not clear. The 60% calculation could be based on classroom usage just as easily as square-foot utilization. Additionally, questions about how to — or not to — factor other areas, such as auditoriums and meeting rooms, which are intermittently used for academic instruction, are unanswered.

RC 3313.411 still requires school districts to offer school property to community schools, college preparatory boarding schools and STEM and STEAM schools when that property becomes an “unused school facility.”

More information on school property disposal, including right to first refusal, is available in the OSBA Division of Legal Services property disposal fact sheet.

As we prepare for this effective date, districts should work with board counsel to determine if any of your facilities are now considered an unused school facility in light of the updated definition.

*Policy implications*

DN, School Properties Disposal, has been updated and is available with this PDQ issue.

**SENATE BILL 135 REQUIRES CAREER ADVISING POLICY REVISIONS**

*by Gamy Narvaez, policy consultant*

Senate Bill (SB) 135, effective July 21, 2022, makes several changes to the operations of institutions of higher education in Ohio, ranging from student tuition and financial aid to free speech and tax exemptions related to renewable energy facilities. SB 135 also directly impacts K-12 educational institutions through changes to career advising policies and the establishment of apprenticeship programs for high school students.



Ohio Revised Code (RC) 3313.6020 requires each board of education to adopt a policy on career advising and lists several requirements with which the resulting career advising policy must comply. In addition to the existing requirements, the district now must also:

- Provide students with information regarding career fields that require an industry-recognized credential, certificate, associate's degree, bachelor's degree, graduate degree or professional degree.
- Provide students with information about ways to offset the costs of a postsecondary education, including programs such as: the Reserve Officers' Training Corps, College Credit Plus program, Ohio Guaranteed Transfer Pathways initiative and joint academic programming or dual enrollment opportunities. The chancellor of higher education is required to develop informational materials that illustrate the cost estimates for each of these options and a list of individual college courses that are transferable under RC 3333.16.

Regarding apprenticeships, SB 135 also requires the superintendent of public instruction, in consultation with the chancellor of higher education and the director of the Ohio Department of Job and Family Services, to develop a proposal to create a statewide apprenticeship program for high school students. The proposal must be submitted to the governor and General Assembly for consideration no later than June 1, 2023. The provision states that "appropriate stakeholders" should also be included in the proposal development process but does not identify who those stakeholders are. In developing the proposal, the superintendent, chancellor and director must consider at least the following:

- eligibility requirements for the program, including a minimum GPA or its equivalent; a process by which a student may secure an apprenticeship; a process for approval of apprenticeships and a method for evaluating educational benefits of an apprenticeship that gives consideration to "qualifying apprenticeships," as defined by the bill; a limit on the number of hours per week a student may work for an apprenticeship;
- a method for determining actual costs to a business participating in an apprenticeship, including workers' compensation and other insurance and training costs; a funding formula for public high school students, including a maximum amount, to pay businesses for costs associated with employing students under an apprenticeship; a funding formula for chartered nonpublic high school students, including a maximum amount, to pay businesses for costs associated with employing students under an apprenticeship; a method for making payments to participating businesses; a method for transferring college credit for a certificate or certificates earned in an apprenticeship to institutions of higher education.

#### *Policy Implications*

Policy IJA, Career Advising, has been updated to reflect the new requirements of RC 3313.6020 addressed above. No policy changes are necessary at this time to reflect the apprenticeship programs; we will continue to monitor the process to determine if policy updates are necessary at a later date.

#### **UNDERSTANDING STUDENT RELIGIOUS DRESS AND ATHLETICS**

*by Gamy Narvaez, policy consultant*

Senate Bill (SB) 181, effective May 30, 2022, enacts Ohio Revised Code (RC) 3313.5317. This new section prohibits any school or interscholastic athletics conference or organization from restricting the ability of participants to wear religious apparel during interscholastic athletics or extracurricular activities.

In plain terms, this bill will make it more challenging for your district or athletics organization officials to restrict the wearing of head coverings, jewelry or other clothing related to the practice of a sincerely held religious belief. RC 3313.5317 also prohibits schools, interscholastic conferences or organizations that regulate interscholastic athletics from adopting a rule or regulation prohibiting or obstructing the ability of participants

to wear religious apparel. This includes a ban on any requirements that a participant obtain advanced approval, written waivers or any other permission before wearing religious apparel.

The only circumstance under which the bill allows officials and administrators to prohibit participants from wearing religious apparel is if a “legitimate danger” to participants is identified due to the wearing of the religious apparel. Even after a legitimate danger is identified, administrators and officials are still required to offer reasonable accommodations to the participant seeking to wear religious apparel. Given that the bill does not explicitly define which circumstances might present a legitimate danger, administrators and officials should remain cautious when assessing whether a danger is legitimate and work with legal counsel to determine whether such a standard is met.

It also is important for administrators and officials to note that this bill creates a civil action that can be used against violators of these provisions. This means that participants in athletics or extracurricular activities can sue administrators and officials that restrict their ability to wear religious apparel, except when wearing the religious apparel presents a legitimate danger to participants. A civil action based on violating this bill could result in monetary damages, injunctions against the district or any other consequence the court deems appropriate under the circumstances.

However, this civil action for violating the provisions of RC 3313.5317 does not eliminate any other immunities or defenses available to school districts or their officials contained in the Ohio Revised Code. Furthermore, the bill contains a section that clarifies school districts, athletics conferences and similar organizations are not liable for monetary damages in a civil suit related to death, injury or loss of property unless willful or wanton misconduct was involved.

For more information on these and other changes review the Ohio Legislative Service Commission summary document.

#### *Policy implications*

SB 181 impacts OSBA sample policy JFCA, Student Dress Code. The policy has been updated to reflect restrictions that the bill places on the regulation of religious apparel worn during interscholastic athletics or extracurricular activities. The policy clarifies that religious apparel worn during athletic or extracurricular events by student-participants should be deemed acceptable unless it represents a legitimate danger to participants. Districts also should review district-level documents, including student and athletic handbooks, to make any necessary updates.

During our review of this policy, we also removed the language on uniforms, recognizing this is not practice for most districts in the state. Language still appears in the notes section on the process to follow if you want to require uniforms in your district. If your district currently requires uniforms or is interested in adding uniforms in the future, reach out to your OSBA policy consultants for assistance in adding language to your board policy.

#### **CONCEALED CARRY LAW CHANGES**

*by Gamy Narvaez, policy consultant*

Senate Bill (SB) 215, effective June 13, 2022, will have several impacts on Ohio’s concealed carry gun laws, including the removal of a license requirement for carrying a concealed handgun.

Under current law, individuals can only carry a concealed handgun if they have been issued a concealed handgun license and carry that license with them on their person. Once the bill takes effect, all “qualifying adults” will no longer be required to obtain a concealed handgun license in order to carry handguns that are not

“restricted firearms.” The terms “qualifying adult” and “restricted firearm” are defined in newly enacted Ohio Revised Code (RC) RC 2923.111. A “qualifying adult” is defined as a person who is 21 or older, is not legally prohibited from possessing or receiving a firearm under federal or state law and satisfies the requirements of RC 2923.125(D)(1)(a) to (j), (m), (p), (q) and (s). A “restricted firearm” is defined as a firearm that any Ohio law prohibits from being possessed or carried. Furthermore, unless context clearly indicates otherwise, references to concealed handgun licensees throughout the Ohio Revised Code also apply to qualifying adults, except where specifically limited.

Another impact of the bill is that individuals that have already been issued concealed handgun licenses will no longer have to carry a physical license on their person in order to carry a concealed handgun. Instead, SB 215 provides that a concealed handgun licensee may carry a concealed handgun anywhere in the state so long as the license is valid when the licensee is in actual possession of a concealed handgun.

Districts should be aware of the impact of these changes on school safety zones. Under RC 2901.01, a “school safety zone” covers a school, school building, school premises, school activity and school bus. RC 2923.122 already permits individuals with a valid concealed handgun license to leave a firearm in their vehicle while in a school safety zone so long as the vehicle is locked. Given that SB 215 treats references to concealed handgun licensees as also applying to qualifying adults, it follows that qualifying adults are also now permitted to leave their firearm in their vehicles while in a school safety zone so long as the vehicle is locked. No changes were made to other rights to carry in a school safety zone, therefore existing law and case law in these other areas still applies including the inability to carry a concealed handgun in a school building unless a specific exemption applies.

RC 2923.1212 requires that signage prohibiting concealed handguns be posted conspicuously in any premises, including school safety zones, in which a valid concealed handgun license does not authorize the licensee to carry a handgun. It is important to note that SB 215 does not affect this code section, meaning that districts are still required to post conspicuous signage on their buildings that contain similar language to the prohibition quoted in RC 2923.1212.

For more information on these and other changes review the Ohio Legislative Service Commission summary document.

#### *Policy implications*

Based on our review of SB 215, no changes are necessary to the substantive content of OSBA model policies. Our language regarding staff and community member possession of weapons generally states that “unless otherwise permitted by law, no person is permitted to bring a deadly weapon or dangerous ordnance into a school safety zone.” To help districts manage the new provisions for “qualifying adults,” we have added RC 2923.111 to the legal references on GBCB, Staff Conduct, and KGB, Public Conduct on District Property. Both policies are available in the “other policies” section with this PDQ issue. The addition of a legal reference is a non-substantive change, and therefore your board does not need to readopt this policy unless you determine the substantive content of your policy is inconsistent with our sample and current law.

Districts also should review locally adopted policies, handbooks and postings to determine if any updates are necessary.

#### **APPROVED DYSLEXIA GUIDEBOOK AVAILABLE**

*by Kenna S. Haycox, senior policy consultant*

New dyslexia requirements take effect for the 2022-23 school year. An overview of the new dyslexia

requirements was included in the November 2021 issue of PDQ. Districts are encouraged to review the article for a foundational understanding of the new changes taking effect. A key component of the new requirements is the required dyslexia guidebook.

After much debate, the State Board of Education Teaching, Leading and Learning Committee approved the guidebook and sent it to the full board for consideration at its May meeting. The full board approved the guidebook on May 10. The guidebook and more information on implementing the dyslexia requirements is available on ODE's website: <https://education.ohio.gov/Topics/Learning-inOhio/Literacy/Dyslexia>.

### **OSBA MEMBERSHIP IN COSSBA IMPACTS BOARD POLICY**

*by Kenna S. Haycox, senior policy consultant*

We continually review and evaluate our sample policies to ensure they are current. One policy we recently reviewed relates to school board memberships with associations. Policy BJA, Liaison with School Boards Association, helps outline the ability districts have under Ohio Revised Code (RC) 3313.87 to join a school boards association and appropriate funds to pay annual dues. Through membership in OSBA, boards have access to various services and offerings.

On April 10, 2022, OSBA, along with 21 other founding school boards associations, signed a resolution to officially form the Consortium of State School Boards Associations (COSSBA).

COSSBA is a voluntary, nonpartisan, national alliance of state school boards associations. This consortium strives to provide member-focused information that is powered by collaboration and driven by shared commitment, shared resources and shared responsibility. It is a consortium founded by state school boards associations to support, promote and strengthen each other as we serve our local school districts and board members so they can provide excellence in local school board governance resulting in access to high-quality educational opportunities for all students.

Planning is underway for a full complement of professional development that OSBA member districts will be able to take advantage of. These will provide networking opportunities for school board members and association leaders and will enhance the effectiveness of our work through seminars, peer-to-peer information sharing and interactively engaging around the issues that directly impact school boards' ability to govern, set policy and improve educational outcomes for all students.

More information about the services and focus of COSSBA can be found on its website at [www.cossba.org](http://www.cossba.org).

OSBA will continue to share COSSBA updates with our members through its publications and email.

#### *Policy implications*

OSBA's membership in COSSBA has a direct impact on OSBA sample policy BJA, Liaison With School Boards Association. The policy has been updated to reflect OSBA's status as a member of COSSBA and is available with this PDQ issue. The policy communicates the ability of member districts to take advantage of OSBA and, through membership in OSBA, COSSBA offerings. OSBA is your association, and our success is dependent on your representation and interaction with us. A key part of this representation is districts' appointments of board members to the following roles: legislative liaison, student achievement liaison and a delegate to the annual business meeting. The revisions to BJA, Liaison with School Boards Association, include the addition of language regarding these important representative appointments.

Cross References

May 2022 - Update Review Form

Updating Quick Reference - Checklist

GBCB - \*\*OSBA Sample\*\* Staff Conduct

GDBE - \*\*OSBA Sample\*\* Support Staff Vacations and Holidays

KGB - \*\*OSBA Sample\*\* Public Conduct on District Property

BJA - \*\*OSBA Sample\*\* Liaison with School Boards Associations

DN - \*\*OSBA Sample\*\* School Properties Disposal

IJA - \*\*OSBA Sample\*\* Career Advising

JFCA - \*\*OSBA Sample\*\* Student Dress Code



Book	Policy Manual
Section	Issue 2 of 2022 May PDQ (Revised)
Title	<b>**OSBA Sample**</b> Career Advising
Code	IJA
Status	From OSBA

**\*\*This is the OSBA sample policy.\*\***

**Career Advising**

The Board views career advising as helping students understand themselves relative to their abilities, aptitudes, interests, attitudes, strengths and limitations. This process is meant to assist students in the development of their potential and their decisions relating to educational and career matters. This policy is supplemented by student graduation plans developed in accordance with law.

This policy is reviewed biennially and made available to students, parents, guardians/custodians, local postsecondary institutions and residents of the District. This policy is posted in a prominent location on the District website.

The District will do all of the following.

1. Provide students with grade-level examples linking schoolwork to one or more career field(s) through use of the State Board adopted career connections.
2. Create a plan to provide career advising to students in grades six through 12.
3. Provide additional interventions and career advising for students who are identified as at risk of dropping out of school using both research- and locally-based methods developed with input from classroom teachers and guidance counselors.
4. Train employees on advising students on career pathways, including the use of online tools.
5. Develop multiple, clear academic pathways students can use to earn a high school diploma.
6. Identify and publicize courses in which students can earn both traditional academic and career-technical credit.
7. Document career advising provided to each student.
8. Prepare students for their transition from high school to their postsecondary destinations.
9. **Include information regarding career fields that require an industry-recognized credential, certificate, associate's degree, bachelor's degree, graduate degree, or professional degree.**
10. **Provide students with information about ways a student may offset the costs of post-secondary education, including but not limited to the following programs:**
  - A. **Reserve Officer Training Corps;**
  - B. **College Credit Plus program;**
  - C. **Ohio Guaranteed Transfer Pathways initiative and**
  - D. **Joint academic programming or dual enrollment opportunities.**

Student success plans (SSP) are developed for students identified as at risk of dropping out of school. An SSP identifies the student's chosen academic pathway to graduation and the role of career-technical and competency based education and experiential learning, as appropriate in that chosen pathway. The student's parents, guardians or custodians are invited to assist in the development of the SSP. A copy of the SSP, a statement regarding the importance of a high school diploma and the academic pathways available to the student for successful graduation **are is** provided to parents, guardians or custodians who do not participate in development of the student's SSP. Following SSP development, the District provides career advising aligned with the student's individual plan and the District's plan for career advising.

Legal References:

ORC 3313.617  
ORC 3313.6020

Cross References:

AFI - Evaluation of Educational Resources  
IJ - Guidance Program  
IKFC - Graduation Plans and Students at Risk of Not Qualifying for a High School Diploma  
IL - Testing Programs  
JK - Employment of Students

**NOTE:** House Bill 487 (2014) required boards to adopt policy language on career advising by the 2015-2016 school year. Senate Bill 135 (2022) requires the inclusion of items 9 and 10 in the Board's career advising policy. Much of the details associated with implementing the items listed in the policy will be a local decision, therefore, policy language should be customized to reflect the Board's chosen strategies for carrying out these requirements.

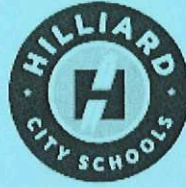
Some details of associated requirements may be set forth in either an associated regulation or in a District-specific plan. Boards should consult Ohio Department of Education's resources on both career advising and student success plans in order to determine procedures for carrying out these requirements. The requirements for career advising and board policy are set forth by Ohio Revised Code (RC) Section 3313.6020.

RC 3313.617 requires each board to adopt by June 30, 2020 a policy regarding students at risk of not qualifying for a high school diploma. The policy must address all the required components of RC 3313.617 and must supplement a district's policy on career advising.

**THIS IS A REQUIRED POLICY**

Legal                      ORC 3313.617  
                                 ORC 3313.6020





Book	Policy Manual
Section	Section I: Instruction
Title	Career Advising
Code	IJA
Status	Active
Adopted	May 11, 2015
Last Revised	June 15, 2020

### **Career Advising**

The Board views career advising as helping students understand themselves relative to their abilities, aptitudes, interests, attitudes, strengths and limitations. This process is meant to assist students in the development of their potential and their decisions relating to educational and career matters. This policy is supplemented by student graduation plans developed in accordance with law.

This policy is reviewed biennially and made available to students, parents, guardians/custodians, local postsecondary institutions and residents of the District. This policy is posted in a prominent location on the District website.

The District will do all of the following.

1. Provide students with grade-level examples linking schoolwork to one or more career field(s) through use of the State Board adopted career connections.
2. Create a plan to provide career advising to students in grades six through 12.
3. Provide additional interventions and career advising for students who are identified as at risk of dropping out of school using both research- and locally-based methods developed with input from classroom teachers and guidance counselors.
4. Train employees on advising students on career pathways, including the use of online tools.
5. Develop multiple, clear academic pathways students can use to earn a high school diploma.
6. Identify and publicize courses in which students can earn both traditional academic and career-technical credit.
7. Document career advising provided to each student.
8. Prepare students for their transition from high school to their postsecondary destinations.

Student success plans (SSP) are developed for students identified as at risk of dropping out of school. A SSP identifies the student's chosen academic pathway to graduation and the role of career-technical and competency based education and experiential learning, as appropriate in that chosen pathway. The student's parents, guardians or custodians are invited to assist in the development of the SSP. A copy of the SSP, a statement regarding the importance of a high school diploma and the academic pathways available to the student for successful graduation is provided to parents, guardians or custodians who do not participate in development of the student's SSP. Following SSP development, the District provides career advising aligned with the student's individual plan and the District's plan for career advising.



Legal

ORC 3313.617

ORC 3313.6020

Cross References

AFI - Evaluation of Educational Resources

IJ - Guidance Program

IKFC - Graduation Plans and Students at Risk of not Qualifying for a High School Diploma

IL - Student Assessment

JK - Employment of Students



## POLICY REVIEW COMMITTEE

Mike McDonough, Deputy Superintendent  
September 16, 2022, Central Office

HILLIARD CITY SCHOOL DISTRICT  
OPERATIONS DEPARTMENT

### OHIO SCHOOL BOARDS ASSOCIATION POLICY DEVELOPMENT QUARTERLY

AUGUST 2022 ISSUE

#### **HB 99 IMPACTS SCHOOL SAFETY AND ARMING STAFF IN SCHOOLS**

*by Gamy Narvaez, policy consultant*

House Bill (HB) 99, effective Sept. 12, 2022, will have significant impacts on school safety and the ability of Ohio school districts to arm their staffs.

Perhaps the most significant impact of HB 99 is that it creates an exception to the previously established requirements in Ohio Revised Code (RC) 109.78(D)(2) for arming staff in school buildings. Under current law, a school board can only authorize employees to carry firearms in school buildings if the person has either completed an approved basic peace officer training program or has 20 years of experience as a peace officer.

Last summer, the Supreme Court of Ohio released its opinion in *Gabbard v. Madison Local School Dist. Bd. Of Edn.*, where the court struck down a school board policy allowing certain employees to carry firearms without having completed basic peace officer training or having experience as a peace officer. In creating the exception to previous training requirements, the Ohio Legislature directly addressed the court's ruling in *Gabbard*, stating that the purpose of the amendments was to "expressly overrule the decision of the Ohio Supreme Court in the case."

#### **Arming staff**

Under HB 99, all the following requirements must be met to arm staff:

- The board must grant written authorization for the person employed by the district to voluntarily convey or possess deadly weapons or dangerous ordnance into a school safety zone.

- The person is not being employed as a special police officer or security officer.

