



Book	Administrative Guidelines
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1630.01 - **FMLA LEAVE**

Definitions Applicable to FMLA Leave

The term "child" (i.e., son or daughter) means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age eighteen (18), or age eighteen (18) or older and "incapable of self-care" because of a mental or physical disability (as defined by the Americans with Disabilities Act (ADA), as amended) at the time the FMLA leave is to commence.

The term "spouse" means all individuals in legal marriages, regardless of where they live. More specifically, the definition of "spouse" is a husband or wife as defined or recognized in the State where the individual was married ("place of celebration"), and specifically includes individuals in lawfully recognized same-sex and common law marriages. The definition further includes an individual in a marriage that was validly entered into outside the United States if it could have been entered into in at least one (1) State. Civil unions are not considered marriages under the FMLA.

The term "incapable of self-care" means that the individual requires active assistance or supervision to provide daily self-care in three (3) or more of the "activities of daily living" (ADLs) (e.g., caring appropriately for one's grooming and hygiene, bathing, dressing, eating) or "instrumental activities of daily living" (IADLs) (e.g., cooking, cleaning, shopping, taking public transportation, paying bills, maintaining a residence, using telephones and directories, using a post office, etc.).

An employee is "unable to perform the functions of his/her position" where the health care provider finds that the employee is unable to work at all or is unable to perform any one of the essential functions of the employee's position. Additionally, an employee who must be absent from work to receive medical treatment for a serious health condition is considered to be unable to perform the essential functions of the position during the absence for treatment.

Leave for Adoption or Foster Care

Eligible employees may take FMLA leave before the actual placement or adoption of a child if an absence from work is required for the placement or foster care to proceed. Permissible absences include, but are not limited to, the employee attending a required counseling session, appearing in court, consulting with his/her attorney or the doctor(s) representing the birth parent, submitting to physical examinations, or traveling to another country to complete an adoption.

Military Family Leave Entitlements

A. Military Caregiver Leave

Eligible employees may take up to twenty-six (26) weeks of unpaid FMLA leave, in a "single 12-month period," to care for a covered service member with a serious injury or illness. The "single twelve (12) month period" begins on the first day the eligible employee takes Military Caregiver Leave and ends twelve (12) months after that date. If the employee does not use his/her entire twenty-six (26) work weeks leave entitlement during the "single twelve (12) month period" of leave, the remaining work weeks of leave are forfeited.

For purposes of Military Caregiver Leave, the covered service member may be a (1) current member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness, or (2) a veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) and was discharged or released under conditions other than dishonorable at any time during the period of five (5) years prior to the first date the eligible employee takes FMLA leave to care for the covered veteran. For an individual who was a member of the Armed Forces and who was discharged or released under conditions other than dishonorable prior to March 8, 2013, the period between October 28, 2009, and March 8, 2013, shall not count towards the determination of the five-year period for covered veteran status.

Serious injury or illness for purposes of Military Caregiver Leave is defined as an injury or illness incurred by a covered service member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the covered service member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and that may render the service member medically unfit to perform the duties of his/her office, grade, rank, or rating.

In the case of a veteran, a serious injury or illness means an injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or that existed before the beginning of the member's active duty and was aggravated by the service in the line of duty on active duty in the Armed Forces) and manifested itself before or after the member became a veteran and is (1) a continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of the service member's office, grade, rank, or rating; (2) a physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) of fifty percent (50%) or greater, and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; (3) a physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or (4) an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

The term "son or daughter of a covered service member" means a covered service member's biological, adopted, or foster child, stepchild, legal ward, or child for whom the service member stood in loco parentis, and who is of any age. Similarly, the term "parent of a covered service member" means a covered service member's biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered service member. (The term does not include parents "in-law.")

The term "next of kin" means the service member's nearest blood relative, other than the covered service member's spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the service member by court decree or statutory provisions; brothers and sisters; grandparents; aunts and uncles; and first cousins; unless the covered service member has specifically designated in writing another blood relative as his/her nearest blood relative for purposes of Military Caregiver Leave under the FMLA, in which case the designated individual shall be deemed to be the covered service member's next of kin. All family members sharing the closest level of familial relationship to the covered service member are considered the covered service member's next of kin, unless the covered service member has specifically designated an individual as his/her next of kin for Military Caregiver Leave purposes. While an eligible employee may care for more than one (1) seriously injured or ill covered service member at the same time, the employee may not take more than twenty-six (26) work weeks of leave during each "single twelve (12) month period."

Military Caregiver Leave is a "per-service member, per-injury" entitlement. Therefore, an eligible employee may take twenty-six (26) work weeks of leave to care for one (1) covered service member in a "single twelve (12)- month period," and then take another twenty-six (26) work weeks of leave in a different "single twelve (12) month period" to care for another covered service member or to care for the same service member with a subsequent serious injury or illness (e.g., if the service member is returned to active duty and suffers another injury). Additionally, an eligible employee could take FMLA leave, after the end of the "single twelve (12) month period" for Military Caregiver Leave, to care for a covered service member if the member is a qualifying family member under non-military FMLA and s/he has a serious health condition.

B. Qualifying Exigency Leave

Eligible employees may take up to twelve (12) weeks of unpaid FMLA leave for any of the following qualifying exigencies that are related to the fact that the employee's spouse, son, daughter or parent is on covered active duty or call to covered active duty status, or has been notified of an impending call or order to covered active duty in the Armed Forces:

1. Issues arising from a qualifying family member's short-notice deployment (i.e., deployment on seven (7) or less calendar days of notice) for a period of seven (7) days from the date of notification.

2. Military events and related activities, such as official ceremonies, programs, or events sponsored by the military, or family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to a qualifying family member's covered active duty or call to covered active duty status.
3. Certain childcare and related activities arising from a qualifying family member's covered active duty or call to covered active duty status, such as arranging for alternative childcare, providing childcare on an urgent, immediate need basis (but not on a routine, regular, or everyday basis), enrolling or transferring a child in a new school or day care facility, and attending certain meetings at a school or a day care facility if they are necessary due to circumstances arising from the active duty or call to active duty of the covered military member (this does not include providing child care on a routine, regular or everyday basis).
4. Making or updating financial and legal arrangements to address a qualifying family member's absence (e.g., preparing and executing financial and healthcare power of attorney, transferring bank account signature authority, enrolling in the Defense Enrollment Eligibility Reporting System, obtaining military identification cards, or preparing or updating a will or living trust) and acting as the military member's representative before a Federal, State, or local agency for purposes of obtaining, arranging, or appealing military service benefits while the military member is on covered active duty or call to covered active duty status, and for a period of ninety (90) days following the termination of the military member's covered active duty status.
5. Attending counseling provided by someone other than a healthcare provider for oneself, the qualifying family member, or the child of the qualifying family member, the need for which arises from the qualifying family member's covered active duty or call to covered active duty status. The child must be the military member's biological, adopted, or foster child, stepchild, legal ward or child for whom the military member stands in loco parentis, who is either under eighteen (18) years of age or eighteen (18) years of age or older and incapable of self-care because of a mental or physical disability at the time that FMLA leave is to commence.
6. Taking up to fifteen (15) days of leave to spend time with a qualifying family member who is on short-term, temporary, rest and recuperation leave during the deployment.
7. Attending to certain post-deployment activities, including attending arrival ceremonies, reintegration briefings and events, and other official ceremonies or programs sponsored by the military for a period of ninety (90) days following the termination of the qualifying family member's covered active duty status, and addressing issues arising from the death of a qualifying family member.
8. Providing parental care for a parent of a military member who is incapable of self-care and is the military member's biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered service member when the member was under eighteen (18) years of age. "Incapable of self-care" means the parent requires active assistance or supervision to provide daily self-care in three or more of the activities of daily living (includes adaptive activities such as caring appropriately for one's grooming and hygiene, bathing, dressing and eating) or instrumental activities of daily living (includes cooking, cleaning, shopping, taking public transportation, paying bills, maintaining a residence, using telephones and directories, using a post office, etc.). Parental care includes (1) arranging for alternate care when the parent is incapable of self-care and the covered active duty or call to covered active duty status necessitates a change in the existing care arrangement for the parent; (2) providing care on an urgent, immediate need basis (but not on a routine, regular or everyday basis) when the parent is incapable of self-care and the need to provide such care arises from covered active duty or call to covered active duty status; (3) admitting or transferring to a care facility a parent when admittance or transfer is necessitated by the covered active duty or call to covered active duty status; and (4) attending meetings with staff at a care facility, such as meetings with hospice or social service providers for a parent when such meetings are necessary due to circumstances arising from the covered active duty or call to covered active duty status but not for regular or routine meetings.
9. Any other event that the employee and the Board agree is a qualifying exigency.

The term "qualifying family member" for purposes of Qualified Exigency Leave means a staff member's spouse, son, daughter or parent.