- The board has notified the public, by whatever means the school regularly communicates with the public, that the board has authorized one or more persons to go armed within a school operated by the board.

- The person authorized under these provisions submits to an annual criminal records check. The person authorized either has received a certificate of satisfactory completion of an approved basic peace officer training program or is a law enforcement officer or has successfully completed the new curriculum and training established under the act.

- If the person is subject to the new training established under the act, the person must meet all training requirements, which include instruction in the following:

- mitigation techniques; communications capabilities and coordination and collaboration techniques; neutralization of potential threats and active shooters; accountability; reunifications; psychology of critical incidents; de-escalation techniques; crisis intervention; trauma and first aid care; the history and pattern of school shootings; tactics of responding to critical incidents in schools; at least four hours of training in scenario-based or simulated training exercises; completion of tactical live firearms training; realistic urban training.

Regarding the training requirements described above, initial instruction and training may not exceed 24 hours and annual requalification may not exceed eight hours, although a district may require additional training. The act also permits a school district to adopt an alternate training curriculum so long as it includes the topics covered above and is approved by the Ohio School Safety and Crisis Center, which is discussed below.

### **Ohio Mobile Training Team**

The bill establishes the Ohio Mobile Training Team within the department of public safety, which is tasked with developing a curriculum and providing firearms instruction and training to qualify a school employee to be armed in a school building (RC 5502.70). The bill also creates the Ohio School Safety and Crisis Center to provide safety services and firearms training to districts, which will be operated by the mobile training team. The crisis center and mobile training team will be able to provide school safety and security services to all public and nonpublic schools, not just those that decide to arm staff.

In addition to a chief mobile training officer, 16 regional mobile training officers must be appointed. Their role, as it relates to school operations, includes: upon request, assisting an administrator within an officer's region in the development or review of an emergency management plan under RC 5502.262; upon request, assisting an administrator of a public or nonpublic school within the officer's region with any other security protocols for activities or events outside of a school building during or after school hours; upon request, assisting in strategic communications between federal, state and local law enforcement agencies in the event of an emergency at a school within the officer's region; offering tactical emergency medical services training to public and nonpublic schools within the officer's region; promoting the use of the Safer Ohio School Tip Line within the officer's region; enforcing rules and executing additional duties prescribed by either the department of public safety or the chief mobile training officer; providing the instruction and training described in RC 5502.703 through the crisis center; overseeing training operations and offering training opportunities for school employees described in RC 5502.262, which may include observing emergency management plan tests, providing weapons manipulation instruction and other appropriate activities.

District emergency management plans developed under RC 5502.262 now also must be submitted to the regional mobile training officer upon request.

### **Public records impact**

RC 149.43 (A)(1)(pp) is added through the bill, exempting records pertaining to individuals who have completed training and are authorized to carry weapons in accordance with the law from the definition of a public record, thereby protecting this information from disclosure under Ohio's public records laws. However, the public notice districts are required to provide, stating the board has authorized one or more persons to go armed within a school operated by the board, is not classified as documents protected from disclosure (RC 149.433 (B)(4)).

### *Policy implications*

EBC, Emergency Management and Safety Plans, has been updated to reflect the new requirement for the district's emergency management plan to be submitted to the regional mobile training officer upon request. The updates also reflect the changes to Ohio Administrative Code 4501:5-1-01, addressed elsewhere in this PDQ issue.

Policy GBCB, Staff Conduct, states "unless otherwise permitted by law, staff members are not permitted to bring a deadly weapon or dangerous ordnance into a school safety zone." No updates to this language are necessary due to the HB 99 changes, but new legal references have been added to the policy, which is available with this PDQ issue.

OSBA does not recommend integrating specific details regarding arming staff into board policies. These options should be considered as part of the overall emergency management plan and authorized in accordance with HB 99 requirements and in consideration of the details that are protected from public disclosure.

Districts should consult legal counsel to ensure compliance with the HB 99 training requirements and

communicate with staff that no one may carry firearms in a school building without prior board approval.

### **TITLE IX UPDATE**

*by Gamy Narvaez, policy consultant*

On May 6, 2020, the U.S. Department of Education (USDOE) issued final Title IX regulations, which took effect Aug. 14, 2020. Title IX provides that “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.” Prior to the amendments, Title IX regulations did not reference sexual harassment. Now, they specifically define sexual harassment and establish detailed procedures for how school districts must respond to allegations of sexual harassment. Since that time, districts have been implementing the new requirements, which cannot be changed absent the federal rule-making process.

Due to concerns about the Title IX regulations, USDOE has followed the requirements of the federal Administrative Procedure Act (APA) to develop new regulations for the enforcement of Title IX. A draft of those regulations was released to the public on June 23, 2022. The proposed regulations would expand the definition of “sex-based harassment” to include discrimination based on sexual orientation and gender identity. In addition to this significant change, the proposed regulations also would make several other changes to current Title IX procedures, including expanding the potential jurisdiction for complaints, making significant changes to the K-12 grievance process and expanding the authority of Title IX coordinators, who, under the proposed regulations, could receive, investigate and make decisions regarding the complaint or delegate these duties to other appropriate school officials.

Note that the proposed Title IX regulations are not yet effective and may change between now and when the new rules are implemented and enforced. Districts must continue to follow the current Title IX regulations as outlined in current OSBA policy ACAA, Sexual Harassment, and the accompanying regulation ACAA-R, Sexual Harassment Grievance Process.

### **Guidance on transgender students**

In June 2021, USDOE and the Equal Employment Opportunity Commission (EEOC) released guidance documents that interpreted Title IX as prohibiting discrimination based on sexual orientation or gender identity in education programs and activities. That guidance was based on the U.S. Supreme Court’s reasoning in *Bostock v. Clayton Co.*, 590 U.S.\_\_\_\_, 149 S.Ct. 1731 (2020) and included a Notice of Interpretation of Title IX in light of *Bostock* as well as a questions-and-answers document.

In *Bostock*, the court held that Title VII, which prohibits discrimination on the basis of sex in employment, also prohibits discrimination against a person based on sexual orientation or gender identity. The court reasoned that “it is impossible to discriminate against a person for being homosexual or transgender without discriminating against that individual based on sex.” USDOE and EEOC then applied this reasoning to Title IX’s prohibition against harassment “on the basis of sex.”

Several states had laws on the books regarding sexual orientation and gender identity that contradicted this guidance, which would put their federal funding at risk. Tennessee and 19 other states, including Ohio, filed a complaint last August in a U.S. District Court, challenging the federal guidance and arguing that it was not simply an interpretation of existing law but would instead amount to new laws and rights that should have been subject to APA.

The U.S. District Court agreed with the plaintiffs, 20 states, including Tennessee and Ohio, that *Bostock* only addressed sex discrimination under Title VII, and that the new federal guidance applying the logic of *Bostock* to

Title IX amounted to new legal obligations subject to judicial review under APA. The district court then granted Tennessee’s motion for a preliminary injunction, preventing the new federal guidance from going into effect.

What this means for districts is that USDOE and EEOC are prohibited from enforcing their new Title IX guidance in Ohio, or any other state affected by the injunction, until further orders are issued either by the U.S. Court of Appeals for the Sixth Circuit or the U.S. Supreme Court. As a reminder, this guidance is separate from Title IX regulations, and districts are required to comply with the Title IX regulations referenced above.

#### *Policy implications*

OSBA is continuing to monitor the proposed Title IX rules and any federal guidance changes that may be reinstated or issued. Districts must follow Title IX regulations, as they are in law, until such time as formal changes are made. Districts with questions regarding current policies and procedures that may be impacted by the court decision on the “guidance” should work with legal counsel to determine which procedures and accommodations may need revised.

#### **ELECTRONIC BOARD MEETING PROVISIONS EXPIRED**

*by Sara C. Clark, chief legal counsel*

In February, the Ohio General Assembly passed House Bill (HB) 51, which allowed public bodies, including boards of education, to meet remotely but only until June 30, 2022.

The expiration of HB 51’s authorizing language means that the original open meetings provisions in Ohio Revised Code (RC) 121.22 are again in effect. The law requires board members to be present “in person” at a meeting to vote at the meeting and for purposes of determining whether a quorum is present.

Some boards of education have questioned whether the permanent law continues to permit an individual board member to participate in board meetings electronically, even in the absence of HB 51’s authorizing language. Perhaps a board member needs to work late or is recuperating from an illness or inclement weather prevents travel.

Although the board is again prohibited from conducting the entire meeting virtually, it could allow an individual board member to “participate” via conference call or videoconference so long as there is a quorum present in person at the meeting. Such participation would be limited to listening to and participating in the board’s discussions. A board member who participates via electronic means may not be counted for quorum purposes, nor may the board member vote.

With all the changes that have occurred over the past few years, now is a good time to review your board’s policies on school board meetings. Those policies include:

Policy BD, School Board Meetings — OSBA’s sample policy includes permissive language that authorizes an individual board member’s remote participation and clarifies that a board member who participates electronically may not vote at the meeting and will not be counted for the purposes of determining whether a quorum is present. If your board suspended or amended this policy, it should consider reviving this language, especially if the board is interested in occasionally allowing individual board members to participate electronically.

Policy BDDA, Notification of Meetings — This policy outlines the notification requirements that boards must follow when notifying the board, media and public of its meetings. The board should review this policy and remove any references to HB 51 or its requirements that the board provide at least 24 hours advanced notice of virtual meetings to the public.

Policy BDDF, Voting Method — OSBA’s sample policy requires board members to be physically present at the meeting to vote. Considering HB 51, many boards of education suspended this policy language. If your motion to suspend did not include the June 30, 2022, expiration date, the board should consider taking action to reintroduce this language into policy BDDF.

Policy BDDH (also KD), Public Participation at Board Meetings — Boards of education should carefully review their public participation policies to ensure they align with their current public participation practices and procedures for in-person board meetings.

If you have questions about holding or attending board meetings under the current law, please reach out to OSBA’s Division of Legal Services at (855) OSBA-LAW. If you are an OSBA policy subscriber and have questions about updating your policies to reflect the status of the law, please reach out to OSBA’s policy consultants at (614) 540-4000.

### **FIRST AMENDMENT AND SCHOOL EMPLOYEES**

*by Jennifer A. Hardin, senior deputy director of legal services*

The First Amendment to the U.S. Constitution, in fewer than 50 words, contains some of the most important protections to citizens, including freedom of speech, free exercise of religion, freedom of the press and the rights to peaceably assemble and petition the government for redress of grievances. It also prohibits any governmental entity from making any “law respecting an establishment of religion.” A case decided by the U.S. Supreme Court in June, *Kennedy v. Bremerton School Dist.*, touched on several of these protections as they apply to school district employees. It also provided guidance on the school district’s responsibilities under the establishment clause.

*Kennedy* involved a high school assistant football coach who was not rehired after he knelt at midfield after games to pray. Although he did not ask student athletes to join him, the coach was sometimes joined by them in these prayers. The facts considered by the Supreme Court transpired over a long period of time and are described on pages 7 through 13 of the decision. Ultimately, after asking the coach to stop praying on the field and offering him other opportunities, the district placed the coach on paid administrative leave and barred him from coaching further games. The coach’s next performance evaluation was negative and included a recommendation against the district hiring him for the next season.

The coach sued the district, alleging that the district’s disciplinary action barring him from coaching and the decision not to hire him violated his First Amendment rights to freedom of speech and religious exercise (*Kennedy* p. 13). The school district argued that its actions were based on its concern that allowing the coach to continue to pray on the field after games would violate the First Amendment establishment clause. In an explanatory document shared with the public, the district said that it believed it could not allow the coach to engage in “a public religious display.” The district stated that by allowing the prayer at football games, it would violate the establishment clause because reasonable students and attendees might perceive that the district was endorsing religion (*Kennedy* p. 12).

Here are some important aspects of the *Kennedy* decision:

*Kennedy* doesn’t change the fact that school employees are, and have been, protected by the First Amendment.

Boards still can regulate employee speech provided that the regulation is neutral and generally applicable. When determining whether to regulate employee speech, the district should consider whether the speech involves a matter of public concern and whether the speech is within the scope of the employee’s duty.

*Kennedy* clarifies that not everything a school employee says is within the scope of their duties and that not all speech in the workplace is subject to government control.

The decision alters the legal analysis of how and when the conduct of schools and school employees violates the First Amendment establishment clause. The district in this case relied on a test developed in 1972 by the Supreme Court in *Lemon v. Kurtzman*. The *Kennedy* decision states that the Supreme Court has abandoned the *Lemon* test. In its place, the court states that governments, including districts, must interpret the establishment clause based on historical practices and understandings.

The decision did not change prior holdings that governments, including districts, cannot make religious observance compulsory, coerce anyone to attend church or force citizens to engage in formal religious exercise. The *Kennedy* decision noted prior Supreme Court decisions concluding that there are some situations where prayer involving public school students can be “problematically coercive.” It noted examples including: Prayer that is broadcast over a public address system to students who are a “captive audience.” Prayer in which students are required or expected to participate, such as prayer publicly recited at an official school graduation ceremony that students are compelled to attend.

The *Kennedy* decision concluded that a district will not violate the establishment clause if it allows the private prayer of a school employee, provided that the prayer is not publicly broadcast or recited to a captive audience; there is no formal school program accommodating the religious activity; and students are not required or expected to participate.

Districts should consult legal counsel if they have specific questions about how their practices are affected by the decision.

#### *Policy Implications*

Based on our review of OSBA sample policies discussing school prayer and teaching about religion, no changes are necessary due to the *Kennedy* decision. To assist districts in reviewing local policies related to school prayer, policies IND/INDA, School Ceremonies and Observances/Patriotic Exercises, and IGAC, teaching about religion, are included for review with this PDQ issue. These policies are consistent with the *Kennedy* decision. Specifically, Policy IND/INDA, includes the following language:

“The Board certifies that it does not have, nor will it adopt, any policies that deny or prevent participation in constitutionally protected school prayer.” This is consistent with a provision in the Every Student Succeeds Act, which also requires that each school district make an affirmative certification to this effect to the Ohio Department of Education by Oct. 1 of each year (20 United States Code (USC) 7904(a)).

Districts whose policies include language either limiting or permitting prayer beyond the language in the model policies IND/INDA and IGAC provided here should consult with their legal counsel to determine whether the language is consistent with the U.S. Constitution following the *Kennedy* decision.

#### **OHSAA BYLAWS AND OSBA SAMPLE POLICIES**

*by Kenna S. Haycox, senior policy consultant*

The Ohio High School Athletic Association (OHSAA) annually reviews and considers amendments to its bylaws. When bylaw revisions are made, districts are informed of these changes and applicable OHSAA documents are updated. Districts then use the most current OHSAA documents and requirements when communicating various requirements, particularly eligibility, to students, parents and coaches.

To avoid any potential inconsistencies between board policies and OHSAA bylaws and documents, we are removing specific OHSAA eligibility criteria from our OSBA sample policies and instead generally referring to the OHSAA regulations for participation in such activities. The following policies are impacted by this change and are available with this PDQ issue. When reviewing these, districts should pay close attention to local customization, including but not limited to, required GPAs and whether to allow nonresident student participation options indicated as permissive in the relevant policies:

IGCH-R (also LEC-R), College Credit Plus

IGDJ, Interscholastic Athletics  
IGDK, Interscholastic Extracurricular Eligibility

### **RELATIONS WITH SUPPORT ORGANIZATIONS**

*by Sara C. Clark, chief legal counsel*

Booster groups, parent-teacher organizations and other support organizations are an important part of public schools. Many districts rely heavily on these outside organizations to promote, support or enhance students' educational, athletic, cocurricular and extracurricular experiences. To ensure a successful working relationship between the school district and its support organization, board members, staff members and support organizations must have a shared understanding of each party's expectations.

OSBA encourages districts to formally recognize their support organizations. Recognition should be made annually by resolution. For the district, official recognition creates accountability, makes it clear that the organization's mission of supporting the school is tied to the observation of good management practices and allows for recognition to be taken away if the support organization is not following the district's policies or regulations. For the support organization, official recognition allows the organization to use the district's or school's name, logo and mascot.

#### *Policy implications*

OSBA merged language in Policy KMA, Relations With Parent Organizations, with language in Policy KMB, Relations With Booster Organizations, to create Policy KMA, Relations With Support Organizations. This new policy requires support organizations to follow applicable board policies and regulations and receive approval from the board prior to using the school's or district's name, logo or mascot.

The policy also includes language allowing the board to provide insurance coverage to support organizations under the district's liability program. Under Ohio Revised Code (RC) 3313.203, a board of education may purchase a policy of insurance insuring "school support entities" against liability on account of damages or injury to persons and property. A "school support entity" refers to any nonprofit entity formed for supporting school district programs.

When such insurance is provided, the board must adopt a resolution setting forth the amount of the insurance to be bought, the necessity thereof and a statement of the estimated premium. The board should receive a quote in writing from not less than two insurance companies if more than one company offers such insurance for sale to the board. Upon adopting such a resolution, the board may buy insurance from the insurance company submitting the lowest and best quote. The support organization must reimburse the board for the cost of such insurance if the board purchases an insurance policy in this manner.

OSBA also created Regulation KMA-R, Relations With Support Organizations. This new regulation outlines the rules that govern the relationship between the board, district staff and any district support organization. The regulation binds the support organization to the observation of good accounting and management practices; requires support organizations to send certain financial and governance documents to the superintendent/designee on an annual basis; and encourages collaboration between the support organizations and district staff on potential fundraising activities.

When considering Policy KMA, Relations With Support Organizations, and the new regulation KMA-R, Relations With Support Organizations, districts also should take action to officially rescind KMB, Relations With Booster Organizations, from the board policy manual. Districts that use the OSBA online policy services should



notify OSBA of the date KMB, Relations With Booster Organizations, is rescinded so it can be retired from their online manuals.

### **DYSLEXIA UPDATE**

*by Kenna S. Haycox, senior policy consultant*

House Bill (HB) 583, effective Sept. 22, 2022, revises Ohio's dyslexia support law. The changes include:

The requirement for annual tier one dyslexia screenings for grades K-six is delayed for one year. The screenings must now begin in the 2023-24 school year, rather than in 2022-23. Districts may choose to implement the screenings prior to the 2023-24 school year (Ohio Revised Code (RC) 3323.251).

"Multi-sensory structured literacy" terminology is replaced with "structured literacy."

Replaces maintaining a list of "courses" with "list of training" and makes conforming changes throughout as it relates to the requirements for the Ohio Department of Education (ODE) to maintain training opportunity lists under current law.

Teachers who provide instruction in fine arts, music or physical education are exempt from completing the professional development requirements of existing law. However, the bill still allows districts to locally decide to train employees not subject to the mandatory training requirements. Instead of requiring districts to comply with the entire Dyslexia Guidebook, the act now requires compliance with any provisions that are statutorily required as they pertain to the guidebook and states districts may use any best practices and recommendations contained in the guidebook. The guidebook has been updated by ODE to reflect the amendments in HB 583 and is available at Dyslexia Guidebook.

Districts still must establish a structured literacy certification process for teachers beginning in the 2022-23 school year.

#### *Policy implications*

Due to the changes in implementation dates, we will be delaying release of policy language regarding the new dyslexia requirements until the February 2023 PDQ issue. As you prepare to implement requirements in the 2023-24 school year, review resources available on ODE's dyslexia supports webpage. If your district is implementing in the 2022-23 school year, contact your consultants with questions on the provisions and policy impacts.

### **HOUSE BILL 583 PROVISIONS IMPACTING DISTRICT OPERATIONS**

*by Kenna S. Haycox, senior policy consultant*

In addition to the dyslexia requirement changes addressed in a separate article in this PDQ issue, House Bill (HB) 583, effective Sept. 23, 2022, makes several additional changes impacting district operations.

#### **Substitute teacher shortages**

HB 583 extends temporary flexibility for school districts regarding the educational requirements of substitute teachers until June 30, 2024. For the 2022-23 and 2023-24 school years, districts may employ an individual as a substitute teacher if the individual:

- meets the district's own education requirements; is deemed
- to be of good moral character; successfully completes the
- required criminal records check.

The State Board of Education is required to issue a nonrenewable temporary substitute teaching license to an individual meeting these requirements, even if they do not hold a postsecondary degree.

Districts are encouraged to review current ODE guidance on this topic, specifically how the need for substitutes

at the beginning of the school year, before HB 583 takes effect, is addressed. OSBA policies on substitute teachers and the hiring of teachers are general in terminology as they relate to substitute licenses and, therefore, no updates are necessary.

Districts choosing to employ substitutes under these provisions should take action to confirm the district's education requirements, which may be the same as the criteria established in prior years under temporary flexibility or may be updated to meet your local needs. Such criteria may be defined through passing a board resolution but does not require policy language. If your district wants to formalize your local criteria in board policies, contact your policy consultants for assistance in integrating locally determined language into your manual.

Recognizing the substitute teacher shortage, HB 583 also establishes a Substitute Teacher Shortages Study Committee to examine the shortage and consider ways to address its causes. The committee also must review the temporary substitute licensing provisions granted through legislation during the COVID-19 pandemic. A report of findings must be issued by Dec. 31, 2022.

### **Additional considerations**

HB 583 also makes changes in the following areas; for more information on these and other items, review the Legislative Service Commission final bill analysis.

- Until July 1, 2028, prohibits the State Board and Ohio Department of Education from limiting the subject areas in which an individual may receive an alternative resident educator license. Establishes October as Ohio School Safety Month to increase public awareness of school safety programs and encourage Ohioans to identify their role in keeping Ohio schools a safe place for students to learn and grow.

- Makes some technical and corrective changes to the school financing system.

- Revises the Educational Choice (EdChoice) and Cleveland scholarship programs.

- Extends the provisions of the After School Child Enrichment Educational Savings Account Program.

- Revises the community school sponsor ratings and evaluations.

- Establishes a tutoring and remedial services program: participating tutors may be either a retired or substitute teacher or an individual who meets eligibility standards established by the superintendent of public instruction; requires the ESC of Central Ohio, as the coordinating ESC, to employ or engage as volunteer tutors and coordinate placement of tutors in participating schools in cooperation with other participating ESCs.

The items addressed above do not require any changes to OSBA sample policies, but districts that have questions on locally adopted policies in light of these changes can contact OSBA policy consultants at [khaycox@ohioschoolboards.org](mailto:khaycox@ohioschoolboards.org) or [gnarvaez@ohioschoolboards.org](mailto:gnarvaez@ohioschoolboards.org).

### **REVISED RULE FOR EMERGENCY MANAGEMENT PLAN AND TEST**

*by Kenna S. Haycox, senior policy consultant, and Gamy Narvaez, policy consultant*

House Bill (HB) 123, effective March 24, 2021, recodified Ohio Revised Code (RC) 3313.536, which addresses emergency management plans, to RC 5502.262 and transferred from the State Board of Education to the director of public safety the authority to administer the emergency management plan law and adopt rules pertaining to comprehensive emergency management plans for schools.

The Ohio Department of Public Safety (ODPS) completed the rule adoption process, and the new rule, Ohio Administrative Code (OAC) 4501:5-1-01, was effective Aug. 5, 2022. Districts are encouraged to review the full rule. Some of the significant changes include those addressed here.

## **Definitions**

The rule includes new and updated definitions for the following:

hazard identification and risk analysis; full-scale exercise; incident command system; unified command; functional content area; functional exercise; tabletop exercise; school safety and security contact; mental health provider; trauma; trauma-informed care; community law enforcement and safety officials.

## **Comprehensive emergency plan requirements**

The emergency management plan must consist of six parts, as opposed to four under current OAC provisions. The new additions are “stakeholder signatures” and “proof of completion of an approved threat assessment training program, submitted for each team member in the building’s emergency management plan.” The changes also revise the following requirements for the comprehensive emergency management plan:

Updated terminology for which hazards to address in the plan, including new references to infectious disease or pandemic; severe weather; threats of violence or threats to life; and references to technology or human-caused events.

The plan must still be updated and revised at least every three years from the prior date of compliance to reflect lessons learned and best practices to improve the plan. Under the new rule, the areas of improvement identified in the emergency management test and actual emergencies at the school building must be a source for lessons learned.

Adds “public health officials” to the existing list of individuals to include in notification procedures as part of the plan development.

## **‘Stakeholder’ community engagement**

Districts are still required to “involve stakeholders” in the development of each building’s emergency management plan. The rule removes the specific examples of individuals considered “community law enforcement and safety officials” and instead refers to RC 5502.262(B)(1). It is important to note the definition of “stakeholders,” included in RC 5502.262(B)(1), was recently updated due to HB 99 changes addressed elsewhere in this PDQ issue.

The signatures required under existing law must now be a part of the plan, as addressed above. Updates to the rule clarify that the stakeholder signatures do not mean or require that the stakeholder approves the school’s plan, but rather that they were offered an opportunity to provide feedback.

## **Annual review of emergency management plan**

Updates to the rule add that, in addition to RC 5502.262, the requirement for the administrator to annually certify to the director of public safety that the plan, emergency contact information sheet, floor plan and site plan are current and accurate and specifically requires this certification to be done between Jan. 1 and July 1 annually.

## **Emergency management test**

In addition to requirements for comprehensive emergency management plans, the rule also continues to outline requirements for the emergency management test required under RC 5502.262(E)(1). The rule makes the following revisions to these requirements:

Still requires at least one emergency management test each year during the three-year annual review cycle but now allows — rather than requires under existing law — for one actual emergency to be used as one of the annual tests required during the three-year review if an action report is produced with the involvement of applicable stakeholders (term defined in statute).

Now states the test should include at least one representative from law enforcement, an emergency management agency, EMS and — previously and/or — a mental health provider and public health official. Continues existing law that student participation in the emergency management test is not mandatory and all accompanying requirements of this section. The significant addition here is districts should now consider trauma-informed best practice in addition to existing requirements for consideration on age-appropriate participation, guidance and training in preparation for participation in the test.

### **Threat assessment teams and training, and threat assessment plans**

Various changes throughout the rule address HB 123's phased-in requirements for each school district to establish threat assessment teams and trainings, no later than March 24, 2023, for each school building in the district serving grades six-12. Districts also must establish the requirements related to threat assessment plans as a part of the school's emergency management plan by the same deadline.

RC 3313.669 clarifies that the threat assessment team must be multidisciplinary and may include school administrators, mental health professionals, school resource officers and other necessary personnel. Each team member is required to complete an approved threat assessment training program upon appointment and once every three years thereafter. ODPS has released a list of approved training programs that meet the bill's statutory requirements.

HB 123 allows existing school safety teams to serve as a threat assessment team so long as each member complies with the new training requirements. Members of an existing safety team who have completed an approved training program in the year before the bill's effective date do not have to complete additional training for another two years. Any new team members must complete an approved training program.

As already addressed, each district must provide proof that the members of every team have current threat assessment certifications when the team's building administrator submits the emergency management plan to the director of public safety.

Under HB 123, ODPS, in consultation with the Ohio Department of Education and Ohio attorney general, must develop a model school threat assessment plan that may be incorporated into a school building's emergency management plan. This model plan must be developed by ODPS no later than March 24, 2023, and provide detailed guidance as to what the model plan must address. Evidencebased threat assessment processes or best-practice threat assessment guidelines created by the National Threat Assessment Center must be a resource when developing this model plan.

Each building administrator must incorporate a school threat assessment plan into the building's existing emergency management plan. Schools can use the model plan that will be developed or another plan that meets the requirements of the bill. As of the date of this publication, this plan had not been released. Districts should continue to monitor the Ohio School Safety Center threat assessment webpage for updates on this plan.

### **Additional considerations**

The rule also contains several updates to reflect the transfer of responsibilities to ODPS and updates references to relevant revised code sections. The changes also remove language stating it is recommended that the rule be reviewed every three years rather than the specified five.

When reviewing the changes addressed here, districts also should review the HB 99 changes impacting school safety addressed elsewhere in this PDQ issue.

### *Policy implications*

EBC, Emergency Management and Safety Plans, has been updated to reflect the rule revisions. The updates also include changes reflecting HB 99 revisions addressed elsewhere in this PDQ issue.

### **OPTING OUT OF ACT/SAT ASSESSMENTS**

*by Gamy Narvaez, policy consultant*

House Bill (HB) 110, which went into effect in September 2021, made several changes to assessments, including kindergarten readiness, updates to testing security and allowing for ACT/SAT opt-out.

While HB 110 went into effect last year, the ACT/SAT opt-out provision had a delayed effective date of July 1, 2022. The opt-out provision in Ohio Revised Code 3301.0712(B) allows the parent or guardian of a student to elect not to have a nationally standardized assessment administered to that student. This opt-out provision only applies to students who enter the ninth grade for the first time on or after July 1, 2022.

#### *Policy implications*

No updates to OSBA policies are necessary at this time, but districts should consider keeping their school staff and broader communities informed regarding the rights of parents or guardians to opt out of ACT/SAT assessments for their children and comply with any such requests. Districts also should work with students who are opted out of such assessments to make sure their individual graduation plans accurately reflect their graduation pathway based on not taking the ACT or SAT.

### **Cross References**

KMA-R - \*\*OSBA Sample\*\* Relations With Support Organizations

GBCB - \*\*OSBA Sample\*\* Staff Conduct

IGAC - \*\*OSBA Sample\*\* Teaching About Religion

IND / INDA - \*\*OSBA Sample\*\* School Ceremonies and Observances/Patriotic Exercises

KMB - \*\*OSBA Sample\*\* Relations with Booster Organizations

EBC - \*\*OSBA Sample\*\* Emergency Management and Safety Plans

IGCH-R (Also LEC-R) - \*\*OSBA Sample\*\* College Credit Plus

IGDJ - \*\*OSBA Sample\*\* Interscholastic Athletics

IGDK - \*\*OSBA Sample\*\* Interscholastic Extracurricular Eligibility

KMA - \*\*OSBA Sample\*\* Relations With Support Organizations

LEC-R (Also IGCH-R) - \*\*OSBA Sample\*\* College Credit Plus

August 2022 - Update Review Form

Updating Quick Reference - Checklist



Book	Policy Manual
Section	Issue 3 of 2022 August PDQ (Other)
Title	<b>**OSBA Sample** Teaching About Religion</b>
Code	IGAC
Status	From OSBA

**\*\*This is the OSBA sample policy.\*\***

**Teaching About Religion**

Schools must be neutral in matters of religion. The District must show no preference for one religion over another and must refrain from the promotion of any religion.

It is the responsibility of the public schools to foster mutual understanding and respect for all individuals and beliefs. In pursuing this goal, teaching in the public schools should recognize that holidays are observed differently by different religious groups. Teachers should also respect the fact that some individuals' beliefs do not include religious observances.

Teaching about religious holidays or about religion in general should:

1. be objective;
2. avoid any doctrinal impact and
3. avoid any implication that religious doctrines have the support of school authority.

CROSS REFS.: INB, Teaching About Controversial Issues  
IND, School Ceremonies and Observances  
JB, Equal Educational Opportunities  
JEFB, Released Time for Religious Instruction

Legal                      Elementary and Secondary Education Act; 20 USC 1221 et seq.  
                                U.S. Constitution Amend. I  
                                ORC 3313.601



Book	Policy Manual
Section	Section I: Instruction
Title	Teaching About Religion
Code	IGAC
Status	Active
Adopted	August 14, 2001
Last Revised	May 11, 2015

### **Teaching About Religion**

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Legal	U.S. Constitution Amend. I ORC 3313.601
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Cross References	INB - Teaching about Controversial Issues IND / INDA - School Ceremonies and Observances/Patriotic Exercises JB - Equal Educational Opportunities
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Book	Policy Manual
Section	Issue 3 of 2022 August PDQ (Other)
Title	<b>**OSBA Sample**</b> School Ceremonies and Observances/Patriotic Exercises
Code	IND / INDA
Status	From OSBA

### **\*\*This is the OSBA sample policy.\*\***

#### **School Ceremonies and Observances/Patriotic Exercises**

The Board believes that special recognition should be given to national holidays. The building principal should encourage a discreet observance of these holidays, which have become a part of the American heritage. These observances may, in some instances, be in the form of a school assembly while in other instances they are a part of the classroom work.

The Board directs the administration to develop specific activities within each building to convey the meaning and significance of Veterans Day. The observance must be at least one hour long, except in buildings that schedule class periods of less than an hour. In those buildings, the observance must be at least one standard class period in length.

#### **Religious Holidays and Observances**

The following guidelines govern the observance of, and teaching about, religious holidays in the schools.

1. The public schools must be neutral in matters of religion. The schools must show no preference for one religion over another. They must refrain from the promotion of any religion or all religions; consequently, no religious celebrations may be conducted by the public schools.

"Religious celebration" is defined as:

- A. a formal observance, including worship or religious services of any kind, whether or not conducted by a member of the clergy. Religious observances cannot be justified by the fact that the majority of students or individuals in a given community happen to approve of the practice or by the fact that individual students may absent themselves upon parental request;
  - B. the display of religious objects or symbols, except those that are integral parts of a short-term study in the curriculum, such as art, history, etc., or
  - C. the presentation of religious music, except to the extent that such music is presented for its musical rather than its religious content. Songs or music programs that have significance for a particular religion should not be sung or performed in the school during the period that coincides with the community celebration of the events portrayed in the music. Festive songs that cannot be associated with a religious celebration are permitted.
2. A program or observance related to a religious holiday in theme or timing should be evaluated as to its purpose and effect. If either the purpose or the effect is judged to be religious rather than secular, the activity should not be undertaken.
  3. The school should avoid any activity, display or exhibit that promotes or gives its approval to religious matters.

#### **Patriotic Exercises**

*(Choose one of the following two paragraphs.)*



The Board requires all students, grades kindergarten through 12, to recite the Pledge of Allegiance during the school day at a time and manner specified by the building principal.

OR

The Board does not require the daily recitation of the Pledge of Allegiance. However, the Board encourages reciting of the pledge on a regular basis as determined by the classroom teacher or building principal. The District is prohibited from preventing a teacher from having students recite the Pledge of Allegiance in the teacher's classroom.

In addition, District administrators, staff and students are prohibited from altering the wording of the Pledge of Allegiance.

The Board recognizes that beliefs of some persons prohibit participation in the pledge, the salute to the United States flag or other opening exercises. Therefore, such persons are excused from participation.

The Board prohibits the intimidation of any student by other students or staff aimed at coercing participation in reciting the pledge.

### **School Prayer**

The Board certifies that it does not have, nor will it adopt, any policies that deny or prevent participation in constitutionally protected school prayer. This certification is submitted annually by October 1 to the Ohio Department of Education.

*(Permissive language)*

### **Moment of Silence**

The Board may provide for a moment of silence with participation of students for prayer, reflection or meditation upon a moral, philosophical or patriotic theme.

The Board, administrators or any District employee shall not require a student to participate in a moment of silence.

### **Constitution Day**

On September 17 of each year, the District may participate in the celebration of Constitution Day by reciting the Preamble of the Constitution at 2:00 p.m. EST. When the 17th falls on a weekend, the day of celebration will be announced.

### **NOTE: THIS IS A REQUIRED POLICY**

Legal

U.S. Constitution Amend. I, Establishment Cl.

Elementary and Secondary Education Act; 20 USC 1221 et seq.

ORC 5.23

ORC 3313.601

ORC 3313.602

ORC 3313.63

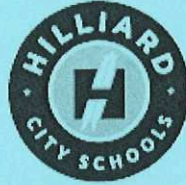
ORC 3313.80

ORC 3320.01

ORC 3320.02

ORC 3320.03

OAC 3301-35-04



Book	Policy Manual
Section	Section I: Instruction
Title	School Ceremonies and Observances/Patriotic Exercises
Code	IND / INDA
Status	Active
Adopted	August 14, 2001
Last Revised	April 11, 2022
Prior Revised Dates	10/11/2005, 12/14/2009, 05/11/2015, 10/26/2020

### **School Ceremonies and Observances/Patriotic Exercises**

The Board believes that special recognition should be given to national holidays. The building principal/designee may encourage a discreet observance of these holidays which have become a part of the American heritage. These observances may, in some instances, be in the form of a school assembly while in other instances they are a part of the classroom work.

The Board directs the administration to develop specific activities within each building to convey the meaning and significance of Veterans Day. The observance must be at least one hour long, except in buildings that schedule class periods of less than an hour. In those buildings, the observance must be at least one standard class period in length.

### **Religious Holidays and Observances**

The following guidelines govern the observance of, and teaching about, religious holidays in the schools.

1. The public schools must be neutral in matters of religion. The schools must show no preference for one religion over another. They must refrain from the promotion of any religion or all religions; consequently, no religious celebrations may be conducted by the public schools.

"Religious celebration" is defined as:

- A. a formal observance, including worship or religious services of any kind, whether or not conducted by a member of the clergy. Religious observances cannot be justified by the fact that the majority of students or individuals in a given community happen to approve of the practice or by the fact that individual students may absent themselves upon parental request;
- B. the display of religious objects or symbols, except those that are integral parts of a short-term study in the curriculum, such as art, history, etc., or
- C. the presentation of religious music, except to the extent that such music is presented for its musical rather than its religious content. Songs or music programs which have significance for a particular religion should not be sung or performed in the school during the period which coincides with the community celebration of the events portrayed in the music. Festive songs that cannot be associated with a religious celebration are permitted.

2. A program or observance related to a religious holiday in theme or timing should be evaluated as to its purpose and effect. If either the purpose or the effect is judged to be religious rather than secular, the activity should not be undertaken.

3. The school should avoid any activity, display or exhibit that promotes or gives its approval to religious matters.



**Patriotic Exercises**

The Board requires the recitation of the Pledge of Allegiance to the flag as part of the school program. The time and manner of which shall be determined by the Superintendent. Every classroom shall display the American flag. The District is prohibited from preventing a teacher from having students recite the Pledge of Allegiance to the flag in the teacher's classroom.

All individuals are prohibited from altering the wording of the Pledge of Allegiance.

The Board recognizes that beliefs of some persons prohibit participation in the pledge, the salute to the United States flag or other opening exercises. Therefore, such persons are excused from participation.

The Board prohibits the intimidation of any individual by other individuals aimed at coercing participation in reciting the pledge.

**Constitution Day**

On September 17 of each year, the District may participate in the celebration of Constitution Day by reciting the Preamble of the Constitution at 2:00 p.m. EST. When the 17th falls on a weekend, the day of celebration will be announced.

**Legal**

U.S. Constitution Amend. I, Establishment Cl.

Elementary and Secondary Education Act; 20 USC 1221 et seq.

ORC 5.23

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ORC 3320.03

OAC 3301-35-04



Book	Policy Manual
Section	Issue 3 of 2022 August PDQ (Revised)
Title	<b>**OSBA Sample**</b> College Credit Plus
Code	IGCH-R (Also LEC-R)
Status	From OSBA

## **\*\*This is the OSBA sample policy.\*\***

### **College Credit Plus**

#### **District Obligations**

The District is required to notify all 6th through 11th grade students and their parents about the College Credit Plus (CCP) program through multiple, easily accessible resources by February 1 of each school year. The notice includes all information required by State law. The District promotes the CCP program on the District website, including details of current agreements with partnering colleges.

Students and/or parent(s) are required to submit written notice of intent to participate to the principal by April 1 of the year in which the student wishes to enroll and may submit written notice as early as February 15. Failure to inform the principal of intent to participate by the April 1 deadline shall result in the student having to secure written permission from the principal in order to participate in the program. If the principal denies a student's request for written permission, the student may appeal to the Superintendent. The Superintendent's decision is final.

The District holds an annual informational session between October 1 and February 15 to which partnering colleges located within 30 miles of the school (or the closest college if none are located within 30 miles) are invited. The informational session includes information on benefits and consequences of participation in CCP, and outlines any changes or additions to program requirements.

The District is required to provide counseling services to students prior to their participation in the program. Counseling services include but are not limited to:

1. program eligibility;
2. any necessary financial arrangements for tuition, textbooks and fees;
3. process of granting academic credits;
4. criteria for any transportation aid;
5. available support services;
6. scheduling;
7. the effect of the grade attained in the course being included in the student's grade-point average, if applicable;
8. consequences of failing or not completing a course under the program, including the effect on the student's ability to complete District graduation requirements;
9. benefits to the student of successfully completing a course under the program, including the ability to reduce the overall cost of, and the amount of time required for, a college education;

10. academic and social responsibilities of students and parents relative to this program;
11. information about and encouraging the use of college counseling services;
12. information about eligible courses;
13. information on CCP probation, dismissal and appeal procedures;
14. the standard program information packet developed by the Ohio Department of Higher Education (ODHE) and
15. the permission slip jointly developed by the Ohio Department of Education (ODE) and ODHE regarding the potential for mature subject matter in a course taken through CCP and information about the potential for mature subject matter in courses in which the student intends to enroll through CCP and that courses will not be modified based upon CCP enrollee participation regardless of where the course of instruction occurs.