The term "covered active duty" or "call to covered active duty status" for purposes of Qualified Exigency Leave means duty for a member of the Regular Armed Forces during deployment of the member with the Armed Forces to a foreign country, and, in the case of a member of the Reserve components of the Armed Forces, duty during deployment of the member with the Armed Forces to a foreign country under a Federal call or order to active duty in support of a contingency operation pursuant to Sections 688, 12301(a), 12302, 12304, 12305, 12406, or Chapter 15 of Title 10 of the United States Code or any other provision of law during a war or during a national emergency declared by the President or Congress as long as it is in support of a contingency operation.

The term "son or daughter" means the employee's biological, adopted, or foster child, stepchild, legal ward, or child for whom the employee stood in loco parentis, who is on covered active duty or call to covered active duty status, and who is of any age. Similarly, the term "parent" means a biological, adoptive, step, or foster father or mother, or any other individual who stood in loco parentis to the employee when the employee was a son or daughter. (The term does not include parents "in-law.")

Employee Request for FMLA Leave

While eligible employees are not required to expressly request unpaid FMLA leave, it is requested that eligible employees who seek an unpaid FMLA leave for any of the approved reasons complete and submit to the Superintendent a written request for FMLA leave.

Employee Certifications

Eligible employees who apply for FMLA leave "to care for an immediate family member" must submit DOL Form (WH-380-F; "Certification of Health Care Provider for Family Member's Serious Health Condition").

Eligible employees who apply for FMLA leave for "the employee's own serious health condition" must submit DOL Form (WH-380-E; "Certification of Health Care Provider for Employee's Serious Health Condition").

Eligible employees who apply for Military Caregiver Leave must submit DOL Form (WH-385; "Certification for Serious Injury or Illness of Covered Service Member – for Military Family Leave" or WH-385-V, "Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave). The form may be completed by a Department of Defense (DOD) health care provider, Veterans Affairs health care provider, a DOD TRICARE network authorized private health care provider, a DOD non-network TRICARE authorized private health care provider, or any health care provider as defined by 29 C.F.R. 825.125.

Additionally, with respect to Military Caregiver Leave, the District will accept the submission of an Invitational Travel Order (ITO) or Invitational Travel Authorization (ITA), in lieu of the DOL Form, for the time period specified in the ITO or ITA. The ITO or ITA submitted by the employee need not list the employee as the named recipient of the ITO/ITA, provided the employee is the spouse, parent, son, daughter or next of kin of the covered service member. If the covered service member's need for care extends beyond the expiration date specified in the ITO or ITA, the employee is responsible for submitting the DOL Form for the remainder of the employee's leave period. The District will also accept, with respect to Military Caregiver Leave, documentation indicating the service member's enrollment in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers, regardless of whether the employee is the named caregiver in the documentation. Employees are advised that the Superintendent may seek authentication and clarification of such documentation, and may require an employee to provide confirmation of covered family relationship to the seriously injured or ill service member and documentation showing that the discharge was other than dishonorable and the date of the veteran's discharge.

It is the employee's responsibility either to furnish a complete and sufficient certification or to furnish the health care provider providing the certification with any necessary authorization from the employee or the employee's family member in order for the health care provider to release a complete and sufficient certification to the Board to support the employee's FMLA request.

In all instances in which certification is requested, it is the employee's responsibility to provide the Board with complete and sufficient certification, and failure to do so may result in denial of FMLA leave.

Eligible employees who apply for any of the three (3) preceding types of FMLA leave must also execute and provide to his/her health care provider a HIPAA-compliant release form.

If the Superintendent deems a medical certification to be incomplete or insufficient, the Superintendent shall notify the employee, in writing, what information is lacking, and the employee will have seven (7) calendar days to cure the deficiency. The Superintendent (i.e., the Board's health care provider, human resource professional, leave administrator, or other management official, but not the employee's direct supervisor) may contact the certifying health care provider for clarification concerning or to authenticate the content of a medical certification. The representative, however, shall not ask the health care provider for additional information beyond that required by the certification form.

Eligible employees who apply for FMLA leave for "Qualifying Exigency Leave" must submit DOL Form WH-384; "Certification of Qualifying Exigency for Military Family Leave". Specifically, the first time the employee requests Qualifying Exigency Leave, the employee must provide a copy of the qualifying family member's covered active duty orders or other documentation issued by the military that indicates that the qualifying family member is on covered active duty or call to covered active duty status, and the dates of the qualifying family member's covered active duty service. Additionally, each time that the employee requests leave for one of the above-listed qualifying exigencies, the employee must certify the exigency necessitating leave. Such certification supporting leave for a qualifying exigency includes:

- appropriate facts supporting the need for leave, including any available written documentation supporting the request and the type of qualifying exigency;

- the appropriate date on which the qualifying exigency commenced or will commence, and, if requested for a single, continuous period of time, the beginning and end dates for such absence;
- where leave will be needed on an intermittent basis, an estimate of the frequency and duration of the qualifying exigency;
- appropriate contact information if the exigency involves meeting with a third party and a brief description of the purpose of the meeting; and if the qualifying exigency involves Rest and Recuperation leave, a copy of the military member's Rest and Recuperation orders or other documentation issued by the military that indicates the military member has been granted Rest and Recuperation leave and the dates of such leave.

Employees are advised that if the qualifying exigency involves a meeting with a third party, the Superintendent may verify the schedule and purpose of the meeting with the third party. Also, the Superintendent may contact the appropriate unit of the Department of Defense to confirm that the qualifying family member is on covered active duty or call to covered active duty status.

All of the certifications identified above must be submitted by the employee within fifteen (15) calendar days after the District provides the employee with the applicable DOL Form unless it is not practicable under the particular circumstances to do so despite the employee's diligent, good faith efforts. An employee may not be held liable for administrative delays in the issuance of military documents, despite the employee's diligent, good faith efforts to obtain such documents.

Light Duty

Time spent performing "light duty" work does not count against an employee's FMLA leave entitlement.

District Notices to Employee (Forms are available on the U.S. Department of Labor Website: www.dol.gov)

If the information included in the Employees Rights and Responsibilities Notice changes, the Superintendent will inform the employee of such changes within five (5) business days of receipt of the employee's first notice of the need for FMLA leave subsequent to any change. The Treasurer is charged with responsively answering questions from employees concerning their rights and responsibilities.

If it is not possible to provide the number of hours, days or weeks that will be counted as FMLA leave (e.g., where the leave will be unscheduled), the Superintendent will provide this information upon request by the employee, but no more often than every thirty (30) days and only if leave was taken during the period. The notice of the amount of leave counted against the employee's FMLA entitlement may be oral or in writing. If such notice is oral, it shall be confirmed in writing, no later than the following payday that is at least one (1) week after the oral notice. Such notice may be in any form, including a notation on the employee's pay stub.

FMLA Leave and Mandatory Overtime

Employees with proper medical certification may use FMLA leave in lieu of working required overtime hours. Thus, hours that an employee would have been required to work but for the taking of FMLA leave will be counted against the employee's FMLA entitlement.

Calculating the Amount of FMLA Leave Used by an Employee

For purposes of determining the amount of FMLA leave used by an employee, the fact that a holiday may occur within the work week taken as FMLA has no effect; the week is counted as a week of FMLA leave. If, however, the employee is using FMLA leave in increments of less than one (1) week, the holiday will not count against the employee's FMLA leave entitlement unless the employee was otherwise scheduled and expected to work during the holiday. Similarly, when an employee is not scheduled to work during winter, spring or summer vacation (i.e., during a period when some or all employees are not expected to work for one (1) or more weeks), the days the employee is not scheduled to work shall not count against the employee's FMLA leave entitlement.

When an employee takes FMLA leave on an intermittent or reduced leave schedule basis, the leave shall be accounted for by using an increment no greater than the shortest period of time that the District uses to account for use of other forms of leave provided that it is not greater than one (1) hour and provided that the employee's FMLA leave entitlement is not reduced by more than the amount of leave actually taken.

Maintenance of Employee Benefits

The same group health plan benefits provided to an employee prior to taking FMLA leave shall be maintained during the FMLA leave (e.g., if family member coverage is provided to an employee, family member coverage shall be maintained during the FMLA leave). Similarly, benefit coverage during FMLA leave for medical care, surgical care, hospital care, dental care, eye care, mental health counseling, substance abuse treatment, etc., shall be maintained during leave if provided in the District's group health plan, including a supplement to a group plan.

If an employee chooses not to retain group health plan coverage during FMLA leave, the employee will be reinstated, upon return from leave, on the same terms as prior to taking the leave, without any qualifying period, physical examination, exclusion of pre-existing conditions, etc.

[] Under some circumstances the Board may elect to maintain other benefits (e.g., life insurance, disability insurance, etc.), by paying both the employer's and the employee's (share of) premiums during periods of unpaid FMLA leave. **[DRAFTING NOTE: The Board might elect to maintain these other benefits in order to ensure it can meet its responsibilities to provide equivalent benefits to the employee upon return from unpaid FMLA leave. (Some benefits require that there be no lapse of coverage in order to allow the original benefits to be in place when the employee returns from unpaid FMLA and to avoid any new qualifying periods or requirements. In such case, the Board would need to make sure the premiums associated with the non-health related benefits are paid continuously during the unpaid FMLA leave to avoid a lapse of coverage.)]** If the Board elects to maintain such benefits during an unpaid FMLA leave, at the conclusion of the leave, the Board may recover from the employee () (through payroll deductions) the costs it incurred for paying the employee's share of any such premiums, regardless of whether the employee returns to work.

[] Upon written request, an employee may continue non-group health plan benefits, which the Board elects not to maintain during a period of unpaid FMLA leave, by making timely premium payment(s) in accordance with directions provided by the () Superintendent () Treasurer () Director of Human Resources () . In this situation, the employee is responsible for the entire premium (i.e., what is normally considered the employer and employee shares of the premium). **[DRAFTING NOTE: If this option is selected, the District needs to specify the procedures and timing for employees to make the requisite premium payments – e.g., pay the entire premium in advance of the foreseeable leave, pay it during the leave by check submitted by a specific deadline associated with when the Board's payments for the premium are required to be made, or through payroll deduction once the employee returns from leave.]**

Costs Associated with Medical Certification and Recertification

The staff member is responsible for any costs associated with obtaining the original medical certification required to qualify for the use of unpaid FMLA leave. Likewise, if the Board requires a staff member to submit recertification for any of the reasons specified in Policy 1630.01/3430.01/4430.01, the employee is responsible for any costs associated with the recertification. Finally, the staff member is responsible for the cost of a new medical certification each leave year for medical conditions that last longer than one (1) year.

[] Periodic Status Reports [Drafting Note: Periodic status reports are not mandated by the FMLA.]

When a staff member takes a continuous unpaid FMLA leave, the Superintendent may require the employee to complete periodic status concerning the employee's intent to return to work. If the Superintendent is going to require such reports, the requirement will be specified in the Notice of Eligibility and Rights & Responsibilities that is issued to the staff member at the outset of the FMLA leave.



Book	Administrative Guidelines
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2271 - COLLEGE CREDIT PLUS PROGRAM

The following guidelines are established in accordance with Board policy and the rules of the State Department of Education.

Each year, prior to February 1st, the District shall provide information regarding the College Credit Plus Program to the students currently enrolled in grades six (6) through eleven (11) and to their parents (Form 2271 F6). This information should be provided through multiple and easily accessible resources, including, but not limited to, the District's website, student assemblies, written communications to students (either electronically or through hard copy), and joint communication events with institutions of higher education.

The institutions of higher education ("IHE") to which the College Credit Plus Program applies are: both public colleges as defined in R.C. 3365.01 and participating private colleges as defined in R.C. 3365.01.

All courses offered under the College Credit Plus Program must be the same courses included in the partnering IHE's course catalog for college-level, nonremedial courses, and must apply to at least one (1) degree or professional certification at the partnering college or university.

All instructors teaching a course under the College Credit Plus Program must meet the credential requirements set forth in guidelines and procedures established by the chancellor of the Ohio Board of Regents. If the guidelines require high school teachers to take any additional graduate-level coursework in order to meet the credential requirements, that coursework will be applicable to continuing education and professional development requirements for the renewal of the teacher's educator license. For high school teachers that are teaching courses for the college at a secondary school under the College Credit Plus Program, the participating IHE will provide at least one (1) professional development session per school year for such teachers and conduct at least one (1) classroom observation per school year for each course that is authorized by the college and taught by a high school teacher to verify that the course meets the quality of a college-level course.

Eligibility (see Form 2271 F2 and Form 2271 F3)

A. Students must be bona fide seventh graders, eighth graders, freshmen, sophomores, juniors, or seniors for the year in which participation is sought. In addition, the student must meet the standards for admission, enrollment, and course placement of the IHE and relevant academic programs.

B. Students must satisfy one of the following criteria:

- be remediation-free in one of the assessments established under R.C. 3345.061(F) (i.e., uniform statewide standards in mathematics, science, reading, and writing established by college presidents); or
- Meet an alternative remediation-free eligibility option as defined by the Chancellor of Higher Education in consultation with the superintendent of public instruction.

Students who participated in the College Credit Plus program before September 30, 2021 and who qualified to participate in accordance with prior law by scoring within one standard error of measurement below the remediation-free threshold for one of the required assessments and having a cumulative high school grade point average of at least 3.0 or alternatively receiving a recommendation from a school counselor, principal or career technical program advisor may remain eligible to participate.

~~Students must be remediation free in one of the assessments established under R.C. 3345.061(F) (i.e., uniform statewide standards in mathematics, science, reading, and writing established by college presidents). A student who scores within one standard error of measurement below the remediation free threshold for one of those assessments is considered to have met this requirement if the student also either:~~

- ~~1. has a cumulative high school grade point average of at least 3.0. If the student is seeking to participate in seventh or eighth grade, the student must have an equivalent cumulative grade point average in the applicable grade levels;~~
- ~~2. receives a recommendation from a school counselor, Principal, or career technical program advisor.~~

C. A student who has been expelled by this Board is ineligible to enroll during the period of expulsion. The Board may deny high school credit for the College Credit Plus Program any portion of which are taken during the period of a student's expulsion. If the student has elected to receive both high school and college credit, that election is automatically revoked for all college courses in which the student enrolled during the college term in which the expulsion is imposed.

Students participating in the College Credit Plus Program must elect at the time of enrollment in each course whether s/he is enrolling under **OPTION #1** or **OPTION #2** as outlined below:

OPTION #1

The student is responsible for all tuition, textbooks, materials, and fees associated with the course, and must choose whether to receive only college credit or high school and college credit for the course; or

OPTION #2

The student will have the participating college reimbursed by the Ohio Department of Education for all tuition, textbooks, materials, and fees associated with the course, and the student will receive both college credit and high school credit for the course.

During the time a student attends a course under **OPTION #1**, the student is not considered attending or enrolled in school anywhere. During the time a student attends a course under **OPTION #2**, the student is considered attending or enrolled in the District.

A student may not enroll in courses to receive credit toward high school graduation for more than the equivalent of:

- A. four (4) academic school years, if the student so enrolls for the first time in grade nine (9);
- B. three (3) academic school years, if the student so enrolls for the first time in grade ten (10);
- C. two (2) academic school years, if the student so enrolls for the first time in grade eleven (11);
- D. one (1) academic school year, if the student so enrolls for the first time in grade twelve (12).

Enrollment

- A. By April 1st of each year, a student or his/her parent must complete and submit the Letter of Intent to Participate in College Credit Plus Program Form 2271 F1 to the Principal which signifies the student's intent to participate in the program for the following school year. Prior to completing this form the student and his/her parents must participate in the special counseling sessions described below and confirm receipt of these counseling services by signing the Statement of Responsibility Form 2271 F7.
- B. Failure to meet this deadline shall exclude the student from the program for that school year unless written consent is granted by the Principal and the Principal notifies the department of education of the student's intent to participate within ten (10) days of the date the student seeks consent. If the Principal does not grant consent, the student may appeal the Principal's decision to the Superintendent. The decision of the Superintendent is final. Participation may be withdrawn by the

student or parent at any time upon written notification to the high school administration.

- C. Students must identify which credit option, either **OPTION #1** or **OPTION #2** above, they wish to pursue prior to the start of the first class session of the fall quarter or semester at the college. Once the first class session of the fall term has been held, the student may not change the option selected during the period of that school year, regardless of the number of courses taken.

Expulsion Notices to IHE

When a student is expelled, the Superintendent will send a written notice to any IHE in which the expelled student is enrolled under a College Credit Plus Program at the time the expulsion is imposed. This notice must indicate the date the expulsion is scheduled to expire and that the Board has adopted a policy under R.C. 3313.613 to deny high school credit for college courses taken during an expulsion. If the expulsion is later extended, the Superintendent again must notify the IHE.

Annual Information Session

The District will schedule at least one (1) informational session per school year to allow each partnering IHE that is located within thirty (30) miles of the school to meet with interested students and parents. The session will include the benefits and consequences of participation, as well as information concerning eligible courses, and will outline any changes or additions to the requirements of the program. The session will also include information concerning the probation, dismissal, and appeal procedures for underperforming and ineligible students as set forth in Board policy. If there are no partnering IHEs located within thirty (30) miles of the school, the District will coordinate with the closest partnering college to offer an informational session. Multiple high schools within a district and multiple districts may participate together in a combined event, as long as in each instance parents and students have an opportunity to interact with a representative of and receive information from each participating College Credit Plus Program institution and their secondary school, so they will understand their College Credit Plus Program opportunities.