The District develops both a 15-credit hour and a 30-credit hour model course pathway for courses offered under CCP in consultation with a partnering college. Each pathway must include courses, which once completed, apply to at least one degree or professional certification offered at the college. The pathways may be organized by desired major or career path, or may include various core courses required for a degree or professional certification by the college. The pathways are published among the school's official list of course offerings for participant selection. No participant is required to enroll only in courses included in a model pathway.

The District implements a policy for awarding grades and calculating class standing for CCP courses that is equivalent to the school's policy for other advanced standing programs or District-designated honors courses. Any grade weighting or class standing enhancements applicable to advanced standing programs or District-designated honors courses are similarly applied to CCP courses.

### **Student Enrollment**

To participate in CCP, a student must apply to, and be accepted by, a participating college in accordance with the college's established procedures for admission. The student also must meet the college's and relevant academic program's established standards for admission, enrollment and course placement, including any course specific capacity limits. The student and his/her parent also must sign a form acknowledging receipt of the required counseling and understanding of their responsibilities under the program. The student and his/her parent also must sign and include in their application to the college, the permission slip developed by ODE and ODHE regarding the potential for mature subject matter in a course taken through CCP.

The student may opt to receive college credit only or both college and high school credit. The student must designate his/her choice at the time of enrollment.

Students may enroll only in eligible courses as defined in rules adopted by ODHE. Upon receipt of the notice of pre-term admission, the student's secondary school verifies the student is enrolled in eligible courses. If the student is enrolled in ineligible courses, the school notifies the student and their parent that they must withdraw from the ineligible course(s). Students failing to withdraw prior to the college's no-fault withdrawal date will be responsible for all tuition, fees and textbook costs for the course.

If a student completes an eligible college course, the Board shall award him/her appropriate credit toward high school graduation if, at the time of enrollment, he/she elects to receive credit for courses toward fulfilling the graduation requirements.

High school credit awarded for eligible courses successfully completed counts toward graduation requirements and subject area requirements.

1. The Board awards comparable credit for the eligible course(s) completed at the college.
2. If no comparable course is offered, the Board grants an appropriate number of elective credits.
3. Any disputes between the student and the Board regarding high school credits granted for a course may be appealed by the student to ODE. ODE's decision on these matters is final.
4. The student's records must show evidence of successful completion of each course and the high school credits awarded. The record must indicate that the credits were earned as a participant in CCP, and include the name of the college at which the credits were earned. The grades and credits for courses completed during summer term must be included on the student's high school transcript in the fall for that school year.
5. Credits earned through CCP are included in the student's grade-point average. College credits count as the equivalent District grade. If the District has a weighted grading system, CCP courses are treated in the same way as other advanced standing program or honors course.

### **High School/College Enrollment**

1. A student who enrolls in CCP for the first time in:
  - A. grades 7, 8 or 9 may receive credit toward high school graduation for up to the equivalent of four academic school years.
  - B. 10th grade may receive credit toward high school graduation for up to the equivalent of three academic school years.
  - C. 11th grade may receive credit toward high school graduation for up to the equivalent of two academic school years.
  - D. 12th grade may receive credit for up to the equivalent of one academic school year.
2. Proportionate reductions are made for any student who enrolls in the program during the course of a school year.
3. For the purpose of this program, an academic year begins with the summer term. The maximum number of credits that may be earned during the academic year is the total of the high school courses and college courses. The total may not exceed 30 college credit hours per academic year.
4. College courses for which three semester hours are earned are awarded one credit toward high school graduation credit. Fractional credits are awarded proportionally.

### **Student Eligibility**

Students wishing to participate in CCP must meet all statutory eligibility requirements. For purposes of these requirements, a "relevant high school course" is defined as a high school course that provides the appropriate academic foundation or career-technical education skills for the college course in which the student intends to enroll, as determined by the applicable institution of higher education. To be eligible, students must meet one of the following criteria:

1. be considered remediation-free on one of the Ohio Revised Code (RC) 3345.061(F) assessments;
2. have a cumulative unweighted high school grade point average (GPA) of at least 3.0;
3. have a cumulative unweighted high school GPA of at least 2.75 but less than 3.0 and received an "A" or "B" grade in a relevant high school course;
4. for participating seventh or eighth grade students without a cumulative unweighted high school GPA available, have received an A or B grade in a relevant high school course or
5. have participated in CCP prior to September 30, 2021 and scored within one standard error of measurement below the remediation-free threshold on one of the RC 3345.061(F) assessments and
  - A. have a cumulative high school GPA of at least 3.0 or for participating seventh or eighth grade students a cumulative GPA of 3.0 in the applicable grade level or
  - B. receive a recommendation from a school counselor, principal or career-technical program advisor.

### **Underperforming Students/CCP Probation**

A student meeting at least one of the following is considered an underperforming student for purposes of CCP:

1. Cumulative GPA of less than 2.0 in college courses taken through CCP or
2. Withdraw from or receive no credit for two or more courses in the same term.

A student meeting the definition of an underperforming student for two consecutive terms of enrollment is considered an ineligible student.

The student's secondary school will place an underperforming student on CCP probation within the program and notify the student, parent and the college they are enrolled in of their status. The student may enroll in no more than one college course in any term when on CCP probation and cannot enroll in a college course in the same subject as a college course in which they received a grade of D or F or for which they received no credit. Students enrolled in impermissible courses who fail to dis-enroll prior to the college's no-fault withdrawal date are responsible for all costs associated with the course(s) and dismissed from CCP as an ineligible student.

If a student taking a permissible college course after placement on CCP probation and the course grade raises the student's cumulative college course GPA to 2.0 or higher the student is removed from CCP probation and may participate in CCP without

restrictions unless they again meet the definition of an underperforming student. A student on CCP probation who does not raise their GPA to the required minimum through the course grade, is dismissed from CCP by the student's secondary school.

Students dismissed from the program are prohibited from taking any college courses through CCP and must dis-enroll for any college courses they may be registered for in the next term prior to the no-fault withdrawal date.

Each secondary school establishes an academic progress policy defining the progress students must achieve to be reinstated in CCP on CCP probation. The policy must state that failure to make academic progress as defined in the policy will result in an extension of CCP dismissal. The policy also includes the procedures for a student to request an appeal of their CCP status.

A student may request the secondary school allow the student to participate in CCP after one term of CCP dismissal. Summer term is not counted as a term of dismissal unless the student is enrolled in one or more high school courses during the summer. Upon review of the student's academic progress through review of their full high school and college academic records, the school will: continue the student's dismissal; place the student on CCP probation or allow the student to participate in CCP without restrictions in accordance with the school academic progress policy.

A student may appeal their status to the Superintendent within five business days of notification of CCP dismissal or prohibition from taking a college course in the same subject as a college course in which they received a grade of D or F or for which they received no credit. Upon consideration of any extenuating circumstances separate from academic performance that may have affected the student's CCP status, the Superintendent will issue a decision within 10 business days after the appeal is made and may:

1. allow the student to participate in the program without restrictions;
2. allow the student to take a course in the subject area in which they received a grade of D or F or for which they received no credit;
3. allow the student to participate in CCP on CCP probation or
4. maintain the student's dismissal from the program.

The Superintendent's decision is final.

If the decision is to continue the student's dismissal and the student is enrolled in a college, the student's college will allow the student to withdraw from all courses in which the student is enrolled without penalty and the student's secondary school shall not be required to pay for those courses. If the Superintendent fails to issue a decision on the appeal within the required timeframe and the student is enrolled in a college, the college will allow the student to withdraw from all impermissible courses without penalty and, if the decision on the appeal is made after the institution's prescribed no-fault withdrawal date, the student's secondary school shall pay for those courses.

### **Summer Term Eligibility**

A student who is scheduled or anticipated to graduate from high school may not participate in CCP for any term beginning after the student's scheduled or anticipated graduation date or in any course offered at a college during a summer term that begins during the student's last quarter of high school.

### **Financial Responsibilities**

1. If a student elects to enroll for college credit only (Option A), the student is responsible for all costs associated with the course.
2. If a student elects to enroll for the combination high school/college credit (Option B), the District is responsible for all costs associated with the eligible course at a public college/university. Students participating in CCP under Option B at a private college may be charged tuition and/or fees unless they are economically disadvantaged.
3. If a student fails a CCP course, the student or parent(s) may be responsible for all costs associated with the course. The District may not seek reimbursement from a student who fails a course if he/she is economically disadvantaged, unless the student has been expelled.
4. Students enrolled for the combination of high school/college credit are not eligible for financial aid from the college.
5. Upon parental application and determination of need an eligible student, as defined by State law, enrolling for the combination of high school and college credit in the program may receive full or partial reimbursement for the necessary costs of transportation between the secondary school that he/she attends and the college/university in which he/she is enrolled.

## Other Considerations

1. A student enrolled in the program follows the District attendance policy, as well as the District code of conduct, for curricular and extracurricular activities. These policies and codes are applicable during the time the student is attending high school and is on school property for any class or activity.
2. If a student is expelled from the District, the Board will deny high school credit for college courses taken during the period of the student's expulsion.

The Superintendent must send written notice of a student's expulsion to the college where the student is taking courses to receive high school credit. The notice must state the date the expulsion is scheduled to expire and whether the Board has denied high school credit for postsecondary education courses taken during the expulsion. If the expulsion period is extended, the Superintendent must notify the college of the extension. The college may withdraw its acceptance of a student who has been expelled. Unless otherwise authorized by State law, the expelled student is ineligible to enroll in a college under CCP for subsequent college terms during the expulsion period.

3. The student enrolled in this program must recognize that the master schedule is not altered or adjusted in order to permit enrollment. Adjustments to individual schedules may be made by the school administration.
4. The District will not deny students the opportunity to participate in extracurricular activities because of their participation in CCP. The District adheres to the Ohio High School Athletic Association for eligibility to participate in athletics. **~~In order to be eligible, the student must have passed five courses that count toward graduation during the prior grading period. The five courses used for eligibility determination~~** may be a combination of high school and college courses. Students also must meet any additional District eligibility requirements.

**NOTE:** The notice provided to students and parents outlining the College Credit Plus (CCP) program must include the following information:

- *Cost, including:*
  - *notice of CCP opportunities that have no cost to students, including the free option to attend public institutions of higher education;*
  - *clear references to the potential cost of participation at a nonpublic institution of higher education and*
  - *the prohibition of charging economically disadvantaged students who choose to attend a nonpublic institution of higher education.*
- *Criteria for student participation, including but not limited to:*
  - *the requirement for a counseling session prior to participation (Ohio Revised Code (RC) 3365.04).*
  - *a notice that states: "Students must submit a written notice of their intent to participate in the upcoming academic year, by April 1, in accordance with Section 3365.03 of the RC, but may submit the written notice of intent to participate as early as February 15. Students desiring to participate in college credit plus in the summer are strongly encouraged to submit letters of intent and begin the admissions process starting in February and prior to the April 1 notice of intent deadline in order to improve chances of meeting summer registration timelines."*
- *Student participation options:*
  - *a statement secondary schools cannot limit a student's participation in CCP to only the courses offered in that school and that students may also participate online or at any other participating institution of higher education, or any combination thereof.*
  - *a statement that participating students may be concurrently enrolled in multiple postsecondary institutions and may concurrently take postsecondary courses from more than one institution of higher education.*
  - *list of courses offered at the secondary school through an agreement with an institution of higher education.*
  - *a statement students should review the course catalog of an institution of higher education for a full listing of course offerings of the institution.*
- *Specific information pertaining to the student's opportunity to participate during the summer term and the responsibility of the student to notify the college and students prior high school prior to a transfer to a new school when participating in a*



*summer term course.*

- *Deadlines pertinent to the student's participation, including all deadlines associated with summer term participation.*
- *The designated point of contact at the secondary school for CCP who can answer questions from students, parents and the community regarding the program's operation and who will act as a liaison to the State to monitor future changes or amendments to the program.*
- *Specific information regarding a student's option to participate in CCP, at the high school-if applicable-, online, or at an institution of higher education, must also be part of all communications developed by the secondary school to promote CCP.*

*Districts are required to report CCP program data by July 15 annually in accordance with requirements to be developed by the Ohio Department of Higher Education (ODHE) and Ohio Department of Education.*

*While districts are required to apply any weighted grading policy in a similar manner for CCP courses, districts are not required to create a weighted grade policy if they do not already have one. It is important to note, however, that if you are using a weighted grading policy, a higher value may not be placed on honors courses or other advanced standing program than on CCP courses.*

*Senate Bill 3 (2016) added RC 3313.5314 stating that students attending the District or homeschool, nonpublic school, community school and STEM school students otherwise eligible to participate in extracurricular activities in the District cannot be denied the opportunity to participate in extracurricular activities in the District solely because of their participation in CCP. Students still must meet the District eligibility requirements.*

*House Bill (HB) 49 (2017) amended RC 3365.03(E) to state that the college to which a student applies will pay for one assessment used to determine that student's eligibility. Any additional assessment used for this purpose will be the financial responsibility of the student.*

*Ohio Administrative Code (OAC) 3333-1.65.12 defines courses eligible for payment under CCP.*

*Each secondary school must adopt an academic progress policy in accordance with OAC 3333-1.65.13. Districts should review information provided by ODHE when developing this school specific policy.*

*Districts must include information on eligible courses and CCP probation in the required informational session. Districts may incorporate the required counseling session into the annual informational session provided the secondary school makes alternate dates available for those unable to attend the annual information session.*

*HB 110 (2021) adds new requirements for notice of the potential for mature subject matter in CCP courses. Mature subject matter is defined as any course subject matter or material of a graphic, explicit, violent or sexual nature. HB 110 also revised the academic eligibility requirements for student participation.*



Book	Policy Manual
Section	Section I: Instruction
Title	College Credit Plus
Code	IGCH-R (Also LEC-R)
Status	Active
Adopted	August 14, 2001
Last Revised	August 8, 2022
Prior Revised Dates	01/10/2011, 04/13/2011, 11/25/2013, 05/11/2015, 07/08/2015, 08/08/2016, 07/05/2015, 12/18/2017, 10/08/2018, 11/08/2021

### College Credit Plus

#### District Obligations

The District is required to notify all 6<sup>th</sup> through 11<sup>th</sup> grade students and their parents about the College Credit Plus (CCP) program through multiple, easily accessible resources by February 1 of each school year. The noticed includes all information required by State law. The district promotes the CCP program on the District website, including details of current agreements with partnering colleges.

Students and/or parent(s) are required to submit written notice of intent to participate to the principal by April 1 of the year in which the student wishes to enroll and may submit written notice as early as February 15. Failure to inform the principal of intent to participate by the April 1 deadline shall result in the student having to secure written permission from the principal in order to participate in the program. If the principal denies a student's request for written permission, the student may appeal to the Superintendent. The Superintendent's decision is final.

The District holds an annual informational session between October 1 and February 15 to which partnering colleges located within 30 miles of the school (or the closest college if none are located within 30 miles) are invited. The informational session includes information on benefits and consequences of participation in CCP, and outlines any changes or additions to program requirements.

The District is required to provide counseling services to students prior to their participation in the program. Counseling services include but are not limited to:

1. program eligibility;
2. any necessary financial arrangements for tuition, textbooks, and fees;
3. process of granting academic credits;
4. criteria for any transportation aid;
5. available support services;
6. scheduling;
7. the effect of the grade attained in the course being included in the student's grade-point average, if applicable;



8. consequences of failing or not completing a course under the program, including the effect on the student's ability to complete District graduation requirements;
9. benefits to the student of successfully completing a course under the program, including the ability to reduce the overall cost of, and the amount of time required for, a college education;
10. academic and social responsibilities of students and parents relative to this program;
11. information about and encouraging the use of college counseling services;
12. information about eligible courses;
13. information on CCP probation, dismissal and appeal procedures
14. the standard program information packet developed by the Ohio Department of Higher Education (ODHE) and
15. the permission slip jointly developed by the Ohio Department of Education (ODE) and ODHE regarding the potential for mature subject matter in a course taken through CCP and information about the potential for mature subject matter in courses in which the student intends to enroll through CCP and that courses will not be modified based upon CCP enrollee participation regardless of where the course of instruction occurs.

The District develops both a 15-credit hour and a 30-credit hour model course pathway for courses offered under CCP in consultation with a partnering college. Each pathway must include courses, which once completed, apply to at least one degree or professional certification offered at the college. The pathways may be organized by desired major or career path, or may include various core courses required for a degree or professional certification by the college. The pathways are published among the school's official list of course offerings for participant selection. No participant is required to enroll only in courses included in a model pathway.

The District implements a policy for awarding grades and calculating class standing for CCP courses that is equivalent to the school's policy for other advanced standing programs or District-designated honors courses. Any grade weighting or class standing enhancements applicable to advanced standing programs or District-designated honors courses are similarly applied to CCP courses.

### **Student Enrollment**

To participate in CCP, a student must apply to, and be accepted by, a participating college in accordance with the college's established procedures for admission. The student also must meet the college's and relevant academic program's established standards for admission, enrollment and course placement, including any course specific capacity limits. The student and his/her parent/guardian also must sign a form acknowledging receipt of the required counseling and understanding of their responsibilities under the program. The student and his/her parent/guardian also must sign and include in their application to the college, the permission slip developed by ODE and ODHE regarding the potential for mature subject matter in a course taken through CCP.

The student may opt to receive college credit only or both college and high school credit. The student must designate his/her chosen option at the time of enrollment.

Students may enroll only in eligible courses as defined in rules adopted by the ODHE. Upon receipt of the notice of pre-term admission of the student's secondary school verifies the student is enrolled in eligible courses. If the student is enrolled in ineligible courses the school notifies the student and their parent that they must withdraw from the ineligible course(s). Students failing to withdraw prior to the college's no-fault withdrawal date will be responsible for all tuition, fees and textbook costs for the course.

If a student completes an eligible college course, the Board shall award him/her appropriate credit toward high school graduation if, at the time of enrollment, he/she elects to receive credit for courses toward fulfilling the graduation requirements.

High school credit award for eligible courses successfully completed counts toward graduation requirements and subject area requirements.

1. The Board awards comparable credit for the eligible course(s) completed at the college.
2. If no comparable course is offered, the Board grants an appropriate number of elective credits.
3. Any disputes between the student and the Board regarding high school credits granted for a course may be appealed by the student to the Ohio Department of Education (ODE). ODE's decision on these matters is final.
4. The student's records must show evidence of successful completion of each course and the high school credits awarded. The record must indicate that the credits were earned as a participant in CCP, and include the name of the college at which the credits were earned. The grades and credits for courses completed during summer term must be included on the student's



high school transcript in the fall for that school year.

5. Credits earned through CCP are included in the student's grade-point average. College credits count as the equivalent District grade. If the District has a weighted grading system, CCP courses are treated in the same way as other advanced standing program or honors course.

### **High School/College Enrollment**

1. A student who enrolls in CCP for the first time in:
  - A. grades 7, 8 or 9 may receive credit toward high school graduation for up to the equivalent of four academic school years.
  - B. 10<sup>th</sup> grade may receive credit toward high school graduation for up to the equivalent of three academic school years.
  - C. 11<sup>th</sup> grade may receive credit toward high school graduation for up to the equivalent of two academic school years.
  - D. 12<sup>th</sup> grade may receive credit for the equivalent of one academic school year.
2. Proportionate reductions are made for any student who enrolls in the program during the course of a school year.
3. For the purpose of this program, an academic year begins with the summer term. The maximum number of credits that may be earned during the academic year is the total of the high school courses and college courses. The total may not exceed 30 college credit hours per academic year.
4. College courses for which three, or more, semester hours are earned are awarded one credit toward high school graduation credit. Fractional credits are awarded proportionally.