Program Requirements

Students can choose to enroll in (1) courses taught at the college or university, (2) online courses, if available, or (3) College Credit Plus Program courses taught within the District, if available, or in a combination of the three (3). All students who have enrolled in the IHE under the College Credit Plus Program must be assessed with the same standard of achievement and held to the same grading standards, regardless of where the course is delivered.

For College Credit Plus Program classes taught within the District, such classrooms will consist of students who all follow the same course syllabus, use the same textbook and materials, aspire to achieve the same learning outcomes, and are assessed using the same methods as the college course delivered on the college campus. A District student who is not enrolled in the IHE, but who is in the College Credit Plus Program classroom must, along with the student's parents, be provided written notice (Form 2271 F5) stating the student is not earning college credit and would likely be required to retake the course upon enrollment at an institution of higher education if college credit is desired.

The District will verify that none of its students participating in the College Credit Plus Program is taking more than thirty (30) college credit hours during an academic year and not more than the equivalent of four (4) academic years or 120 college credit hours total through the College Credit Plus Program.

The District will determine the number of college credits a student earned through the College Credit Plus Program by using the following calculation:

- A. Take the number of high school units scheduled by the District for which the student receives only high school credit, then multiply that number by three (3) and then subtract the result from thirty (30). The resulting number shall be the total number of college credits a student participant may earn under the College Credit Plus Program in an academic year.

OR

- B. Under the College Credit Plus Program, postsecondary quarter hours are equal to .67 semester hours rounded to the nearest whole number.

The District will determine the amount of high school credit earned through participation in the College Credit Plus Program by using the following calculation:

- A. A College Credit Plus Program course transcribing three (3) or more semester credit hours shall count as one (1) full high school unit.

OR

- B. A College Credit Plus Program course transcribing less than three (3) semester hours shall count as the proportional fraction of a high school unit.

The District will ensure that enrollment in a College Credit Plus Program course for which an end-of-course examination is required under Section 3301.0712 of the Ohio Revised Code does not circumvent the participating student's obligation to take the required end-of-course examination.

Course Eligibility

A student participating in the College Credit Plus Program shall complete fifteen (15) semester credit hours of Level I courses that may be applied toward a certificate or degree prior to taking a Level II course, except as follows:

- A. A student may take a Level II course in the same subject prior to completing the required fifteen semester credit hours upon successful completion of a Level I course.
- B. A student may take a Level II course that has a Level I course as a prerequisite if the student, in accordance with the course placement guidelines of the IHE in which the student enrolls, has demonstrated by an assessment or other means that the student is academically prepared for the course.
- C. A student may count an advanced placement course or international baccalaureate diploma course completed in the District toward the fifteen semester credit hours of courses with evidence that the student attained the required score on an examination covering the coursework. In the case of an advanced placement course, the required score shall be the passing score set forth in the standards adopted under R.C. 3333.163. In the case of an international baccalaureate diploma course, the required score shall be the passing score specified by the IHE in which the student enrolls that the IHE considers sufficient to award college credit for the course.

After successfully completing fifteen semester credit hours as set forth above, the student may enroll in a Level II course that may be applied toward a certificate or degree.

Non-Allowable Courses

- A. an applied course that involves one-on-one private instruction such as instruction in instrumental music, voice, or art;
- B. a course for which the fees (as defined in the rules and R.C. 3345.49) exceed an amount established by the chancellor of the Ohio Board of Regents;
- C. a study abroad course or similar course;
- D. a physical education course;
- E. a course that is graded on a pass/fail or satisfactory/unsatisfactory basis rather than using letter grades, with the exception of an internship course. This section does not apply to a transferable course that is graded on a pass/fail basis for all students not participating in the College Credit Plus Program;
- F. a remedial or non-college-level course as prohibited by R.C. 3365.02;
- G. a sectarian course as prohibited by R.C. 3365.02.

If a non-allowable course as set forth above is a part of a predetermined pathway or required sequence of courses leading to a certificate or degree, an IHE, on behalf of one or more students who are enrolled in the IHE through the College Credit Plus Program and have shown progress on that pathway or sequence of courses through their previous coursework, may request the chancellor of the Ohio Board of Regents to allow payment for the course under R.C. 3365.07.

Notifications

Upon receipt of a student's pre-term notice of admission, the District shall verify that the student is enrolled in an appropriate level of course as defined in the course eligibility rules adopted by the Department of Education. If the student is not enrolled in an appropriate level of course, the District shall notify the student and the student's parents that the student must either withdraw from the course prior to the IHE's prescribed no-fault waiver date or pay all tuition, fees, and textbook costs for the course.

The District will work with each IHE in which the District's students are enrolled under the College Credit Plus Program to verify that the required notifications concerning course eligibility are provided to students.

Home-Schooled Students

Any home-schooled student participating in the College Credit Plus Program shall be required to comply with the course eligibility rules adopted by the Department of Education. The student's parents, however, shall be responsible for verifying that the student is enrolled in an appropriate level of course as defined in the course eligibility rules adopted by the Department of Education and that the student is not enrolled in a non-allowable course.

Development of Model Course Pathways

The District will develop, in consultation with at least one (1) public partnering college or university, two (2) model pathways for courses offered under the College Credit Plus Program. The model pathways will serve as samples of the courses that a student can take toward a specified degree or certificate. One (1) of the model pathways will be a fifteen-credit hour pathway and one (1) will be a thirty (30) credit hour pathway. Each pathway shall include courses which, once completed, all apply to at least one (1) degree or professional certification offered at the IHE. 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 IHE. The Board will publish the pathways among the school's official list of course offerings.

Counseling Services (see Form 2271 F4)

The student and parents must participate in the following counseling services provided by the District. The counseling session may be incorporated into the annual information session provided the District makes alternative dates available for those unable to attend the annual information session. If the counseling session is held separately from the informational session, it will include information concerning the probation, dismissal, and appeal procedures for underperforming and ineligible students as set forth in Board policy, as well as information concerning eligible courses. At the session, students will receive a copy of a permission slip regarding the potential for exposure to mature subject matters/materials in a college credit plus course, which must be completed with the student's application.

Program Eligibility and Credit Options

Potential Risks and Consequences

Among the potential risks of participation the student must be willing to accept are:

- A. increased student responsibility for learning because of less instructional guidance;
- B. reduced opportunities to participate in high school co-curricular and extra-curricular activities;
- C. increased financial obligations for tuition, books, materials, and fees, if college credit only is sought;
- D. potential loss of after-school employment opportunities;
- E. possible effect on grade point average and class standing;
- F. possible delay of graduation;
- G. increased time for travel, study, etc.
- H. exposure to mature subject matter and materials, including those of a graphic, explicit, violent, or sexual nature that will not be modified because of the student's participation.

Potential benefits are:

- A. expanded curriculum offerings;
- B. opportunities to study in more depth those areas of special interest or need;
- C. opportunities to earn college credits while still in high school;

- D. opportunities for financial support for taking college courses while still in high school;
- E. opportunities to experience college level work and life prior to making final decisions about whether and/or where to attend college.

College Acceptance and Scheduling

Participation is contingent upon admission to the IHE. The District will assist the student in gaining admission by providing transcripts and other related documents but will accept no responsibility if the student is not accepted by the IHE. Students who are awaiting acceptance should register for District classes as if they were not participating in the program. Schedule changes will then be made prior to the start of each semester for those students who receive notice of admission which must be provided by the IHE, in writing, to the student, the District, and the Department of Education within ten (10) days of acceptance.

Participating Institutions of Higher Education

The District will maintain a list of all IHEs that currently participate in the program.

- A. In the event that the student withdraws from the college class for high school credit within the first two (2) weeks of the college course, the student will be re-enrolled in the high school class(es) that were previously dropped.
- B. Reasonable efforts will be made in scheduling to accommodate the needs of students who will be leaving the school campus in order to participate in this program. However, scheduling conflicts are not the responsibility of the District. Revising the master schedule and/or unduly overloading classes are not required in order to accommodate schedule requests.

Financial Arrangements

Students who elect to take the college course for college credit only will have the financial responsibility for tuition, textbooks, materials, and fees. The Board accepts no financial responsibility for those students who will be paying for their own tuition, fees, or textbooks. Those arrangements are between the college and the student and/or his/her parents.

Students assume no financial obligations if they elect to take the college course for college and high school credit. Tuition, textbooks, materials, and fees are assumed by the Board. Should students fail to complete a course taken for credit (whether through a formal "class drop" process or through nonattendance reasons other than those normally accepted by the school administration) any and all financial obligations assumed by the Board will default to the students and their parents.

Unless the student was expelled by the school, the Superintendent or chief administrator will not seek reimbursement from a participant or a participant's parent if the participant is identified as economically disadvantaged according to rules adopted by the Department of Education and these guidelines.

Process for Granting Academic Credits

When students elect to receive high school credit for college courses, credit will be awarded for successful completion of courses in accordance with the following guidelines:

- A. The Principal shall require the student to submit a course syllabus or detailed description of each college course taken so that a comparison can be made with existing high school courses.
- B. If the Principal determines that the college course is comparable to one (1) offered by the high school, the equivalent high school credit shall be granted.
- C. If the Principal determines that the college course is not comparable to one (1) offered by the high school, credit shall be granted in a subject area similar to that taken by the student at the college.
- D. In the event that the student or parents contest the credit, the Superintendent shall determine the appropriate credit. The Superintendent's decision may be appealed to the Ohio Department of Education, whose decision in the matter shall be final and binding.
- E. Students who enroll in a college course for both high school and college credit will receive on their high school transcript the grade issued by the college. While the course will be clearly designated on transcripts as a college course taken for high school credit, the grade will be computed in the grade point average as if issued by the high school faculty.

- F. If a student is expelled from the District's schools, the Principal may deny high school credit for any College Credit Plus Program courses taken during the expulsion.
- G. If a college withdraws its acceptance of an expelled student who elected to take courses for high school credit only, the District shall not award high school credit for the college courses in which the student was enrolled at the time the college withdrew its acceptance.
- H. The policy for awarding grades and the calculation of class standing for College Credit Plus Program courses shall not disadvantage students who choose to participate in the College Credit Plus Program rather than in other advanced standing programs. All courses within the same academic subject area will provide the same value for all advanced standing courses, including College Credit Plus Program, advanced placement, international baccalaureate, and honor courses.

Criteria for Transportation Aid

All students participating in the College Credit Plus Program will be responsible for their transportation to and from their homes and the college or to and from the district school and the college.

Available Student Services

Students enrolled in the College Credit Plus Program will be entitled to all student services provided to any other of the District's school students (counseling, health, etc.). However, these services will be provided only while the students are on the school campus and only upon request. It is also the students' responsibility to keep themselves informed of academic and other requirements for all students who attend the school.

Consequences of Failing or Not Completing a Course

- A. If students withdraw from the college course(s) within the first two (2) weeks of the course, they will be rescheduled for the appropriate District course(s), and no record of the college course will appear on the transcript. However, if students withdraw from the college course(s) after two (2) weeks of the classes, the course will appear on the transcript and will carry a grade of Withdrawn/Failing, which will be computed in the same manner as a failing grade on the high school transcript.
- B. Any course taken for high school credit at an IHE and completed (or recorded as Withdrawn/Failing) will be clearly identified on the transcript along with the name of the IHE where the work was undertaken.

Effect on Completion of Graduation Requirements

Students may use college courses for credit toward high school graduation. However, it is the responsibility of participating students and parents to be sure that the courses undertaken will meet the graduation requirements for the students. Upon acceptance by the IHE, students should schedule an appointment with a high school counselor to develop a written schedule showing courses to be taken at the high school and at the IHE as well as all graduation requirements remaining to be met. No high school graduation requirements shall be waived for any student as a result of participation in this program.

Academic and Social Responsibilities of Students and Parents

- A. When attending either regular classes or co-curricular/extra-curricular activities at the high school, students participating in this program will be expected to abide by all Board policies and the Student Code of Conduct. Students and their parents assume all responsibility and liability related to attendance at an IHE and must agree to hold harmless the Board of Education, the administration, and the staff for any incidents arising out of participation in this program.
- B. Students must meet all requirements and standards established by the college and assume responsibility for attendance and behavior.

Information and Encouragement to Use College Counseling Services

The school counselors, during the individual counseling sessions, shall make available any information provided by the IHE concerning its counseling services. In addition, counselors should encourage students and their parents to utilize counseling services available at the college to better ensure successful completion of the college courses.

Grade Point Computation and Reporting of Grades

- A. For those college courses taken for high school credit, the grade for that course will be computed at the end of the next regular grading period at the high school following the receipt of an official transcript from the IHE. All grades to be entered on the high school transcript must be taken from an official transcript from the IHE. Should there be an urgent need for a letter grade, notification on official letterhead from the college instructor advising of the grade will be accepted to verify the grade.
- B. Eligibility for co-curricular and extra-curricular activities in accordance with Board Policy 2430, and Policy 2431, will be affected if courses are taken for high school credit. Eligibility will be checked at the end of each college quarter or semester. A failing grade will result in an ineligibility for the next full school semester.
- C. The student and parents must receive the standard packet of information for the College Credit Plus Program developed by the chancellor of the Ohio Board of Regents pursuant to R.C. 3365.15.

Economically Disadvantaged Students

No student considered to be economically disadvantaged shall be charged for anything related to College Credit Plus Program participation.

A student will be considered economically disadvantaged for the purpose of the College Credit Plus Program participation if the student is either: a member of a household that meets the income eligibility guidelines for free or reduced-price meals, less than or equal to 185% of Federal poverty guidelines under the provisions of the National School Lunch Act, 42 U.S.C. 1758; or a member of a household that participates in at least one (1) of the following programs:

- A. Medicaid;
- B. food stamps;
- C. supplementary security income (SSI);
- D. Federal public housing assistance or Section 8 (a Federal housing assistance program administered by the department of housing and urban development);
- E. low income home energy assistance program.

Once the District determines that a student is economically disadvantaged, any of the student's siblings who attend school within the District will automatically be considered economically disadvantaged by the District without the District collecting its own data on that family.

Revised 11/99
 Revised 2/19/01
 Revised 10/1/13
 Revised 2/12/18

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Legal R.C. 3313.613, 3365.01 through 3365.09
 A.C. 3333.1-65.13



Book Administrative Guidelines
 Section Superintendent Approved Guidelines 40-1
 Title Vol. 40, No. 1 - August 2021 Revised BLENDED LEARNING
 Code ag2370.01
 Status

New

2370.01 - **BLENDED LEARNING**

The following guidelines are established in accordance with Board policy and the rules of the Ohio Department of Education for students engaged in blended learning, which is defined as delivery of instruction in a combination of time primarily in a supervised physical location away from home and online delivery where the student has some element of control over time, place, path or pace of learning.

- A. Personalization of student-centered learning models to meet the needs of each student shall be developed and implemented, as follows: _____.
- B. The quality of on-line curriculum delivered to students shall be evaluated by the Principal, _____ using the following criteria and methods: _____.
- C. Students shall be permitted to advance through each level of the curriculum based on demonstrated competency/mastery of the material. Assessment of each participating student's progress through the curriculum shall be completed by the teacher of record, _____ using: _____.
- D. The Superintendent shall assign a sufficient number of teachers to ensure that each student has an appropriate level of interaction to meet the student's personal learning goals. The number of teachers assigned will be based on the number of students enrolled in the blended learning program. Each participating student shall be assigned to at least one (1) teacher of record. **[NOTE: A school or classroom that implements blended learning cannot be required to have more than one (1) teacher for every 125 students.]**
- E. Each participating student will have access to the digital learning tools necessary to access on-line or digital content. Such tools will be assigned to students and documented/inventoried by the Technology Coordinator_____.
- F. Each school shall use a filtering device or install filtering software that protects against internet access to materials that are obscene or harmful to juveniles on each computer provided to or made available to students for instructional use. ~~The filtering device/filtering software shall be provided and maintained in accordance with the following:~~ _____.
- G. The school shall provide a filtering~~such~~ device or software at no cost to any student who uses a device obtained from a source other than the school.
- H. The school will provide that teachers, administrators, and support staff have appropriate training in the pedagogy of the effective delivery of on-line or digital instruction. ~~Such training will include:~~ _____ ~~and shall be provided () annually () periodically.~~

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Book Administrative Guidelines
 Section Superintendent Approved Guidelines 40-1
 Title INDEPENDENT EDUCATIONAL EVALUATIONS
 Code ag2460.03
 Status

2460.03 - INDEPENDENT EDUCATIONAL EVALUATIONS

Parents of a student with a disability, as defined by the Individuals with Disabilities Education Improvement Act ("IDEIA"), have the right to obtain an independent educational evaluation ("IEE") subject to the criteria set forth in Policy 2460.03 and below.

If a parent requests an IEE at public expense, the parent may be asked for a reason why s/he objects to the District's evaluation. However, the explanation by the parent may not be required and the District will not unreasonably delay either providing the IEE at public expense or initiating a due process hearing - pursuant to O.A.C. 3301-51-05(G) - to defend its evaluation. There is no requirement that the parents specify areas of disagreement with the District's evaluation as a prior condition to obtaining the IEE. Unless the District chooses to initiate a due process hearing, the District will respond to the parents' request in a manner that allows the IEE to be provided at public expense in a timely manner.

If parents request an IEE at public expense, the District will, without unnecessary delay:

- A. provide information to parents about where an IEE may be obtained and the District's criteria applicable for IEEs; and
- B. either initiate a due process hearing to show that its evaluation is appropriate; or
- C. provide an IEE at public expense, unless the School District demonstrates in a due process hearing that the evaluation obtained by the parent did not meet District criteria.