### **Student Eligibility**

Students wishing to participate in CCP must meet all statutory eligibility requirements. For purposes of these requirements, a "relevant high school course" is defined as a high school course that provides the appropriate academic foundation or career-technical education skills for the college course in which the student intends to enroll, as determined by the applicable institution of higher education. To be eligible, students must meet one of the following criteria:

1. be considered remediation-free on one of the Ohio Revised Code (RC) 3345.061(F) assessments;
2. have a cumulative unweighted high school grade point average (GPA) of at least 3.0;
3. have a cumulative unweighted high school GPA of at least 2.75 but less than 3.0 and received an "A" or "B" grade in a relevant high school course;
4. for participating seventh or eighth grade students without a cumulative unweighted high school GPA available, have received an A or B grade in a relevant high school course or
5. have participated in CCP prior to September 30, 2021 and scored within one standard error of measurement below the remediation-free threshold on one of the RC 3345.061(F) assessments and
  - A. have a cumulative high school GPA of at least 3.0 or for participating seventh or eighth grade students a cumulative GPA of 3.0 in the applicable grade level or
  - B. receive a recommendation from a school counselor, principal or career-technical program advisor.

### **Underperforming Students/CCP Probation**

A student meeting at least one of the following is considered an underperforming student for purposes of CCP:

1. Cumulative GPA of less than 2.0 in college courses taken through CCP or
2. Withdraw from or receive no credit for two or more courses in the same term.

A student meeting the definition of an underperforming student for two consecutive terms of enrollment is considered an ineligible student.



The student's secondary school will place an underperforming student on CCP probation within the program and notify the student, parent and the college they are enrolled in of their status. The student may enroll in no more than one college course in any term when on CCP probation and cannot enroll in a college course in the same subject as a college course in which they received a grade of D or F or for which they received no credit.

Students enrolled in impermissible courses who fail to dis-enroll prior to the college's no-fault withdrawal date are responsible for all costs associated with the course(s) and dismissed from CCP as an ineligible student.

If a student taking a permissible college course after placement on CCP probation and the course grade raises the student's cumulative course GPA to 2.0 or higher, the student is removed from CCP probation and may participate in CCP without restrictions unless they again meet the definition of an underperforming student. A student on CCP probation who does not raise their GPA to the required minimum through the course grade, is dismissed from CCP by the student's secondary school.

Students dismissed from the program are prohibited from taking any college courses through CCP and must dis-enroll for any college courses they may be registered for in the next term prior to the no-fault withdrawal date.

Each secondary school establishes an academic progress policy defining the progress students must achieve to be reinstated in CCP on CCP probation. The policy must state that failure to make academic progress as defined in the policy will result in an extension of CCP dismissal. The policy also includes the procedures for a student to request an appeal of their CCP status.

A student may request the secondary school allow the student to participate in CCP after one term of CCP dismissal. Summer term is not counted as a term of the dismissal unless the student is enrolled in one or more high school courses during the summer. Upon review of the student's academic progress through review of their full high school and college academic records the school will: continue the student's dismissal; place the student on CCP probation or allow the student to participate in CCP without restrictions in accordance with the school academic progress policy.

A student may appeal their status to the Superintendent within five business days of notification of CCP dismissal or prohibition from taking a college course in the same subject as a college course in which they received a grade of D or F or for which they received no credit. Upon consideration of any extenuating circumstances separate from academic performance that may have affected the student's CCP status the Superintendent will issue a decision within 10 business days after the appeal is made and may:

1. allow the student to participate in the program without restrictions;
2. allow the student to take a course in the subject area in which they received a grade of D or F or for which they received no credit;
3. allow the student to participate in CCP on CCP probation or
4. maintain the student's dismissal from the program.

The Superintendent's decision is final.

If the decision is to continue the student's dismissal and the student is enrolled in a college, the student's college will allow the student to withdraw from all courses in which the student is enrolled without penalty and the student's secondary school shall not be required to pay for those courses. If the Superintendent fails to issue a decision on the appeal within the required timeframe and the student is enrolled in a college, the college will allow the student to withdraw from all impermissible courses without penalty and, if the decision on the appeal is made after the institution's prescribed no-fault withdrawal date, the student's secondary school shall pay for those courses.

### **Summer Term Eligibility**

A student who is scheduled or anticipated to graduate from high school may not participate in CCP for any term beginning after the student's scheduled or anticipated graduation date or in any course offered at a college during a summer term that begins during the student's last quarter of high school.

### **Financial Responsibilities**

1. If a student elects to enroll for college credit only (Option A), the student is responsible for all costs associated with the course.
2. If a student elects to enroll for the combination of high school/college credit (Option B), the District is responsible for all costs associated with the eligible course at a public college/university. Students participating in CCP under Option B at a private college may be charged tuition and/or fees unless they are economically disadvantaged.



3. If a student fails a CCP course, the student or parent(s) may be responsible for all costs associated with the course. The District may not seek reimbursement from a student who fails a course if he/she is economically disadvantaged, unless the student has been expelled.
4. Students enrolled for the combination of high school/college credit are not eligible for financial aid from the college.
5. Upon parental application and determination of need an eligible student, as defined by State law, enrolling for the combination of high school and college credit in the program may receive full or partial reimbursement for the necessary costs of transportation between the secondary school that he/she attends and the college/university in which he/she is enrolled.

#### **Other Considerations**

1. A student enrolled in the program follows the District attendance policy, as well as the District code of conduct, for curricular and extracurricular activities. These policies and codes are applicable during the time the student is attending high school and is on school property for any class or activity.
2. If a student is expelled from the District, the Board will deny high school credit for college courses taken during the period of the student's expulsion.

The Superintendent/designee must send written notice of a student's expulsion to the college where the student is taking courses to receive high school credit. The notice must state the date the expulsion is scheduled to expire and whether the Board has denied high school credit for postsecondary education courses taken during the expulsion. If the expulsion period is extended, the Superintendent/designee must notify the college of the extension. The college may withdraw its acceptance of a student who has been expelled. Unless otherwise authorized by State law, the expelled student is ineligible to enroll in a college under CCP for subsequent college terms during the expulsion period.

3. The student enrolled in this program must recognize that the master schedule is not altered or adjusted in order to permit enrollment. Adjustments to individual schedules may be made by the school administration.
4. The District will not deny students the opportunity to participate in extracurricular activities because of their participation in CCP. The District adheres to the Ohio High School Athletic Association and its own eligibility policy to participate in athletics. In order to be eligible, the student must have passed five credits that count toward graduation during the prior grading period. The five credits may be a combination of high school and college courses. Students also must meet any additional District eligibility requirements.



Book	Policy Manual
Section	Issue 3 of 2022 August PDQ (Revised)
Title	<b>**OSBA Sample**</b> Interscholastic Athletics
Code	IGDJ
Status	From OSBA

## **\*\*This is the OSBA sample policy.\*\***

### **Interscholastic Athletics**

Participation by students in athletic competition is a privilege subject to Board policies and regulations. While the Board takes great pride in winning, it emphasizes and requires good sportsmanship and a positive mental attitude as prerequisites to participation.

The Superintendent and administrative staff schedule frequent conferences with all physical education instructors, coaches and athletic directors to develop a constructive approach to physical education and athletics throughout the District and to maintain a program that is an educational activity.

Interscholastic athletic programs are subject to approval by the Board. The building principal is responsible for the administration of the interscholastic athletic program within his/her school. In discharging this responsibility, the principal consults with the athletic directors, coaches and physical education instructors on various aspects of the interscholastic athletic program. It is the responsibility of the principal and his/her staff to ensure the proper management of all athletic and physical education programs and the safety of students and the public.

The Board may require that students pay reasonable fees to participate in interscholastic athletics.

Coaches are required to complete all approved course work as specified by State law, the Ohio High School Athletic Association (OHSAA) and the Ohio Department of Education in order to qualify to serve as coaches.

In the conduct of interscholastic athletic programs, the rules, regulations and limitations outlined by ~~the OHSAA and~~ State law must be followed. **Programs regulated by OHSAA must also comply with all eligibility requirements established by the Association.** It is the responsibility of the District's voting delegate to OHSAA to advise the management team of all pending changes in OHSAA's regulations.

~~Eligibility requirements for participating in athletic programs must conform to regulations of the OHSAA. They include the requirements that a~~ **A student must** have the written permission of his/her parent(s) and shall have been determined as physically fit for the chosen sport by a licensed physician.

All students participating in interscholastic athletics must be covered by insurance. This insurance may be available for purchase through the District. If parents choose not to purchase insurance provided by the District, the parent(s) must sign a waiver ensuring that private coverage is provided.

As character building is one of the major objectives of interscholastic athletics, the athlete assumes responsibility for regulating his/her personal life in such ways as to make him/her a worthy representative of his/her school.

Any student may be suspended from an athletic team practice and competition for a period of time, designated by the principal, for infractions of school rules and regulations or for any other unacceptable conduct in or out of school.

~~Students in grades 9-12 are eligible for athletics for the first 50% of the maximum allowable regular season contests in the sports the student participated in during the 12 months immediately preceding the transfer, and are ineligible for the remainder of the regular season contests and ineligible to participate in OHSAA tournaments in these sports~~

~~until the one-year anniversary date of enrollment in the school to which the student transferred. If the transfer takes place during the sport season in which a student has participated in a regular season interscholastic contest, the student is ineligible for the remainder of that sport's season and the student must finish fulfilling his/her transfer consequence, for only that sport in which the mid-season transfer occurred, at the commencement of the sport season during the next school year and is ineligible for all preseason and regular season contests until the total number of regular season contests missed (including those missed during the previous season) equals 50% of the maximum allowable regular season contests in that sport. Exceptions to the eligibility provisions are outlined in the OHSA Bylaws.~~

Resident students enrolled in community schools are permitted to participate in the District's interscholastic athletics program at the school to which the student would be assigned. Students must be of the appropriate age and grade level as determined by the Superintendent, and must fulfill the same academic, nonacademic and financial requirements as any other participant.

Resident students attending STEM and STEAM schools are permitted to participate in the District's interscholastic athletics program at the school to which the student would be assigned. Students must be of the appropriate age and grade level as determined by the Superintendent, and must fulfill the same academic, nonacademic and financial requirements as any other participant.

Resident students attending a nonpublic school are permitted to participate in the District's interscholastic athletic programs at the school to which the student would be assigned if the nonpublic school in which the student is enrolled does not offer the activity. Students must be of the appropriate age and grade level as determined by the Superintendent and must fulfill the same academic, nonacademic and financial requirements as any other participant.

Resident students receiving home instruction in accordance with State law are permitted to participate in the District's interscholastic athletic programs at the school to which the student would be assigned. Students must be of the appropriate age and grade level as determined by the Superintendent and must fulfill the same academic, nonacademic and financial requirements as any other participant.

~~Foreign exchange students enrolled in a recognized visitor exchange program may be eligible to participate in interscholastic athletics in accordance with OHSA Bylaws.~~

*(Permissive language)*

A student receiving home instruction in accordance with State law who is not entitled to attend school in the District may be authorized by the Superintendent to participate in interscholastic athletic programs offered by a school of the District. The activity must be one the district the student is entitled to attend does not offer.

A student attending a nonpublic school located in the District who is not entitled to attend school in the District may be authorized by the Superintendent to participate in an extracurricular activity offered by a school of the District that is interscholastic athletics or interscholastic contests or competitions in music, drama or forensics when:

1. the activity is one the school in which the student is enrolled does not offer;
2. the student is not participating in the activity in the student's district of residence;
3. the superintendent of the student's district of residence certifies the student has not participated in any extracurricular activity that is interscholastic athletics or interscholastic contests or competitions in music, drama or forensics in the district for that school year and
4. the Superintendent and the superintendent of the student's district of residence mutually agree in writing to allow the student to participate in the activity.

#### Legal References:

ORC 2305.23  
 ORC 2305.231  
 ORC 3313.537  
 ORC 3313.5310  
 ORC 3313.5311  
 ORC 3313.5312  
 ORC 3313.5314  
 ORC 3313.539  
 ORC 3313.66  
 ORC 3313.661  
 ORC 3313.664  
 ORC 3315.062



ORC 3319.303  
ORC 3321.04  
ORC 3707.52  
OAC Chapter 3301-27

Cross References:

IGCH, College Credit Plus (Also LEC)  
IGD, Cocurricular and Extracurricular Activities  
IGDK, Interscholastic Extracurricular Eligibility  
IKF, Graduation Requirements  
JECBA, Admission of Exchange Students  
JECBC, Admission of Students from Non-Chartered or Home Schooling  
JGD, Student Suspension  
JGE, Student Expulsion  
JN, Student Fees, Fines and Charges  
Student Handbooks

**NOTE:** Districts are required to allow resident students enrolled in community schools (House Bill (HB) 487 (2014)), STEM and STEAM schools to participate in the District's extracurricular activities.

*HB 59, effective September 29, 2013, requires districts to allow resident students who are receiving home instruction to participate in extracurricular activities at the school to which they would be assigned. Districts are also required to allow resident students attending a chartered or non-chartered nonpublic school to participate in extracurricular activities in the school to which the student would be assigned if the activity is one that the nonpublic school they are enrolled in does not offer. Students participating under these provisions must be of the appropriate grade and age level as determined by the Superintendent and must meet the same academic, nonacademic and financial requirements as any other student. Districts are prohibited from imposing additional rules or fees on a student participating under these provisions that are not applied to other students participating in the same program.*

*Senate Bill (SB) 3 (2016) added Ohio Revised Code (RC) 3313.5314 stating that students attending the District or homeschool, nonpublic school, community school, STEM and STEAM school students otherwise eligible to participate in extracurricular activities in the District cannot be denied the opportunity to participate in extracurricular activities in the District solely because of their participation in CCP. Students still must meet the District eligibility requirements.*

*Districts may allow nonpublic, community, STEM and STEAM school students who are not eligible to enroll in the District the opportunity to participate in an extracurricular activity operated by a school of the District if the activity is one the school the student is enrolled in does not offer, and the activity is not interscholastic athletics or interscholastic competitions in music, drama or forensics. The superintendent may also allow a homeschool student not eligible to enroll in the District to participate in an extracurricular activity offered by one of the schools if it is an activity the district in which they are eligible to enroll does not offer.*

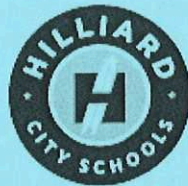
*SB 3 (2016) also allows the Superintendent to allow a nonresident student attending a nonpublic school located in the District the ability to participate in an activity that is interscholastic athletics or interscholastic competitions in music, drama or forensics provided certain criteria are met.*

*HB 49 (2017) revised language in RC 3313.5310 requiring a student wishing to participate in athletics to submit a form signed by the student and parent stating that both have received and reviewed a copy of the sudden cardiac arrest guidelines. The change requires the form to be submitted once annually, rather than each school year for every athletic activity in which the student participates.*

**THIS IS A REQUIRED POLICY**

## Legal

ORC 2305.23  
ORC 2305.231  
ORC 3313.537  
ORC 3313.5310  
ORC 3313.5311  
ORC 3313.5312  
ORC 3313.5314  
ORC 3313.539  
ORC 3313.66  
ORC 3313.661  
ORC 3313.664  
ORC 3315.062  
ORC 3319.303  
ORC 3321.04  
ORC 3707.52  
OAC Chapter 3301-27



Book	Policy Manual
Section	Section I: Instruction
Title	Interscholastic Athletics
Code	IGDJ
Status	Active
Adopted	August 14, 2001
Last Revised	July 15, 2019
Prior Revised Dates	01/24/2005, 05/12/2008, 10/08/2012, 04/22/2013, 11/25/2013, 05/11/2015, 08/08/2016, 03/12/2018, 11/12/2018

### Interscholastic Athletics

Participation by students in athletic competition is a privilege subject to Board policies and regulations. While the school community takes great pride in winning, it emphasizes and requires good sportsmanship and positive mental attitude as a prerequisite to participation.

The Superintendent/designee and administrative staff schedule meetings with all coaches and athletic directors to develop a comprehensive approach to physical education and athletics throughout the District and to maintain a program that is an educational activity.

Interscholastic programs are subject to approval by the Board. The athletic director in conjunction with the building principal is responsible for the administration of the interscholastic athletic program within his/her school. In fulfilling this responsibility, the principal consults with the athletic directors and coaches on various aspects of the interscholastic athletic program. It is the responsibility of the athletic director/principal and their staff to ensure the proper management of all athletic and physical education programs and the safety of students and the public.

The Board may require that students pay fees to participate in an extracurricular activity.

Coaches are required to complete all approved coursework as specified by State law, the Ohio High School Athletic Association (OHSAA) and the Ohio Department of Education (ODE) in order to qualify to serve as a coach.

In the conduct of interscholastic athletic programs, the rules, regulations and limitations outlined by the OHSAA must be followed. It is the responsibility of the District's voting delegate to OHSAA to advise the management team of all pending changes in OHSAA's regulations.

Eligibility requirements for participating in athletic programs must conform to regulations of the OHSAA. In order to be eligible, students must have passed five credits that count toward graduation during the prior grading period. The five credits may be a combination of high school and college courses. The requirements also include that a student have the written permission of his/her parent(s) and shall have been determined as physically fit for the chosen sport by a licensed physician.

All students participating in interscholastic athletics must be covered by insurance. This insurance may be available for purchase through the District. If parents choose not to purchase insurance provided by the District, the parent(s) must sign a waiver ensuring that private coverage is provided.

As character building is one of the major objectives of interscholastic athletics, the athlete assumes responsibility for regulating his/her personal life in such ways as make him/her a worthy representative of his/her school.



Any student may be suspended from an athletic team practice and competition for a period of time, designated by the principal, for infraction of school rules and regulations or for any other unacceptable conduct in or out of school.

If a student in grades 9-12 transfers at any time after establishing eligibility, the student is eligible for athletics for the first 50% of the maximum allowable regular season contests in the sports the student participated in during the 12 months immediately preceding the transfer, and are ineligible for the remainder of the regular season contests and ineligible to participate in OHSAA tournaments in the sports until the one-year anniversary date of enrollment in the school to which the student transferred. If the transfer takes place during the sport season in which a student has participated in a regular season interscholastic contest, the student is ineligible for the remainder of that sport's season and the student must finish fulfilling his/her transfer consequence, for only that sport in which the mid-season transfer occurred, at the commencement of the sport season the next school year and is ineligible for all preseason and regular season contests until the total number of regular season contests missed (including those missed during the previous season) equals 50% of the maximum allowable regular season contests in that sport. Exceptions to the eligibility provisions are outlined in the OHSAA Bylaws.

Resident students enrolled in community schools are permitted to participate in the District's interscholastic athletics program at the school to which the student would be assigned. Students must be of the appropriate age and grade level as determined by the Superintendent, and must fulfill the same academic, nonacademic and financial requirements as any other participant.

Resident students attending STEM and STEAM schools are permitted to participate in the District's interscholastic athletics program at the school to which the student would be assigned. Students must be of the appropriate age and grade level as determined by the Superintendent, and must fulfill the same academic, nonacademic and financial requirements as any other participant.

Resident students attending a nonpublic school are permitted to participate in the District's interscholastic athletic programs at the school to which the student would be assigned if the nonpublic school the student is enrolled in does not offer the activity. Students must be of the appropriate age and grade level as determined by the Superintendent, and must fulfill the same academic, nonacademic and financial requirements as any other participant.

Resident students receiving home schooling in accordance with State law are permitted to participate in the District's interscholastic athletic programs at the school to which the student would be assigned. Students must be of the appropriate age and grade level as determined by the Superintendent and must fulfill the same academic, nonacademic and financial requirements as any other participant.

Foreign exchange students enrolled in a recognized visitor exchange program may be eligible to participate in interscholastic athletics in accordance with OHSAA Bylaws.