If the District initiates a due process hearing and the final decision is that the District's evaluation is appropriate, the parents may still obtain an IEE but not at public expense.

[] MINIMUM QUALIFICATIONS FOR EVALUATION

[NOTE: SELECT OPTION A OF OPTION B]

[] [OPTION A]

The independent examiner must possess the following minimum and current qualifications:

Type of Assessment	Qualifications
Academic Achievement	Certificated/Licensed Special Education Teacher or Licensed Educational Psychologist
Adaptive Behavior	Certificated/Licensed Special Education Teacher or Licensed Educational Psychologist
Auditory Processing/Perception	Certificated/Licensed Speech-Language Pathologist
Behavioral	Certificated/Licensed Special Education Teacher or Licensed Educational Psychologist or Board Certified Behavior Analyst
Cognitive	Licensed Educational Psychologist

Health or Medical Disability	Licensed Physician
Hearing Acuity	Audiologist or Certificated/Licensed Speech-Language Pathologist
Motor Adaptive	Physical Education Specialist or Registered Occupational Therapist or Licensed Physical Therapist
Neurological/Neuropsychological	Licensed Psychiatrist/Neurologist; Licensed Clinical Psychologist with American Board of Clinical Neuropsychology or comparable Board Certification
Social/Emotional	Licensed Educational Psychologist or Clinical Psychologist or Psychiatrist
Speech and Language	Certificated/Licensed Speech-Language Pathologist
Visual Processing/Perception	Certificated/Licensed Special Education Teacher or Licensed Educational Psychologist
Visual Acuity	Ophthalmologist or Optometrist

[END OF OPTION A]

[] [OPTION B]

The independent examiner must possess the following minimum and current qualifications:

- A. **Medical (physical) examinations**, including vision examinations, must be conducted by a licensed doctor of medicine or doctor of osteopathy. Visual acuity evaluations must be completed by an optometrist. Visual examinations for the purpose of identifying a visual impairment must be done by an M.D. or D.O.
- B. All **general intelligence and achievement evaluations** must be conducted by a psychologist who holds a license from the State of Ohio, Board of Psychology or who holds a Ohio School Psychologist certificate/license from the Ohio Department of Education. Any other evaluations provided by a psychologist as part of the IEE must be conducted by a psychologist who holds a license from the State of Ohio, Board of Psychology, or who holds an Ohio School Psychologist certificate/license from the Ohio Department of Education.
- C. **Audiological evaluations** must be conducted by an audiologist who holds a license from the Ohio Board of Speech Pathology and Audiology; an Ohio special education teacher's certificate/license for audiology from the Ohio Department of Education; and at least a Master's Degree in audiology or its equivalent from an accredited institution.
- D. **Speech/Language evaluations** must be conducted by a speech/language pathologist who holds a license from the Ohio Board of Speech Pathology and Audiology and/or an Ohio special education teacher's certificate/license for speech and hearing therapy from the Ohio Department of Education.
- E. **Physical therapy evaluations** must be conducted by a physical therapist who holds a license from the Ohio Board of Occupational Therapy and Physical Therapy and/or a special education teacher's certificate/license for physical therapy from the Ohio Department of Education.
- F. **Occupational therapy evaluations** must be conducted by an occupational therapist who holds a license from the Ohio Board of Occupation Therapy and Physical Therapy and/or a special education teacher's certificate/license for occupational therapy from the Ohio Department of Education.
- G. **Assessments for social/emotional/behavioral functioning** must be conducted by professionals with appropriate certification or licensure in a relevant field, such as psychology, psychiatry, counseling, or social work.
- H. Other evaluations must be conducted by qualified professionals as determined by State and Federal law and regulations and by professionals with the same qualifications as the School District uses in its evaluation team reports including, but not limited to, credentials, licenses, certificates, background and educational-related experience (including experience in a public school educational setting).

[END OF OPTION B]

[] Maximum Fees for Various Evaluations

The cost of the IEE will be based upon some of the following criteria: (a) the amount of testing to be done; (b) the time it takes to administer each test; and (c) the time it takes to interpret and write up a meaningful report.

Unreasonable costs for travel, lodging, etc., will not be reimbursed. Costs above customary amounts will be approved only if the parent demonstrates that the costs reflect a reasonable and customary rate for such evaluative services, or if the parents demonstrate that there are other factors that make the extraordinary costs necessary. The District must be provided with a copy of a detailed bill itemizing all charges and costs of the IEE and related report, the amount of time in hours/minutes spent conducting and preparing the IEE and related report, the times spent on any other services billed to the District, and indicating specifically what person or persons performed each task or item billed to the District. A copy of the IEE report and the detailed bill must be submitted to the District within sixty (60) days of the date of completion of the IEE.

Independent Evaluation Costs – Up to the average of the prevailing rate:

Communication/Speech/Audiological	up to _____ [e.g., \$500.00]
Medical	up to _____ [e.g., \$500.00]
Occupational Therapy or Physical Therapy	up to _____ [e.g., \$500.00]
Psychological	up to _____ [e.g., \$1,500]
Vision Examination by Ophthalmologist/Optomtrist	up to _____ [e.g., \$200.00]
Comprehensive IEE	up to \$2,800.00

The _____ [e.g., **Director of Pupil Services**] shall maintain a list of sources for an IEE within the geographic area specified in Policy 2460.03. If parents select someone not listed to conduct the IEE, the District will negotiate a reasonable or maximum charge for the service.

The evaluation tool or methodology used by the evaluator must be research-based and generally accepted for use with children to assess for the suspected disabilities. The evaluator must provide all testing materials. All assessment/evaluation instruments must meet the following requirements:

- A. All evaluation instruments must be administered by a qualified examiner, be age-appropriate to the child, and be administered, scored and interpreted in conformance with the publisher's instructions and in accordance with all applicable professional criteria and standards.
- B. The evaluation instruments are to be chosen on the basis of their relevancy to the educational questions to be addressed by the evaluation. This means that the instruments should be those that are commonly known to, and used by, public school professionals.
- C. The evaluation instruments must be provided and administered in the child's native language or other mode of communication, unless it is clearly not feasible to do so.
- D. The evaluation instruments must be current; have acceptable reliability and validity according to professional testing standards; be generally accepted in the field of educational evaluation; and provide information relevant to determining eligibility for special education or for developing an IEP. Norm-referenced evaluation instruments must be appropriately normed and standardized for the specific purpose for which they are used.
- E. Tests must be administered and selected so as to best ensure that when a test is administered to a child with impaired sensory, manual or speaking skills, the test results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual or speaking skills except where those skills are factors which the test purports to measure.
- F. Meaningful parts to an IEE include: (a) observation in school/classroom setting; (b) interview of school personnel; (c) a description of the educational history, including a listing of educational interventions; and (d) a review and summary of education records.

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Book	Administrative Guidelines
Section	Superintendent Approved Guidelines 40-1
Title	Copy of FMLA LEAVE
Code	ag3430.01
Status	
Adopted	November 1, 2004
Last Revised	September 22, 2015

3430.01 - **FMLA LEAVE**

Definitions Applicable to FMLA Leave

The term "child" (i.e., son or daughter) means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age eighteen (18), or age eighteen (18) or older and "incapable of self-care" because of a mental or physical disability (as defined by the Americans with Disabilities Act (ADA), as amended) at the time the FMLA leave is to commence.

The term "spouse" means all individuals in legal marriages, regardless of where they live. More specifically, the definition of "spouse" is a husband or wife as defined or recognized in the State where the individual was married ("place of celebration"), and specifically includes individuals in lawfully recognized same-sex and common law marriages. The definition further includes an individual in a marriage that was validly entered into outside the United States if it could have been entered into in at least one (1) State. Civil unions are not considered marriages under the FMLA.

The term "incapable of self-care" means that the individual requires active assistance or supervision to provide daily self-care in three (3) or more of the "activities of daily living" (ADLs) (e.g., caring appropriately for one's grooming and hygiene, bathing, dressing, eating) or "instrumental activities of daily living" (IADLs) (e.g., cooking, cleaning, shopping, taking public transportation, paying bills, maintaining a residence, using telephones and directories, using a post office, etc.).

An employee is "unable to perform the functions of his/her position" where the health care provider finds that the employee is unable to work at all or is unable to perform any one of the essential functions of the employee's position. Additionally, an employee who must be absent from work to receive medical treatment for a serious health condition is considered to be unable to perform the essential functions of the position during the absence for treatment.

Leave for Adoption or Foster Care

Eligible employees may take FMLA leave before the actual placement or adoption of a child if an absence from work is required for the placement or foster care to proceed. Permissible absences include, but are not limited to, the employee attending a required counseling session, appearing in court, consulting with his/her attorney or the doctor(s) representing the birth parent, submitting to physical examinations, or traveling to another country to complete an adoption.

Military Family Leave Entitlements

A. Military Caregiver Leave

Eligible employees may take up to twenty-six (26) weeks of unpaid FMLA leave, in a "single twelve (12) month period," to care for a covered service member with a serious injury or illness. The "single twelve (12) month period" begins on the first day the eligible employee takes Military Caregiver Leave and ends twelve (12) months after that date. If the employee does not use his/her entire twenty-six (26) work weeks leave entitlement during the "single twelve (12) month period" of leave, the remaining work weeks of leave are forfeited.

For purposes of Military Caregiver Leave, the covered service member may be a (1) current member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness, or (2) a veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) and was discharged or released under conditions other than dishonorable at any time during the period of five (5) years prior to the first date the eligible employee takes FMLA leave to care for the covered veteran. For an individual who was a member of the Armed Forces and who was discharged or released under conditions other than dishonorable prior to March 8, 2013, the period between October 28, 2009, and March 8, 2013, shall not count towards the determination of the five-year period for covered veteran status.

Serious injury or illness for purposes of Military Caregiver Leave is defined as an injury or illness incurred by a covered service member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the covered service member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and that may render the service member medically unfit to perform the duties of his/her office, grade, rank, or rating.

In the case of a veteran, a serious injury or illness means an injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or that existed before the beginning of the member's active duty and was aggravated by the service in the line of duty on active duty in the Armed Forces) and manifested itself before or after the member became a veteran and is (1) a continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of the service member's office, grade, rank, or rating; (2) a physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) of fifty percent (50%) or greater, and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; (3) a physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or (4) an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

The term "son or daughter of a covered service member" means a covered service member's biological, adopted, or foster child, stepchild, legal ward, or child for whom the service member stood in loco parentis, and who is of any age. Similarly, the term "parent of a covered service member" means a covered service member's biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered service member. (The term does not include parents "in-law.")

The term "next of kin" means the service member's nearest blood relative, other than the covered service member's spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the service member by court decree or statutory provisions; brothers and sisters; grandparents; aunts and uncles; and first cousins; unless the covered service member has specifically designated in writing another blood relative as his/her nearest blood relative for purposes of Military Caregiver Leave under the FMLA, in which case the designated individual shall be deemed to be the covered service member's next of kin. All family members sharing the closest level of familial relationship to the covered service member are considered the covered service member's next of kin, unless the covered service member has specifically designated an individual as his/her next of kin for Military Caregiver Leave purposes. While an eligible employee may care for more than one (1) seriously injured or ill covered service member at the same time, the employee may not take more than twenty-six (26) work weeks of leave during each "single twelve (12) month period."

Military Caregiver Leave is a "per-service member, per-injury" entitlement. Therefore, an eligible employee may take twenty-six (26) work weeks of leave to care for one (1) covered service member in a "single twelve (12) month period," and then take another twenty-six (26) work weeks of leave in a different "single twelve (12) month period" to care for another covered service member or to care for the same service member with a subsequent serious injury or illness (e.g., if the service member is returned to active duty and suffers another injury). Additionally, an eligible employee could take FMLA leave, after the end of the "single twelve (12) month period" for Military Caregiver Leave, to care for a covered service member if the member is a qualifying family member under non-military FMLA and s/he has a serious health condition.

B. Qualifying Exigency Leave

Eligible employees may take up to twelve (12) weeks of unpaid FMLA leave for any of the following qualifying exigencies that are related to the fact that the employee's spouse, son, daughter or parent is on covered active duty or call to covered active duty status, or has been notified of an impending call or order to covered active duty in the Armed Forces:

1. Issues arising from a qualifying family member's short-notice deployment (i.e., deployment on seven (7) or less calendar days of notice) for a period of seven (7) days from the date of notification.

2. Military events and related activities, such as official ceremonies, programs, or events sponsored by the military, or family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to a qualifying family member's covered active duty or call to covered active duty status.
3. Certain childcare and related activities arising from a qualifying family member's covered active duty or call to covered active duty status, such as arranging for alternative childcare, providing childcare on an urgent, immediate need basis (but not on a routine, regular, or everyday basis), enrolling or transferring a child in a new school or day care facility, and attending certain meetings at a school or a day care facility if they are necessary due to circumstances arising from the active duty or call to active duty of the covered military member (this does not include providing child care on a routine, regular or everyday basis).
4. Making or updating financial and legal arrangements to address a qualifying family member's absence (e.g., preparing and executing financial and healthcare power of attorney, transferring bank account signature authority, enrolling in the Defense Enrollment Eligibility Reporting System, obtaining military identification cards, or preparing or updating a will or living trust) and acting as the military member's representative before a federal, state, or local agency for purposes of obtaining, arranging, or appealing military service benefits while the military member is on covered active duty or call to covered active duty status, and for a period of ninety (90) days following the termination of the military member's covered active duty status.
5. Attending counseling provided by someone other than a healthcare provider for oneself, the qualifying family member, or the child of the qualifying family member, the need for which arises from the qualifying family member's covered active duty or call to covered active duty status. The child must be the military member's biological, adopted, or foster child, stepchild, legal ward or child for whom the military members stands in loco parentis, who is either under eighteen (18) years of age or eighteen (18) years of age or older and incapable of self-care because of a mental or physical disability at the time that FMLA leave is to commence.
6. Taking up to fifteen (15) days of leave to spend time with a qualifying family member who is on short-term, temporary, rest and recuperation leave during the deployment.
7. Attending to certain post-deployment activities, including attending arrival ceremonies, reintegration briefings and events, and other official ceremonies or programs sponsored by the military for a period of ninety (90) days following the termination of the qualifying family member's covered active duty status, and addressing issues arising from the death of a qualifying family member.
8. Providing parental care for a parent of a military member who is incapable of self-care and is the military member's biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered service member when the member was under eighteen (18) years of age. "Incapable of self-care" means the parent requires active assistance or supervision to provide daily self-care in three or more of the activities of daily living (includes adaptive activities such as caring appropriately for one's grooming and hygiene, bathing, dressing and eating) or instrumental activities of daily living (includes cooking, cleaning, shopping, taking public transportation, paying bills, maintaining a residence, using telephones and directories, using a post office, etc.). Parental care includes (1) arranging for alternate care when the parent is incapable of self-care and the covered active duty or call to covered active duty status necessitates a change in the existing care arrangement for the parent; (2) providing care on an urgent, immediate need basis (but not on a routine, regular or everyday basis) when the parent is incapable of self-care and the need to provide such care arises from covered active duty or call to covered active duty status; (3) admitting or transferring to a care facility a parent when admittance or transfer is necessitated by the covered active duty or call to covered active duty status; and (4) attending meetings with staff at a care facility, such as meetings with hospice or social service providers for a parent when such meetings are necessary due to circumstances arising from the covered active duty or call to covered active duty status but not for regular or routine meetings.
9. Any other event that the employee and the Board agree is a qualifying exigency.

The term "qualifying family member" for purposes of Qualified Exigency Leave means a staff member's spouse, son, daughter or parent.

The term "covered active duty" or "call to covered active duty status" for purposes of Qualified Exigency Leave means duty for a member of the Regular Armed Forces during deployment of the member with the Armed Forces to a foreign country, and, in the case of a member of the Reserve components of the Armed Forces, duty during deployment of the member with the Armed Forces to a foreign country under a Federal call or order to active duty in support of a contingency operation pursuant to Sections 688, 12301(a), 12302, 12304, 12305, 12406, or Chapter 15 of Title 10 of the United States Code or any other provision of law during a war or during a national emergency declared by the President or Congress as long as it is in support of a contingency operation.

The term "son or daughter" means the employee's biological, adopted, or foster child, stepchild, legal ward, or child for whom the employee stood in loco parentis, who is on covered active duty or call to covered active duty status, and who is of any age. Similarly, the term "parent" means a biological, adoptive, step, or foster father or mother, or any other individual who stood in loco parentis to the employee when the employee was a son or daughter. (The term does not include parents "in-law.")

Employee Request for FMLA Leave

While eligible employees are not required to expressly request unpaid FMLA leave, it is requested that eligible employees who seek an unpaid FMLA leave for any of the approved reasons complete and submit to the Superintendent a written request for FMLA leave.

Employee Certifications

Eligible employees who apply for FMLA leave "to care for an immediate family member" must submit DOL Form (WH-380-F; "Certification of Health Care Provider for Family Member's Serious Health Condition").

Eligible employees who apply for FMLA leave for "the employee's own serious health condition" must submit DOL Form (WH-380-E; "Certification of Health Care Provider for Employee's Serious Health Condition").

Eligible employees who apply for Military Caregiver Leave must submit DOL Form (WH-385; "Certification for Serious Injury or Illness of Covered Service Member – for Military Family Leave" or WH-385-V, "Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave). The form may be completed by a Department of Defense (DOD) health care provider, Veterans Affairs health care provider, a DOD TRICARE network authorized private health care provider, a DOD non-network TRICARE authorized private health care provider, or any health care provider as defined by 29 C.F.R. 825.125.