#### Legal

ORC 2305.23  
ORC 2305.231  
ORC 3313.537  
ORC 3313.5311  
ORC 3313.5312  
ORC 3313.539  
ORC 3313.66  
ORC 3313.661  
ORC 3313.664  
ORC 3315.062  
ORC 3319.303  
ORC 3321.04  
ORC 3707.52  
OAC Chapter 3301-27



Cross References

IGCF - Home Schooling

IGCH (Also LEC) - College Credit Plus

IGD - Cocurricular and Extracurricular Activities

IGDK - Interscholastic Extracurricular Eligibility (Grades 7-12)

IKF - Graduation Requirements

JECBA - Admission of Exchange Students

JECBC - Admission of Students From State-Chartered, Non-Chartered or Home Schooling

JGD - Student Suspension

JGE - Student Expulsion

JN - Student Fees, Fines and Charges



Book	Policy Manual
Section	Issue 3 of 2022 August PDQ (Revised)
Title	<b>**OSBA Sample**</b> Interscholastic Extracurricular Eligibility
Code	IGDK
Status	From OSBA

### **\*\*This is the OSBA sample policy.\*\***

#### **Interscholastic Extracurricular Eligibility**

The Board recognizes the value of interscholastic extracurricular activities for students in grades 7-12 as an integral part of the total school experience. Since participation in interscholastic extracurricular activities is a privilege and not a right, students are expected to demonstrate competence in the classroom as a condition of participation.

Interscholastic extracurricular activities are defined as school-sponsored student activities involving more than one school or school district.

*(Select one of the following two paragraphs.)*

The Board prohibits students in grades 9-12 from participating in interscholastic extracurricular activities if they receive a failing grade in the previous grading period.

-OR-

The Board permits students in grades 9-12 to participate in interscholastic extracurricular activities if they receive a failing grade in the previous grading period.

*(Keep language from here on for all districts.)*

As a condition for the privilege of participating in interscholastic extracurricular activities, a student must have attained a minimum grade-point average of        on a 4.0 grading scale.

In addition, students participating in any program regulated by the Ohio High School Athletic Association must also comply with all eligibility requirements established by the Association. ~~In order to be eligible, a high school student must have passed a minimum of five one-credit courses or the equivalent, that count toward graduation, in the immediately preceding grading period. The five courses may be a combination of high school and college courses.~~

~~A student enrolled in the first grading period of the ninth grade after advancement from the eighth grade must have passed a minimum of five of all subjects carried the immediately preceding grading period in which the student was enrolled in the eighth grade.~~

~~A student enrolling in the seventh grade for the first time will be eligible for the first grading period regardless of the previous academic achievement. Thereafter, in order to be eligible, the student in grade seven or eight must be currently enrolled in school the immediately preceding grading period, and received passing grades during that grading period in a minimum of five of those subjects in which the student received grades.~~

Failure to comply with the grading period eligibility requirements results in extracurricular interscholastic ineligibility for the succeeding grading period.

If a student received home instruction in the grading period preceding participation, the student must meet any academic requirements established by the State Board of Education for the continuation of home instruction to be eligible to participate in the program.

If a student did not receive home instruction in the grading period preceding participation, the student's academic performance during the preceding grading period must have met any academic standards established by the District for eligibility to participate in the program.

Any student who commences home instruction after the beginning of the school year and at that time was considered ineligible to participate in extracurricular activities for failure to meet academic requirements or any other requirements will be ineligible to participate in the same semester the student was deemed ineligible.

Legal References:

ORC 2305.23  
ORC 2305.231  
ORC 3313.535  
ORC 3313.537  
ORC 3313.5311  
ORC 3313.5312  
ORC 3313.66  
ORC 3313.661  
ORC 3315.062  
OAC Chapter 3301-27

Cross References:

IGD, Cocurricular and Extracurricular Activities  
IGDJ, Interscholastic Athletics  
JECBA, Admission of Exchange Students  
JECBC, Admission of Students from Non-Chartered or Home Schooling  
JFC, Student Conduct (Zero Tolerance)  
Student Handbooks

**NOTE:** Districts are required to allow resident students enrolled in community schools (House Bill 487 (2014)) or STEM schools to participate in the District's extracurricular activities.

*HB 59, effective September 29, 2013, requires districts to allow resident students who are receiving home instruction to participate in extracurricular activities at the school to which they would be assigned. Districts are also required to allow resident students attending a chartered or non-chartered nonpublic school to participate in extracurricular activities in the school to which the student would be assigned if the activity is one that the nonpublic school they are enrolled in does not offer. Students participating under these provisions must be of the appropriate grade and age level as determined by the Superintendent and must meet the same academic, nonacademic and financial requirements as any other student. Districts are prohibited from imposing additional rules or fees on a student participating under these provisions that are not applied to other students participating in the same program.*

*Districts may allow nonpublic, community, and STEM school students who are not eligible to enroll in the District the opportunity to participate in an extracurricular activity operated by a school of the district if the activity is one the school the student is enrolled in does not offer, and the activity is not interscholastic athletics or interscholastic competitions in music, drama or forensics. The Superintendent may also allow a homeschool student not eligible to enroll in the District to participate in an extracurricular activity offered by one of the schools if it is an activity the District in which they are eligible to enroll does not offer.*

*If a student received home instruction in the grading period preceding participation, the student must meet any academic requirements established by the State Board of Education for the continuation of home instruction to be eligible to participate in the program and must meet all other academic, nonacademic and financial requirements as established by the District for participants.*

*If the student did not receive home instruction in the grading period preceding participation, the student's academic performance during the preceding grading period must have met any academic standards established by the District for eligibility to participate in the program and must meet all other academic, nonacademic and financial requirements as established by the District for participants.*

*Consistent with State law, the Board must decide if a student may or may not participate in interscholastic extracurricular activities if the student has received a failing grade in the previous grading period. This sample policy offers both options. Prior to adoption, the Board must decide which option it wishes to utilize.*

*Districts may choose to expand the eligibility requirement to all extracurricular activities.*

*The Board must determine the minimum grade-point average for eligibility. Districts should also consider Ohio High School Athletic Association (OHSAA) requirements for minimum number of classes passed in previous grading period for OHSAA sports.*

*The Board must make sure that any policy language adopted is not in conflict with the OHSAA.*

**THIS IS A REQUIRED POLICY**

Legal	ORC 2305.23
	ORC 2305.231
	ORC 3313.535
	ORC 3313.537
	ORC 3313.5311
	ORC 3313.5312
	ORC 3313.66
	ORC 3313.661
	ORC 3315.062
	OAC Chapter 3301-27





Book	Policy Manual
Section	Section I: Instruction
Title	Interscholastic Extracurricular Eligibility (Grades 7-12)
Code	IGDK
Status	Active
Adopted	August 14, 2001
Last Revised	August 8, 2016
Prior Revised Dates	05/13/2003, 07/26/2004, 11/25/2013, 11/24/2014, 05/11/2015, 07/08/2015

### **Interscholastic Extracurricular Eligibility** (Grades 7-12)

The Board recognizes the values associated with and gained as a result of participation in those interscholastic extracurricular activities and further recognizes the incentives which participation in interscholastic extracurricular activities provide to students to achieve success in the classroom.

Interscholastic extracurricular eligibility will be evaluated during each nine-week grading period.

Therefore, in order to be eligible to participate in any interscholastic extracurricular activities, students must meet the following requirements.

#### **1. Grades 7-9**

In the immediately preceding grading period, a student must receive a minimum GPA of 1.5 on a 4.0 scale. This does not apply to students entering the seventh grade for the first time.

Students whose GPA falls between 1.5 and 1.75 will be on academic probation; to maintain eligibility they must show acceptable academic performance with weekly progress checks throughout the current grading period. Please be advised that the college/university may not supply weekly progress checks for the grading periods.

Students whose GPA falls below 1.5 for the immediately preceding grading period may be eligible to participate by taking a waiver and agreeing to go on Academic Probation under the criteria listed in the paragraph above in this section. This waiver provision can be applied only once in the three academic years 7-9.

#### **2. Grades 10-12**

In the immediately preceding grading period, a student must receive a minimum GPA of 1.75 on a 4.0 scale.

Students whose GPA falls between 1.75 and 2.0 will be on academic probation; to maintain eligibility they must show acceptable academic performance with weekly progress checks throughout the current grading period. Please be advised that the college/university may not supply weekly progress checks for the grading periods.

Students whose GPA falls below 1.75 for the immediately preceding grading period may be eligible to participate by taking a waiver and agreeing to go on Academic Probation under the criteria listed in the paragraph above in this section. This waiver provision can be applied only once in the three academic years 1-12.

#### **Additionally**

1. Students receiving one failing grade for any class or course in the District's graded course of study for the previous grading period will not be automatically excluded from interscholastic extracurricular participation, provided they meet the grade



point average requirements listed above.

2. The definition of interscholastic extracurricular activities is defined as a school-sponsored student activity involving more than one school or school district.
3. Interscholastic extracurricular activity does not include any activity included in the District's graded course of study.
4. Failure to comply with the grading period eligibility requirements results in extracurricular interscholastic ineligibility for the succeeding grading period.
5. The District adheres to the Ohio High School Athletic Association for eligibility to participate in athletics. In order to be eligible, a student must have passed five credits that count toward graduation during the prior grading period. The five credits may be a combination of high school and college courses.
6. A student enrolled in the first grading period after advancement from the eighth grade must have passed 75% of those subjects carried the preceding grading period in which the student was enrolled.
7. Summer school grades earned may not be used to substitute for grades from the preceding grading period of the regular school year.
8. In addressing Ohio Revised Code 3313.535(D), the Board has adopted these policies and they shall apply to all students enrolled in this District.
9. Cumulative GPA in grades 7 and 8 is defined as that year to date computation and in grades 9-12 is defined as the computation cumulative since entering grade 9. Cumulative GPA will be defined as the cumulative GPA from the previous semester.
10. A student with an IEP may be exempt from the grading provisions set forth in this policy.
11. If a student received home instruction in the grading period preceding participation, the student must meet any academic requirements established by the State Board of Education for the continuation of home instruction to be eligible to participate in the program.

If a student did not receive home instruction in the grading period preceding participation, the student's academic performance during the preceding grading period must have met any academic standards established by the District for eligibility to participate in the program.

Any student who commences home instruction after the beginning of the school year and at that time was considered ineligible to participate in extracurricular activities for failure to meet academic requirements or any other requirements will be ineligible to participate in the same semester the student was deemed ineligible.

CROSS REFS.: Student Handbooks

Legal	ORC 2305.23
	ORC 2305.231
	ORC 3313.535
	ORC 3313.537
	ORC 3313.5311
	ORC 3313.5312
	ORC 3313.66
	ORC 3313.661
	ORC 3315.062
	OAC Chapter 3301-27

Cross References

IGD - Cocurricular and Extracurricular Activities

IGDJ - Interscholastic Athletics

JECBA - Admission of Exchange Students

JECBC - Admission of Students From State-Chartered, Non-Chartered or Home Schooling

JFC - Student Conduct (Zero Tolerance)





Book	Policy Manual
Section	Issue 3 of 2022 August PDQ (Revised)
Title	<b>**OSBA Sample**</b> Relations With Support Organizations
Code	KMA
Status	From OSBA

### **\*\*This is the OSBA sample policy.\*\***

#### **Relations ~~w~~With ~~Parent~~Support Organizations**

**The Board appreciates the efforts of booster groups, parent-teacher organizations (PTOs), and other support organizations whose objectives are to promote, support or enhance the educational, athletic, cocurricular or extracurricular experiences of District students.**

**Prior to operating a support organization whose identity derives from the District or one of its schools, the support organization must receive approval from the Board. The Board's approval is contingent upon the support organization's compliance with applicable Board policies and accompanying regulations. No organization shall use the school/District's name, logo or mascot without this approval. The Board may revoke its approval of any support organization that fails to comply with the Board's policies or regulations.**

**Principals, athletic directors, and other staff members should work closely with the officers of any support organizations to provide a sustained system of activities that increase and enhance educational, athletic, cocurricular or extracurricular experiences for students. The activities must be integrated and balanced in accordance with the total District program and goals and must comply with all Federal, State, and local laws and regulations.**

**Donations to the District from support organizations must be made in accordance with all applicable Board policies. Acceptance of donated equipment or materials may depend upon compliance with, or experience related to, the Board's policy of standardizing materials and equipment.**

**School employees may not be directly compensated in any manner by District support organizations.**

**The Board strongly recommends that support organizations obtain general liability insurance coverage.**

**The Board may offer the opportunity for any approved nonprofit support organization to receive coverage under the District's liability insurance program to protect the organization against claims resulting from damage or injury resulting from any act or omission of the organization. Any support organization covered in this manner shall reimburse the Board for the cost of such insurance upon written notification from the Treasurer.**

**~~The Board supports all organizations of parents whose objectives are to promote the educational experiences of District students. However, in using the name of the District or its schools and in organizing a group whose identity derives from a school(s) of the District, parent organizations share responsibility with the Board for the welfare of participating students.~~**

**~~Parent organizations desiring to use the name or offices of the District to organize students must obtain the approval of the Board as a prerequisite. Continued use of the school's name, logo, mascot, etc., is contingent upon compliance with all applicable Board policies and regulations.~~**

**~~Principals and staff members need to work closely with the officers of all parent organizations to provide a sustained system of activities that increase and enhance the educational opportunities for students. The activities must be~~**

~~integrated and balanced in accordance with the total District educational program and District goals and objectives and must comply with all State and local laws and regulations.~~

~~Parent organizations meeting the charitable trust filing requirements must file with the Ohio Attorney General and submit to the Superintendent a certificate indicating that filing requirements have been met.~~

~~Parent organizations that wish to construct anything on school property must have the permission of the Board in advance of the construction project. The organization must provide the Board, in writing, proof of financial stability and that funds are available for the construction project.~~

~~Acceptance of donated equipment or materials may depend upon the compliance with, or experience related to, the Board's policy of standardizing materials and equipment.~~

#### Legal References:

ORC 3313.17

ORC 3313.20

ORC 3313.36

ORC 3313.47

~~OAC 109:1-1-02~~

**Ohio Ethics Commission Advisory Opinion 2008-01**

#### Cross References:

AE, School District Goals and Objectives

KG, Community Use of School Premises (Equal Access)

KGB, Public Conduct on District Property

KH, Public Gifts to the District

KI, Public Solicitations in the Schools

KJ, Advertising in the Schools

~~KMB, Relations with Booster Organizations~~

**NOTE:** Ohio law generally requires every charitable organization that intends to solicit contributions in Ohio to register with the Charitable Law Section of the Ohio attorney general's office. Booster groups and support organizations meet the definition of "charitable organizations" and "charitable trusts" under the law, which potentially subjects them to two different sets of rules regarding initial and annual registration.

Ohio Revised Code (RC) 109.26 and its accompanying rule Ohio Administrative Code (OAC) 109:1-1-02 requires every charitable trust to file an initial registration with the Ohio attorney general's office. OAC 109:1-1-04 further requires charitable trusts with gross receipts of more than \$25,000 to file annual reports with the attorney general. Organizations with gross receipts of \$25,000 or less are not required to submit annual reports but are still required to submit the initial registration. RC 1716.02 requires charitable organizations to register with the Ohio attorney general's office both initially and on an annual basis, unless the organization meets one of the statutory exceptions located in RC 1716.03. These exemptions include "any booster club that is organized and operated in conjunction with and for the benefit of students of public primary or secondary schools."

The Ohio attorney general's office currently encourages all booster groups and support organizations, regardless of the amount of receipts, to log into the system on an annual basis prior to any filing deadline. The online charitable registration system will ask users basic introductory questions each year, and based on the responses provided, may ask for additional information that will be used to complete any required filing. For organizations with assets below \$25,000, the process will be completed with only a few brief questions. The online filing system is available at <https://charitableregistration.ohioattorneygeneral.gov/>.

#### Legal

Ohio Ethics Commission Advisory Opinion 2008-01

ORC 3313.17

ORC 3313.20

ORC 3313.36

ORC 3313.47



Book	Policy Manual
Section	Section K: School-Community Relations
Title	Parent/Citizen Organizations
Code	KMA
Status	Active
Adopted	August 14, 2001
Last Revised	May 17, 2021
Prior Revised Dates	01/22/2007, 07/09/2013, 05/11/2015

### **Parent/Citizen Organizations**

The Board recognizes and appreciates the efforts of all organizations whose objectives are to enhance the educational, extracurricular and athletic experiences of District students.

All support organizations shall have equal access to District facilities used in fundraising activities (i.e., concessions areas, advertising, etc.). Guidelines will determine use of District facilities, including, but not limited to, building, property, athletic facilities, buses, name, trademarks, copyrights, etc. Each organization shall abide by the policies and guidelines established for the use of District facilities and grounds.

Representatives and members of approved support organizations shall in all circumstances be treated by District employees as interested friends of the schools and as supporters of public education in the District.

Staff members are encouraged to join such organization(s) in their related area(s) of specialization or interest, but not hold the position of treasurer or handle funds belonging to the organization.

Any new support organization desiring to use the name, logo or good offices of the District must first obtain the approval of the Treasurer/designee as a prerequisite to organizing. The Board requires any authorized support organization to purchase coverage under the District's liability insurance program at cost to the organization to protect the entity against legal claims resulting from damage or injury resulting from any act or omission.

At cost to the support organization, the District will purchase an employee dishonesty bond for officers of the organization to protect the funds in the event of a covered loss.

In accordance with Board policy, all District-support organizations are to abide by the following guidelines:

1. Each District-support organization must:
  - A. clearly communicate in their fundraising activities that they do not represent the District but do support a particular District activity.
  - B. understand that student participation on athletic teams or in cocurricular activities is completely independent of any fundraising activities. Parents, students and interested parties participation in fundraising activities cannot be used in any way to adversely impact student participation.
  - C. appoint a District administrator or faculty member to be included on the organization's advisory board. Any student involvement in the conduct of the organization's activities is subject to the approval of the bylaws.



- D. expend funds in ways that are consistent with the stated purpose of the organization. At least 70% of all collected funds are spent on student activities directly related to the express purpose of their bylaws.
  - E. not make purchases represented as District expenditures and not use identification numbers of the District such as tax I.D. number, purchase order numbers, sales tax exemption forms or any other District tax status designations.
  - F. make donations to the District in accordance with Board Policy KH (Public Gifts to the District) and the accompanying guidelines.
2. Bylaws of the organization must clearly state:
- A. the purpose of the organization, which must be to benefit the students of the District in an activity the support group is promoting;
  - B. the name of the support organization;
  - C. the procedure for the election of officers and the length of terms and
  - D. that there will be at least a president, secretary and treasurer of the organization elected.
3. Annually, each District-support organization must provide the Treasurer/designee with a:
- A. copy of its most recent Form 990 or Form 990EZ;
  - B. a certificate indicating that filing requirements with the Ohio Attorney General have been met;
  - C. list of current officers and contact information;
  - D. list of proposed fundraising activities for the ensuing school year and
  - E. copy of their most recent charter documents (if they have been changed).
4. Each organization agrees to abide by the following minimum good accounting and internal control practices:
- A. Monies collected by or remitted to the Treasurer shall be deposited
    - i. If more than \$1,000, monies should be deposited on the next business day after the day of receipt.
    - ii. If less than \$1,000 monies should be deposited no more than three business days after the day of receipt.
  - B. The organization shall have a written guideline indicating which officers are authorized to draw checks and that a monthly accounting to the Treasurer is required for any officer drawing checks for the organization.
  - C. The organization shall prepare a monthly financial statement that is in balance with the bank. A copy of the reconciled bank statement and the financial report indicating that the organization is in balance must be provided to the officers of the organization on a monthly basis.
5. On or before December 1st, the Treasurer/designee shall approve and notify each District-support organization that meets all the above criteria. Any District-support organization, which fails to comply with all requirements as stated herein will have their Board support rescinded.

Legal

ORC 3313.17

ORC 3313.20

ORC 3313.36

ORC 3313.47

OAC 109:1-1-02

Cross References

AE - School District Goals and Objectives  
KG - Community Use of School Premises (Equal Access)  
KGB - Public Conduct on District Property  
KH - Public Gifts to the District  
KI - Public Solicitations in the Schools  
KJ - Advertising in the Schools





Book	Policy Manual
Section	Issue 3 of 2022 August PDQ (Rescind)
Title	<b>**OSBA Sample**</b> Relations with Booster Organizations
Code	KMB
Status	From OSBA

### **\*\*This is the OSBA sample policy.\*\***

#### **~~Relations with Booster Organizations~~**

~~The Board recognizes that the endeavors and objectives of booster organizations can be a valuable means of stimulating interest and endorsement of the aims and achievements of the District. Care must be taken to avoid compromising or diluting the responsibility and authority of the Board.~~

~~Annually, booster organizations must submit to the Superintendent/designee their tentative goals, objectives, projects and/or activities along with their fundraising plans for the next school year and any changes made during the school year for review by the Board.~~

~~The Board retains final authority over all plans, projects and activities involving District students.~~

~~Booster organizations must abide by all District policies and rules as well as the following list.~~

- ~~1. Booster organizations should not use the school's tax ID number.~~
- ~~2. Booster organizations should not accept checks made out to the school and vice versa.~~
- ~~3. District officials should not have a leadership role in booster organizations.~~
- ~~4. Fundraising activities should not occur on school premises or during school hours unless permission has been given by the Superintendent/designee.~~
- ~~5. Documentation on ownership of property and fundraising activities is required.~~
- ~~6. The use of the District name and emblems must be authorized.~~
- ~~7. Booster organizations must submit their bylaws as well as quarterly reports on income, expenses and balance sheets to the Superintendent for review and approval.~~
- ~~8. Booster organizations meeting the charitable trust filing requirements must file with the Ohio Attorney General and submit to the Superintendent a certificate indicating that filing requirements have been met.~~

~~Booster organizations must have permission from the Board prior to any construction of facilities. The organization must provide the Board, in writing, that funds are available to complete the project.~~

~~Acceptance of donated equipment or materials may depend upon the compliance with, or experience related to, the Board's policy of standardizing materials and equipment.~~

#### **~~CROSS-REFS:--~~**

**~~IGDG, Student Activities Funds Management~~**

~~IGDH, Contests for Students~~  
~~KG, Community Use of School Premises (Equal Access)~~  
~~KGB, Public Conduct on District Property~~  
~~KH, Public Gifts to the District~~  
~~KI, Public Solicitations in the Schools~~  
~~KK, Visitors to the Schools~~  
~~KMA, Relations with Parent Organizations~~

~~**NOTE: Under Ohio Administrative Code Section 109:1-1-02, parent and booster organizations that for any taxable year have gross receipts of \$25,000 or more and at the end of which have gross assets of \$25,000 or more and which are organized and operated in conjunction with and for the benefit of students of primary and secondary schools and education institutions must register with the Ohio Attorney General as charitable trusts within six months of creation of the charitable trust or within six months after occurrence of an event by reason of which the charitable trust is required to register.**~~

~~**Parent and booster organizations that meet these filing requirements must register online at [www.ohioattorneygeneral.gov/charitableregistration](http://www.ohioattorneygeneral.gov/charitableregistration). These requirements are effective for fiscal years ending after September 1, 2012.**~~

Legal

ORC 3313.20

ORC 3313.47

OAC 109:1-1-02



Book	Policy Manual
Section	Issue 3 of 2022 August PDQ (New)
Title	<b>**OSBA Sample**</b> Relations With Support Organizations
Code	KMA-R
Status	From OSBA

**\*\*This is the OSBA sample policy.\*\***

**Relations With Support Organizations**

The following regulations govern the relationship between the Board, District staff members, and any District support organization. The Board may revoke formal recognition of any support organization that fails to comply with the Board's policies or regulations.

**Annual Information**

Upon formation and annually thereafter, each support organization must submit to the Superintendent/designee the following:

1. Names, telephone numbers and email addresses of each officer of the support organization. District officials or employees may not serve as officers of the support organization without prior authorization from the Board.
2. The support organization's bylaws, constitution and/or governance rules.
3. Financial information, which includes:
  - A. statement of income and expenditures;
  - B. statement of donations made to the District and
  - C. any other information used to determine financial solvency, as requested by the Superintendent/designee.
4. Tentative goals, objectives, projects and/or activities for the next school year.
5. Fundraising plans for the next school year.
6. Certification that the organization has complied with the Ohio Attorney General's charitable trust filing requirements.

Any changes made during the school year shall be submitted to the Superintendent/designee for review.

**Fundraising**

Each support organization must work in collaboration with the District to ensure that the time, date, purpose, and location of fundraisers does not conflict with school or District programs or activities, and that the fundraiser is consistent with the goals and objectives of the school or District.

Fundraising activities should not occur on school premises or during school hours unless permission has been given by the Superintendent/designee.

**Accounting**

Support organizations should not use the school's tax ID number. Support organizations should not accept checks made out to the school and vice versa. School employees shall not have signature authority on any depository accounts for a support organization. The support organization shall not represent or imply that its activities, contracts, purchases, or financial commitments are made on behalf of or are binding upon the District or one of its school(s).

The support organization must permit the Superintendent/designee to review all financial books and documentation upon request and shall conduct a financial audit upon request of the Superintendent/designee. Such information may be submitted to the Board for review.

### **District Facilities**

Each support organization must abide by the policies and regulations established for community use of school premises.

Support organizations that wish to construct anything on school property must have the permission of the Board in advance of the construction project. The organization must provide the Board, in writing, proof of financial stability and that funds are available to complete the construction project.



Book	Policy Manual
Section	Issue 3 of 2022 August PDQ (Revised)
Title	<b>**OSBA Sample**</b> Emergency Management and Safety Plans
Code	EBC
Status	From OSBA

## **\*\*This is the OSBA sample policy.\*\***

### **Emergency Management and Safety Plans**

The Board acknowledges that the safety and well-being of students and staff are high priorities. Although emergencies cannot be predicted, effective prevention and management strategies are used to minimize the effects of emergency situations arising in the District.

An emergency is defined as a serious, unexpected, and often dangerous situation requiring immediate action that threatens the actual safety and security of students, employees or visitors of the District or whose impact threatens the feeling of safety and security, both of which are detrimental to a positive learning environment. Emergencies or hazards include, but are not limited to, an active shooter, hostage situations, bomb threats, **act of terrorism, infectious diseases or pandemic, severe weather, bullying, threats of violence or threats to life, and other natural, technological or human-caused events that the administrator knew or should have reasonably known about that compromise the health or safety of students, employees, administrators or property.**~~bullying, fire, natural disasters, medical emergencies, industrial accidents, suicide, death of a student or employee, acts of violence, trauma and terrorism.~~

#### **Comprehensive Emergency Management Plan and Test**

The Superintendent/designee develops a comprehensive emergency management plan meeting State law requirements for each building **with the involvement of applicable stakeholders**. The plan establishes protocols for addressing and responding to serious threats to the safety of the school property, students, staff, volunteers and visitors. Each protocol includes procedures deemed appropriate by the Board or governing authority for responding to threats and emergency events including, but not limited to, notification of appropriate law enforcement personnel, calling upon specified emergency response personnel, **mental health professionals, public health officials and other outside experts who could assist in responding to and recovering from an emergency,** ~~for assistance~~ and informing parents of affected students. The plan includes **the emergency operations plan established under State law**, a floor plan unique to each floor of the building, a site plan including all building property and surrounding property, an emergency contact sheet, a threat assessment plan, ~~and~~ a protocol for school threat assessment teams established under State law **including completion of required trainings, and stakeholder signatures**. The plan is kept in a secure location and is not considered a public record.

A copy of each school building's current comprehensive emergency management plan is filed with the Director of Public Safety, ~~and~~ the law enforcement agency that has jurisdiction over the school building.~~and, upon request,~~ **Upon request the plan also is provided to the regional mobile training officer and** the fire department and emergency medical service organization that serves the political subdivision in which the school building is located. The floor plan is used solely by first responders responding to an emergency in the building and is not a public record.

The administration reviews the plan annually, considering the most current information dealing with the subjects, as well as making relevant information about the plan known to the community. The administration certifies the accuracy of the plan, **emergency contact information sheet, floor plan and site plan** to the Director of Public Safety ~~by~~ **between January 1 and July 1** annually. When the comprehensive emergency management plan is used, assessment of the way the emergency was handled is completed by the Board and the administration. Suggestions for improvement, if necessary, are solicited from all **applicable** stakeholders.

Although the plan is reviewed annually, State law requires the District's comprehensive emergency management plan to be updated **at least every three years from the previous date of compliance** and whenever a major modification to an individual school building requires changes in that building's procedures or whenever information on the emergency contact information sheet changes. **The three-year review process reflects on lessons learned based on areas of improvement identified in the required emergency management test and actual emergencies at the school building, and best practices to continually improve the plan.**

An emergency management test is conducted annually in accordance with State law. **Student participation in such tests is not mandatory. Parental consent should be obtained when students are to be included in emergency management tests. When evaluating student inclusion in emergency management tests, the administration considers what benefit such inclusion may have on the student population in preparation for an emergency and to enhance the safety of students in the building. Administrators consider age-appropriate participation, guidance, trauma-informed best practice and training in preparing for student participation in any tests.**

### Emergency Drills

The Board directs the Superintendent/designee to conduct all drills required by State law. Drills provide both students and staff with practice in responding to emergency conditions should such conditions occur. Plans are posted in each classroom and other areas accessible to staff and students where required by law.

### Legal References:

**ORC 109.78**

**ORC 149.43**

ORC 149.433

ORC 2305.235

ORC 2923.11

ORC 3301.56

ORC 3313.20; 3313.669; 3313.717; 3313.719; 3313.951

ORC 3314.03; 3314.16

ORC 3701.85

ORC 3737.73; 3737.99

ORC 5502.262

**ORC 5502.70**

**ORC 5502.703**

**OAC 4501:5-1-01**

~~**OAC 3301-5-01**~~

### Cross References:

EBAA, Reporting of Hazards

EBBA, First Aid

EBBC, Bloodborne Pathogens

ECA, Buildings and Grounds Security

ECG, Integrated Pest Management

EEAC, School Bus Safety Program

EF, Food Services Management

EFB, Free and Reduced-Price Food Services

EFH, Food Allergies

GBE, Staff Health and Safety

JHCD, Administering Medicines to Students

JHF, Student Safety

KBCA, News Releases

KK, Visitors to the Schools

Emergency Management and Safety Plans Handbook

**NOTE:** State law outlines specific requirements for development and implementation of emergency management plans and tests. When considering options for school safety and security, House Bill (HB) 99 (2022) authorizes the use of armed staff in accordance with statutory requirements. Districts choosing to arm staff should follow all required protocols and work with legal counsel. HB 99 also established the Crisis Center and Mobile Training Team, designed to provide school safety and security services to all public and nonpublic schools, not just those that decide to arm staff. The bill requires the appointment of 16 regional mobile training officers to assist districts in various aspects of school safety and security.

**THIS IS A REQUIRED POLICY**

Legal	ORC 109.78
	ORC 149.43
	ORC 149.433
	ORC 2305.235
	ORC 2923.11
	ORC 3301.56
	ORC 3313.20
	ORC 3313.669
	ORC 3313.717
	ORC 3313.719
	ORC 3313.951
	ORC 3314.03
	ORC 3314.16
	ORC 3701.85
	ORC 3737.73
	ORC 3737.99
	ORC 5502.262
	ORC 5502.70
	ORC 5502.703
	OAC 4501:5-1-01





Book	Policy Manual
Section	Section E: Support Services
Title	Emergency Management and Safety Plans
Code	EBC
Status	Active
Adopted	August 14, 2001
Last Revised	May 17, 2021
Prior Revised Dates	10/09/2006, 01/10/2011, 11/24/2014, 05/11/2015, 05/14/2018

### **Emergency Management and Safety Plans**

The Board acknowledges that the safety and well-being of students and staff are high priorities. Although emergencies cannot be predicted, effective prevention and management strategies are used to minimize the effects of emergency situations arising in the District.

An emergency is defined as a serious, unexpected, and often dangerous situation requiring immediate action that threatens the actual safety and security of students, employees or visitors of the District or whose impact threatens the feeling of safety and security, both of which are detrimental to a positive learning environment. Emergencies or hazards include, but are not limited to, an active shooter, hostage situations, bomb threats, bullying, fire, natural disasters, medical emergencies, industrial accidents, suicide, death of a student or employee, acts of violence, trauma and terrorism.

#### **Comprehensive Emergency Management Plan and Test**

The Superintendent/designee develops a comprehensive emergency management plan meeting State law requirements for each building. The plan establishes protocols for addressing and responding to serious threats to the safety of the school property, students, staff, volunteers and visitors. Each protocol includes procedures deemed appropriate by the Board or governing authority for responding to threats and emergency events including, but not limited to, notification of appropriate law enforcement personnel, calling upon specified emergency response personnel for assistance and informing parents of affected students. The plan includes a floor plan unique to each floor of the building, a site plan including all building property and surrounding property, an emergency contact sheet, a threat assessment plan, and a protocol for school threat assessment teams established under State law. The plan is kept in a secure location and is not considered a public record.

A copy of each school building's current comprehensive emergency management plan is filed with the Director of Public Safety, the law enforcement agency that has jurisdiction over the school building and, upon request, the fire department and emergency medical service organization that serves the political subdivision in which the school building is located. The floor plan is used solely by first responders responding to an emergency in the building and is not a public record.

The administration reviews the plan annually, considering the most current information dealing with the subjects, as well as making relevant information about the plan known to the community. The administration certifies the accuracy of the plan to the Director of Public Safety by July 1 annually. When the comprehensive emergency management plan is used, assessment of the way the emergency was handled is completed by the Board and the administration. Suggestions for improvement, if necessary, are solicited from all stakeholders.

Although the plan is reviewed annually, State law requires the District's comprehensive emergency management plan to be updated every three years and whenever a major modification to an individual school building requires changes in that building's procedures or whenever information on the emergency contact information sheet changes.



An emergency management test is conducted annually in accordance with State law.

### Emergency Drills

The Board directs the Superintendent/designee to conduct all drills required by State law. Drills provide both students and staff with practice in responding to emergency conditions should such conditions occur. Plans are posted in each classroom and other areas accessible to staff and students where required by law.

CROSS REFS.: Emergency/Safety Plans Handbook

### Legal

ORC 149.433  
 ORC 2305.235  
 ORC 2923.11  
 ORC 3301.56  
 ORC 3313.20  
 ORC 3313.669  
 ORC 3313.717  
 ORC 3313.719  
 ORC 3313.951  
 ORC 3314.03  
 ORC 3314.16  
 ORC 3701.85  
 ORC 3737.73  
 ORC 3737.99  
 ORC 5502.262  
 OAC 3301-5-01

### Cross References

EBAA - Reporting of Hazards  
 EBBA - First Aid  
 EBBC - Bloodborne Pathogens  
 ECA - Buildings and Grounds Security  
 ECG - Integrated Pest Management  
 EEAC - School Bus Safety Program  
 EF / EFB - Food Services Management/Free and Reduced-Price Food Services  
 EFH - Food Allergies  
 GBE - Staff Health and Safety  
 JHCD - Administering Medicines to Students  
 JHF - Student Safety  
 KBCA - News Releases  
 KK - Visitors to the Schools



Book	Policy Manual
Section	Section E: Support Services
Title	Eligibility Zones for Pupil Transportation
Code	EEAA
Status	Active
Adopted	August 14, 2001
Last Revised	May 11, 2015
Prior Revised Dates	02/10/2014

### **Eligibility Zones for Pupil Transportation**

The Board provides transportation for resident elementary students in grades kindergarten through eight, who live more than two miles from school, and for all students with physical or mental disabilities that make walking impossible or unsafe. The transportation of high school students is optional.

The administration designates and the Board approves areas of residence from which students are provided transportation to schools. The Board may create exceptions to the established eligibility zones.

The Board authorizes the staff responsible for administering the student transportation program to require student identification as a prerequisite to riding a school bus when this is deemed necessary.

Legal	ORC 3327.01
	ORC 3327.011
	ORC 3327.015
	OAC 3301-51-10

Cross References	EEA - Student Transportation Services
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Book  
Policy Manual

Section  
Section E: Support Services

Title  
Eligibility Zones for Pupil Transportation

Code  
EEAA

Status  
Active

Adopted  
August 14, 2001

Last Revised  
May 11, 2015

Prior Revised Dates  
02/10/2014

#### Eligibility Zones for Pupil Transportation

The Board provides transportation for resident elementary students in grades kindergarten through eight, who live more than two miles from school, resident elementary students in grades kindergarten through third who live more than one mile from school, and for all students with physical or mental disabilities that make walking impossible or unsafe. The transportation of high school students is optional.

The distance between a student's home to school should be measured as safe walking distance, which excludes any road without sidewalk and with a speed limit greater than 25 mph.

The administration designates and the Board approves areas of residence from which students are provided transportation to schools. The Board may create exceptions to the established eligibility zones.

The Board authorizes the staff responsible for administering the student transportation program to require student identification as a prerequisite to riding a school bus when this is deemed necessary.

Legal  
ORC 3327.01  
ORC 3327.011  
ORC 3327.015

OAC 3301-51-10

Cross References

EEA - Student Transportation Services

Book  
Policy Manual

Section  
Section E: Support Services

Title  
Eligibility Zones for Pupil Transportation

Code  
EEAA

Status  
Active

Adopted  
August 14, 2001

Last Revised  
May 11, 2012

Prior Revised Dates  
02/10/2014

**Eligibility Zones for Pupil Transportation**

The board provides transportation for resident elementary students in grades kindergarten through eighth grade, who live more than two miles from school, resident secondary students in grades nine through twelve who live more than one mile from school, and for all students with physical or mental disabilities that make walking impractical or unsafe. The transportation of high school students is optional.

The distance between a student's home is defined as the measured as "as the crow flies" distance, which excludes any road without sidewalks and with a speed limit greater than 25 mph.

The administration designated and the board approves areas of residence from which students are provided transportation to school. The board may create exceptions to the established eligibility zones.

The board authorizes the staff responsible for administering the student transportation program to require student attendance at a transportation to attend a school bus when this is deemed necessary.

Legal  
OAC 3327.01  
OAC 3327.011  
OAC 3327.012





Book	Policy Manual
Section	Section J: Student
Title	Tobacco Use by Students/Alcohol Use by Students/Student Drug Abuse
Code	JFCG/JFCH/JFCI
Status	Active
Adopted	August 14, 2001
Last Revised	February 10, 2020
Prior Revised Dates	04/12/2005, 04/28/2014, 09/22/2014, 05/11/2015, 11/11/2019

### **Tobacco Use by Students/Alcohol Use by Students/Student Drug Abuse**

For purposes of these policies and regulations, the following definitions shall apply but not be limited to:

**Alcohol:** Any liquor, wine, beer or other beverage containing intoxicating substances.

**Alternative Nicotine Products:** An electronic cigarette or any other product, device, or parts and pieces thereof, that consists of or contains nicotine that can be ingested into the body by any means, including but not limited to chewing, smoking, absorbing, dissolving or inhaling.

**Drugs:** Any drug, including illegal drugs, narcotics, hallucinogens, cocaine, amphetamines, steroids, barbiturates, marijuana, inhalants, legal prescription and over-the-counter drugs used or possessed or distributed for unauthorized purposes, counterfeit (look-alike) substances and clove cigarettes.

**Drug Paraphernalia:** Equipment, apparatus, or parts and pieces thereof, designed for or used for the purpose of measuring, packaging, distributing, or facilitating the use of drugs, including, but not limited to, pipes, roach clips, syringes, hypodermic needles and cocaine spoons or kits.

**Electronic Cigarette:** Any electronic product, device, or parts and pieces thereof, that produces a vapor that delivers nicotine or any other substance to the person inhaling from the device to simulate smoking and is likely to be offered to or purchased by consumers as an electronic cigarette, electronic cigar, electronic cigarillo or electronic pipe.

**Tobacco:** Any product made or derived from tobacco or containing any form of nicotine, if it is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled or ingested by any other means including but not limited to: any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette, alternative nicotine products, electronic smoking devices, or parts and pieces thereof, vapor products, any other smoking product, and spit tobacco, also known as smokeless, dip, chew, and snuff, in any form.

**Under the Influence:** Manifesting signs of substance abuse, such as staggering, reddened eyes, odor of alcohol or drugs, nervousness, restlessness, falling asleep or dozing, memory loss, abusive language or any other behavior or physical appearance not normal for the particular student (determination by school authorities as to what constitutes "under the influence" is distinct and separate from an such determination by the courts).

**Distributing:** Making available to or passing on to another individual, even if not for profit or trade, any alcohol, drug or tobacco products.

**Extracurricular/Cocurricular:** Those activities sponsored by, supported by and identified by the Board and are an extension of the "normal" school day. Activities included are: all athletics, instruments and choral groups, student council, drama, cheerleading,



all school clubs, school-sponsored and Board-approved trips, and National Honor Society. (Because of the rules of the National Honor Society organization, the student's membership can be retained, but his/her participation will cease.) This list is not all-inclusive. Students must agree to adhere to any additional rules established by the advisor/coach of the activity in which the student participates.

**One Calendar Year:** One calendar year is defined as 365 days from the date of the infraction.

**Leadership Position:** Any elected or appointed office in a school-recognized sport, club or activity.

**Policy Statement:**

It is the Board of Education's primary concern that educational, cocurricular and extracurricular programs for all students proceed in an orderly and non-disruptive manner. Sale, trade, use or possession of drugs, counterfeit drugs, alcohol or tobacco by students is an obstacle to this objective and interferes with the rights of students to receive quality academic instruction.

The Board recognizes that use of illicit drugs and unlawful possession and use of alcohol is wrong, harmful and illegal. It also recognizes that individuals who are experiencing problems with alcohol and other drugs need assistance, which may vary; the District is committed to working cooperatively with the student and family to help provide beneficial alternatives. Information will be available about drug and alcohol counseling and rehabilitation and re-entry programs for students. Such District resources as student groups, parent groups, school psychologists, student assistance coordinator, core team and special transitional programs are to be encouraged, made available and recommended. Students and parents will also be given information about outside agencies and encouraged to take advantage of their services and programs. Parents and students will be given a copy of the standards of conduct and the statement of disciplinary sanctions through parent/student handbooks. Compliance with these standards of conduct is mandatory for students.

Students shall not possess, use, sell, give or otherwise transmit, or be under the influence of any drug or alcohol. They shall not possess or bring on school property tobacco products, matches, lighters or other paraphernalia normally associated with tobacco use. Tobacco use by students is prohibited in school buildings, in school vehicles and on school grounds, at all times. Any type of drug paraphernalia is prohibited in school buildings, in school vehicles and on school grounds. The Board prohibits the use or possession of alternative nicotine products and electronic cigarettes by any student in any area or vehicle under the control of the District or at any activity supervised by any school within the District. All items will be subject to confiscation.

This policy is subject to enforcement and/or disciplinary action:

1. on property owned, leased by or under control of the Board, including vehicles for transporting students;
2. on any public or private property during scheduled school hours including recess, lunch and class changes and
3. at any school-sponsored or sanctioned activity or event away from or within the District.

Actions set forth below will be considered normal disciplinary measures for each category and occurrence of offense and shall be administered in accordance with the policies and regulations of the Board.

Students who voluntarily request assistance or counseling/self-referral in situations where no offense, as specified below, has been detected will not be subject to disciplinary action based on information divulged.

Where an offense, as specified below, has been detected, violations of school policy will not be excused because the student has requested counseling.

Offenses and violations of this policy are accumulative during a student's participation in cocurricular and extracurricular activities during his/her K-12 education:

1. during a student's participation in cocurricular and extracurricular activities throughout the elementary years (K-6);
2. during a student's participation in cocurricular and extracurricular activities throughout the middle school years (7-8) and
3. during a student's participation in cocurricular and extracurricular activities throughout the high school years (9-12).

According to State law, the Superintendent/designee has the option of notifying the registrar of motor vehicles or Franklin County juvenile judge whenever a student is suspended or expelled for drug and/or alcohol possession or abuse. This may result in the loss of the student's driver's license.

CROSS REFS.: Athletic Handbook  
Student Handbook

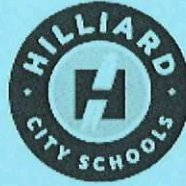


## Legal

Elementary and Secondary Education Act; 20 USC 1221 et seq.  
Goals 2000: Educate America Act; 20 USC 6081 through 6084  
ORC 3313.66  
ORC 3313.661  
ORC 3313.751  
ORC 3794.01  
ORC 3794.02  
ORC 3794.04  
ORC 3794.06  
OAC 3301-35-02  
OAC 3301-35-04

## Cross References

JFA - Student Due Process Rights  
JFC - Student Conduct (Zero Tolerance)  
JGD - Student Suspension  
JGE - Student Expulsion



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Title	Tobacco Use by Students/Alcohol Us by Students/Student Drug Abuse (Offenses and Disciplinary Action)
Code	JFCG-R/JFCH-R/JFCI-R
Status	Active
Adopted	August 14, 2001
Last Revised	August 8, 2016
Prior Revised Dates	04/12/2005, 05/11/2015

**Tobacco Use by Students/Alcohol Us by Students/Student Drug Abuse**  
(Offenses and Disciplinary Action)

**Selling or Distributing Any Quantity of Drugs and/or Alcohol**

1. First offense:

- A. Parent(s) will be notified immediately.
- B. The police shall be notified.
- C. Consultation with the parent(s) and student emphasizing available counseling services for drug assessment will be conducted.
- D. The student forfeits his/her privilege to any leadership position for one calendar year (365 days).
- E. The student will be suspended out of school for ten (10) days and *may* be recommended for expulsion.
- F. Parking privileges will be removed for one calendar year (365 days), where applicable, as of the date of the offense.

2. Second and subsequent offenses:

- A. Parent(s) will be notified immediately.
- B. The police shall be notified.
- C. Consultation with parent(s) and the student emphasizing available counseling services for drug assessment will be conducted.
- D. The student forfeits his/her privilege to any leadership positions for the remainder of his/her school career.
- E. The student will be suspended out of school for ten (10) days and will be recommended for expulsion.
- F. Parking privileges will be removed for one calendar year (365 days), where applicable, as of the date of the offense.

**Possession and/or Use of Drugs and/or Alcohol**

1. First offense:



- A. Parent(s) will be notified immediately.
- B. The police shall be notified.
- C. Consultation with parent(s) and student emphasizing the availability of counseling services will be conducted. Following the consultation, parents and student must agree to one of the following options:
  - i. The student shall be suspended out of school for ten (10) days - OR -
  - ii. The student will be suspended out of school for a minimum of eight (8) days if the student and parents ask for and receive an assessment in a certified drug/alcohol counseling program within 10 calendar days. A written copy from the assessment must be sent to the school officials including the findings of the evaluation and the student agrees to carry out the recommendations - OR -
  - iii. The student will be suspended out of school for five (5) days if they complete all of the assessment requirements in C.2. above and the student and parents must agree to complete, within thirty (30) calendar days, a minimum of nine (9) hours, by the student, of alcohol and drug education as agreed to by school officials. A written proof of attendance is required to be sent to the school officials. A written copy from the assessment must be sent to the school officials including the findings of the evaluation and the student agrees to carry out the recommendations.
- D. The student forfeits his/her privilege to any leadership position for one calendar year (365 days).
- E. Parking privileges will be removed for one calendar year (365 days), where applicable, as of the date of the offense.

2. Second and subsequent offenses:

- A. Parent(s) will be notified immediately.
- B. The police shall be notified.
- C. The student forfeits his/her privilege to any leadership positions for the remainder of his/her school career.
- D. Consultation with parent(s) and student emphasizing the availability of counseling services will be conducted.
- E. Parking privileges will be removed for one calendar year (365 days), where applicable.
- F. The student will be suspended out of school for ten (10) days and may be recommended for expulsion.

**Possession of Drug Paraphernalia**

When the student is found in possession of drug paraphernalia:

1. First offense:

- A. Parent(s) will be notified immediately.
- B. The item(s) will be confiscated.
- C. The student will be assigned out of school suspension.
- D. The student forfeits his/her privilege to any leadership position for one calendar year (365 days).

2. Second offense:

- A. Parent(s) will be notified immediately.
- B. The item(s) will be confiscated.
- C. The student will be assigned an out of school suspension and/or expulsion.
- D. The student forfeits his/her privilege to any leadership positions for the remainder of his/her school career.

3. Third and subsequent offenses:

- A. Parent(s) will be notified immediately.



B. The item(s) will be confiscated.

C. The student will be assigned an out of school suspension and/or expulsion.

D. The student forfeits his/her privilege to any leadership positions for the remainder of his/her school career.

**Possession and/or Use of Tobacco, Matches, Lighters, or Other Paraphernalia**

**Possession/Use of Tobacco**

1. First offense:

A. Three (3) days out of school suspension. If student chooses to enroll in a smoking cessation program coordinated by the principal/designee, out of school suspension will be reduced to two (2) days.

B. The student forfeits his/her privilege to any leadership positions for one calendar year (365 days).

2. Second offense:

A. Five (5) days out of school suspension.

B. The student forfeits his/her privilege to any leadership positions for the remainder of his/her school career.

3. Third offense:

A. Ten (10) days out of school suspension.

**Possession of Matches, Lighter, Paraphernalia**

1. First offense:

A. Three (3) days time-out room or two (2) days out of school suspension.

B. The student forfeits his/her privilege to any leadership positions for one calendar year (365 days).

2. Second offense:

A. Three (3) days out of school suspension.

B. The student forfeits his/her privilege to any leadership positions for the remainder of his/her school career.

3. Third offense:

A. Five (5) days out of school suspension.

B. The student forfeits his/her privilege to any leadership positions for the remainder of his/her school career.

4. Fourth offense:

A. Ten (10) days out of school suspension.

B. The student forfeits his/her privilege to any leadership positions for the remainder of his/her school career.

**Follow-Up Services**

Upon return from residential or outpatient treatment, the following support services will be provided.

1. Student, parent(s), student assistance coordinator, counselor and administrator (when available) may have a readmission conference to develop educational plans.

2. It will be recommended to parents that they attend parent support group meeting(s) and/or counseling.

3. Student may be required to attend eight (8) weekly support group meetings in school unless a treatment facility and/or student assistance coordinator recommends otherwise. The student may remain in the student support group after this requirement is satisfied. Where a student support group does not exist, the student will have contact with the guidance counselor or student assistance coordinator for a minimum of eight weeks.

**Due Process Procedures**

A participant suspected of violating any of the above-mentioned regulations will be afforded the rights of students being considered for suspension or expulsion from school under the District's code of student conduct if removal from a curricular activity for 24 hours or more is contemplated.



This policy will be included in all student handbooks.

**Costs:** All costs for any rehabilitation program or counseling for a tobacco, alcohol or drug problem under these regulations shall be the responsibility of the student.

### **Relationship of These Policies and Regulations to the District's Code of Student Conduct**

These policies and regulations supplement the District's code of student conduct and are administered independently of that code. A violation of these regulations may also independently violate the code of student conduct and result in suspension or expulsion from school or removal from curricular or extracurricular activity under the provisions of that code in addition to any disciplinary penalty that may be called for under those regulations.



Book	Policy Manual
Section	Section J: Student
Title	Copy of Tobacco Use by Students/Alcohol Use by Students/Student Drug Abuse (Offenses and Disciplinary Action)
Code	JFCG-R/JFCH-R/JFCI-R
Status	
Adopted	August 14, 2001
Last Revised	August 8, 2016
Prior Revised Dates	04/12/2005, 05/11/2015

**Tobacco Use by Students/Alcohol Use by Students/Student Drug Abuse (Offenses and Disciplinary Action)**

**Selling or Distributing Any Quantity of Drugs and/or Alcohol**

1. First offense:

- A. Parent(s) will be notified immediately.
- B. The police shall be notified.
- C. Consultation with the parent(s) and student emphasizing available counseling services for drug assessment will be conducted.
- D. The student forfeits his/her privilege to any leadership position for one calendar year (365 days).
- E. The student will be suspended out of school for ten (10) days and *may* be recommended for expulsion.
- F. Parking privileges will be removed for one calendar year (365 days), where applicable, as of the date of the offense.

2. Second and subsequent offenses:

- A. Parent(s) will be notified immediately.
- B. The police shall be notified.
- C. Consultation with parent(s) and the student emphasizing available counseling services for drug assessment will be conducted.
- D. The student forfeits his/her privilege to any leadership positions for the remainder of his/her school career.
- E. The student will be suspended out of school for ten (10) days and will be recommended for expulsion.
- F. Parking privileges will be removed for one calendar year (365 days), where applicable, as of the date of the offense.

**Possession and/or Use of Drugs and/or Alcohol**

1. First offense:



- A. Parent(s) will be notified immediately.
- B. The police shall be notified.
- C. Consultation with parent(s) and student emphasizing the availability of counseling services will be conducted. Following the consultation, parents and student must agree to one of the following options:
  - i. The student shall be suspended out of school for ten (10) days - OR -
  - ii. The student will be suspended out of school for a minimum of eight (8) days if the student and parents ask for and receive an assessment in a certified drug/alcohol counseling program within 10 calendar days. A written copy from the assessment must be sent to the school officials including the findings of the evaluation and the student agrees to carry out the recommendations - OR -
  - iii. The student will be suspended out of school for five (5) days if they complete all of the assessment requirements in C.2. above and the student and parents must agree to complete, within thirty (30) calendar days, a minimum of nine (9) hours, by the student, of alcohol and drug education as agreed to by school officials. A written proof of attendance is required to be sent to the school officials. A written copy from the assessment must be sent to the school officials including the findings of the evaluation and the student agrees to carry out the recommendations.
- D. The student forfeits his/her privilege to any leadership position for one calendar year (365 days).
- E. Parking privileges will be removed for one calendar year (365 days), where applicable, as of the date of the offense.

2. Second and subsequent offenses:

- A. Parent(s) will be notified immediately.
- B. The police shall be notified.
- C. The student forfeits his/her privilege to any leadership positions for the remainder of his/her school career.
- D. Consultation with parent(s) and student emphasizing the availability of counseling services will be conducted.
- E. Parking privileges will be removed for one calendar year (365 days), where applicable.
- F. The student will be suspended out of school for ten (10) days and may be recommended for expulsion.

**Possession of Drug Paraphernalia**

When the student is found in possession of drug paraphernalia:

1. First offense:

- A. Parent(s) will be notified immediately.
- B. The item(s) will be confiscated.
- C. The student will be assigned out of school suspension.
- D. The student forfeits his/her privilege to any leadership position for one calendar year (365 days).

2. Second offense:

- A. Parent(s) will be notified immediately.
- B. The item(s) will be confiscated.
- C. The student will be assigned an out of school suspension and/or expulsion.
- D. The student forfeits his/her privilege to any leadership positions for the remainder of his/her school career.

3. Third and subsequent offenses:

- A. Parent(s) will be notified immediately.



B. The item(s) will be confiscated.

C. The student will be assigned an out of school suspension and/or expulsion.

D. The student forfeits his/her privilege to any leadership positions for the remainder of his/her school career.

### **Possession and/or Use of Tobacco, Matches, Lighters, or Other Paraphernalia**

#### **Possession/Use of Tobacco**

##### 1. First offense:

A. Three (3) days out of school suspension. If student chooses to enroll in a smoking cessation program coordinated by the principal/designee, out of school suspension will be reduced to two (2) days.

B. The student forfeits his/her privilege to any leadership positions for one calendar year (365 days).

##### 2. Second offense:

A. Five (5) days out of school suspension.

B. The student forfeits his/her privilege to any leadership positions for the remainder of his/her school career.

##### 3. Third offense:

A. Ten (10) days out of school suspension.

#### **Possession of Matches, Lighter, Paraphernalia**

##### 1. First offense:

A. Three (3) days time-out room or two (2) days out of school suspension.

B. The student forfeits his/her privilege to any leadership positions for one calendar year (365 days).

##### 2. Second offense:

A. Three (3) days out of school suspension.

B. The student forfeits his/her privilege to any leadership positions for the remainder of his/her school career.

##### 3. Third offense:

A. Five (5) days out of school suspension.

B. The student forfeits his/her privilege to any leadership positions for the remainder of his/her school career.

##### 4. Fourth offense:

A. Ten (10) days out of school suspension.

B. The student forfeits his/her privilege to any leadership positions for the remainder of his/her school career.

#### **City of Hilliard Diversion Program**

Consequences may be reduced, at the discretion of the administrator, when a student has been referred to and accepted into the City of Hilliard Youth Diversion Program for the same conduct that is the subject of discipline and the parents/guardians and student have agreed that the student will participate in the Diversion Program.

#### **Follow-Up Services**

Upon return from residential or outpatient treatment, the following support services will be provided.

1. Student, parent(s), student assistance coordinator, counselor and administrator (when available) may have a readmission conference to develop educational plans.
2. It will be recommended to the parents that they attend parent support group meeting(s) and/or counseling.
3. Student may be required to attend eight (8) weekly support group meetings in school unless a treatment facility and/or student assistance coordinator recommends otherwise. The student may remain in the student support group after this requirement is satisfied. Where a student support group does not exist, the student will have contact with the guidance counselor or student assistance coordinator for a minimum of eight weeks.

## Due Process Procedures

A participant suspected of violating any of the above-mentioned regulations will be afforded the rights of students being considered for suspension or expulsion from school under the District's code of student conduct if removal from a curricular activity for 24 hours or more is contemplated.

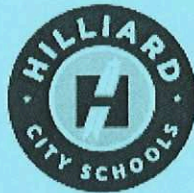
This policy will be included in all student handbooks.

**Costs:** All costs for any rehabilitation program or counseling for a tobacco, alcohol or drug problem under these regulations shall be the responsibility of the student.

## Relationship of These Policies and Regulations to the District's Code of Student Conduct

These policies and regulations supplement the District's code of student conduct and are administered independently of that code. A violation of these regulations may also independently violate the code of student conduct and result in suspension or expulsion from school or removal from curricular or extracurricular activity under the provisions of that code in addition to any disciplinary penalty that may be called for under those regulations.





Book	Policy Manual
Section	Section J: Student
Title	Student Demonstrations and Strikes
Code	JFI
Status	Active
Adopted	August 14, 2001
Last Revised	May 11, 2015

### **Student Demonstrations and Strikes**

The Superintendent, assistant superintendent or a building principal shall be authorized to suspend from school any student who causes or participates in any disturbance or disruption of any school class, program or activity.

The building principal concerned and other school personnel shall make every effort to protect the personal safety of students and adults and the safety of the property of the District during periods of student unrest when the orderly operation of the school is disrupted.

The building principal concerned shall make efforts to return the school to an orderly operation as soon as possible after a disruption occurs.

Cross References	JFC - Student Conduct (Zero Tolerance)
	JGD - Student Suspension
	JGE - Student Expulsion
	KJ - Advertising in the Schools

Book  
Policy Manual

Section  
Section J: Student

Title:  
Student Demonstrations and Strikes

Code:  
JFI

Status:  
Active

Adopted:  
August 14th, 2001

Last Revised:  
May 11th, 2015

### **Student Demonstrations and Strikes**

The Board supports student's first amendment rights. It is important that students understand when, where, and how it is appropriate to express their views. The Board of education recognizes the right of each student to attend school for the purpose of receiving an education. Students shall not be disturbed in the exercise of their constitutionally guaranteed rights to assemble peaceably and to express ideas and opinions, privately or publicly, provided that such exercise does not infringe on the rights of others and does not interfere with the operation of the schools. It is important that students understand when, where, and how it is appropriate to express their views. The Board of education recognizes the right of each student to attend school for the purpose of receiving an education. The disruption of the educational program of the schools by disorder or any other purposeful disorderly activity will not be supported.

For purposes of this policy, disorder shall be any deliberate activity by an individual or a group, whether peaceful or violent, which substantially interferes with the normal operation of the school.



~~The Board takes the position that student walkouts, protests, strikes, demonstrations, or any other disturbances during the school day or on school grounds are inherently disruptive to the learning environment of all students.~~ The Superintendent, assistant superintendent, or a building principal shall ~~be authorized to suspend from school~~ be authorized to discipline any student who causes or participates in any disturbance or disruption of any school class, program, or activity.

The building principal(s) ~~concerned~~ and other school personnel shall make every effort to protect the personal safety of students and adults and the safety of the property of the District during periods of student unrest when the orderly operation of the school is disrupted.

The building principal(s) ~~concerned~~ shall make every efforts to return the school(s) to an orderly operation as soon as possible after a disruption occurs.

The Superintendent or designee is charged with determining the application and implementation of this policy and shall provide guidance to principals on a case by case basis or as needed.

## Cross References

INB – Teaching about Controversial Issues JED - Student Absences and Excuses

JFC - Student Conduct (Zero Tolerance) JGD - Student Suspension

JGE - Student Expulsion

KJ - Advertising in the Schools

KJA – Promotion of Any Kind of Non-School-Sponsored Literature