Additionally, with respect to Military Caregiver Leave, the District will accept the submission of an Invitational Travel Order (ITO) or Invitational Travel Authorization (ITA), in lieu of the DOL Form, for the time period specified in the ITO or ITA. The ITO or ITA submitted by the employee need not list the employee as the named recipient of the ITO/ITA, provided the employee is the spouse, parent, son, daughter or next of kin of the covered service member. If the covered service member's need for care extends beyond the expiration date specified in the ITO or ITA, the employee is responsible for submitting the DOL Form for the remainder of the employee's leave period. The District will also accept, with respect to Military Caregiver Leave, documentation indicating the service member's enrollment in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers, regardless of whether the employee is the named caregiver in the documentation. Employees are advised that the Superintendent may seek authentication and clarification of such documentation, and may require an employee to provide confirmation of covered family relationship to the seriously injured or ill service member and documentation showing that the discharge was other than dishonorable and the date of the veteran's discharge.

It is the employee's responsibility either to furnish a complete and sufficient certification or to furnish the health care provider providing the certification with any necessary authorization from the employee or the employee's family member in order for the health care provider to release a complete and sufficient certification to the Board to support the employee's FMLA request.

In all instances in which certification is requested, it is the employee's responsibility to provide the Board with complete and sufficient certification, and failure to do so may result in denial of FMLA leave.

Eligible employees who apply for any of the three (3) preceding types of FMLA leave must also execute and provide to his/her health care provider a HIPAA-compliant release form.

If the Superintendent deems a medical certification to be incomplete or insufficient, the Superintendent shall notify the employee, in writing, what information is lacking, and the employee will have seven (7) calendar days to cure the deficiency. The Superintendent (i.e., the Board's health care provider, human resource professional, leave administrator, or other management official, but not the employee's direct supervisor) may contact the certifying health care provider for clarification concerning or to authenticate the content of a medical certification. The representative, however, shall not ask the health care provider for additional information beyond that required by the certification form.

Employees who take leave for "the employee's own serious health condition", prior to returning to work, must submit to the Superintendent a "Fitness-for-Duty Certification". Again, the employee will need to have executed and provided to his/her Health Care Provider a HIPAA-compliant form.

Eligible employees who apply for FMLA leave for "Qualifying Exigency Leave" must submit DOL Form WH-384; "Certification of Qualifying Exigency for Military Family Leave". Specifically, the first time the employee requests Qualifying Exigency Leave, the employee must provide a copy of the qualifying family member's covered active duty orders or other documentation issued by the military that indicates that the qualifying family member is on covered active duty or call to covered active duty status, and the dates of the qualifying family member's covered active duty service. Additionally, each time that the employee requests leave for one of the above-listed qualifying exigencies, the employee must certify the exigency necessitating leave. Such certification supporting leave for a qualifying exigency includes:

- appropriate facts supporting the need for leave, including any available written documentation supporting the request and the type of qualifying exigency;
- the appropriate date on which the qualifying exigency commenced or will commence, and, if requested for a single, continuous period of time, the beginning and end dates for such absence;
- where leave will be needed on an intermittent basis, an estimate of the frequency and duration of the qualifying exigency;
- appropriate contact information if the exigency involves meeting with a third party and a brief description of the purpose of the meeting; and if the qualifying exigency involves Rest and Recuperation leave, a copy of the military member's Rest and Recuperation orders or other documentation issued by the military that indicates the military member has been granted Rest and Recuperation leave and the dates of such leave.

Employees are advised that if the qualifying exigency involves a meeting with a third party, the Superintendent may verify the schedule and purpose of the meeting with the third party. Also, the Superintendent may contact the appropriate unit of the Department of Defense to confirm that the qualifying family member is on covered active duty or call to covered active duty status.

All of the certifications identified above must be submitted by the employee within fifteen (15) calendar days after the District provides the employee with the applicable DOL Form unless it is not practicable under the particular circumstances to do so despite the employee's diligent, good faith efforts. An employee may not be held liable for administrative delays in the issuance of military documents, despite the employee's diligent, good faith efforts to obtain such documents.

Light Duty

Time spent performing "light duty" work does not count against an employee's FMLA leave entitlement.

District Notices to Employee (Forms are available on the U.S. Department of Labor Website: www.dol.gov)

If the information included in the Employees Rights and Responsibilities Notice changes, the Superintendent will inform the employee of such changes within five (5) business days of receipt of the employee's first notice of the need for FMLA leave subsequent to any change. The Treasurer is charged with responsively answering questions from employees concerning their rights and responsibilities.

If it is not possible to provide the number of hours, days or weeks that will be counted as FMLA leave (e.g., where the leave will be unscheduled), the Superintendent will provide this information upon request by the employee, but no more often than every thirty (30) days and only if leave was taken during the period. The notice of the amount of leave counted against the employee's FMLA entitlement may be oral or in writing. If such notice is oral, it shall be confirmed in writing, no later than the following payday that is at least one (1) week after the oral notice. Such notice may be in any form, including a notation on the employee's pay stub.

FMLA Leave and Mandatory Overtime

Employees with proper medical certification may use FMLA leave in lieu of working required overtime hours. Thus, hours that an employee would have been required to work but for the taking of FMLA leave will be counted against the employee's FMLA entitlement.

Calculating the Amount of FMLA Leave Used by an Employee

For purposes of determining the amount of FMLA leave used by an employee, the fact that a holiday may occur within the work week taken as FMLA has no effect; the week is counted as a week of FMLA leave. If, however, the employee is using FMLA leave in increments of less than one (1) week, the holiday will not count against the employee's FMLA leave entitlement unless the employee was otherwise scheduled and expected to work during the holiday. Similarly, when an employee is not scheduled to work during winter, spring or summer vacation (i.e., during a period when some or all employees are not expected to work for one (1) or more weeks), the days the employee is not scheduled to work shall not count against the employee's FMLA leave entitlement.

When an employee takes FMLA leave on an intermittent or reduced leave schedule basis, the leave shall be accounted for by using an increment no greater than the shortest period of time that the District uses to account for use of other forms of leave provided that it is not greater than one (1) hour and provided that the employee's FMLA leave entitlement is not reduced by more than the amount of leave actually taken.

Maintenance of Employee Benefits

The same group health plan benefits provided to an employee prior to taking FMLA leave shall be maintained during the FMLA leave (e.g., if family member coverage is provided to an employee, family member coverage shall be maintained during the FMLA leave). Similarly, benefit coverage during FMLA leave for medical care, surgical care, hospital care, dental care, eye care, mental health counseling, substance abuse treatment, etc., shall be maintained during leave if provided in the District's group health plan,

including a supplement to a group plan.

If an employee chooses not to retain group health plan coverage during FMLA leave, the employee will be reinstated, upon return from leave, on the same terms as prior to taking the leave, without any qualifying period, physical examination, exclusion of pre-existing conditions, etc.

[.] Under some circumstances the Board may elect to maintain other benefits (e.g., life insurance, disability insurance, etc.), by paying both the employer's and the employee's (share of) premiums during periods of unpaid FMLA leave. **[DRAFTING NOTE: The Board might elect to maintain these other benefits in order to ensure it can meet its responsibilities to provide equivalent benefits to the employee upon return from unpaid FMLA leave. (Some benefits require that there be no lapse of coverage in order to allow the original benefits to be in place when the employee returns from unpaid FMLA and to avoid any new qualifying periods or requirements. In such case, the Board would need to make sure the premiums associated with the non-health related benefits are paid continuously during the unpaid FMLA leave to avoid a lapse of coverage.)]** If the Board elects to maintain such benefits during an unpaid FMLA leave, at the conclusion of the leave, the Board may recover from the employee (.) (through payroll deductions) the costs it incurred for paying the employee's share of any such premiums, regardless of whether the employee returns to work.

[.] Upon written request, an employee may continue non-group health plan benefits, which the Board elects not to maintain during a period of unpaid FMLA leave, by making timely premium payment(s) in accordance with directions provided by the (.) Superintendent (.) Treasurer (.) Director of Human Resources (.) . In this situation, the employee is responsible for the entire premium (i.e., what is normally considered the employer and employee shares of the premium). **[DRAFTING NOTE: If this option is selected, the District needs to specify the procedures and timing for employees to make the requisite premium payments – e.g., pay the entire premium in advance of the foreseeable leave, pay it during the leave by check submitted by a specific deadline associated with when the Board's payments for the premium are required to be made, or through payroll deduction once the employee returns from leave.]**

Costs Associated with Medical Certification and Recertification

The staff member is responsible for any costs associated with obtaining the original medical certification required to qualify for the use of unpaid FMLA leave. Likewise, if the Board requires a staff member to submit recertification for any of the reasons specified in Policy 1630.01/3430.01/4430.01, the employee is responsible for any costs associated with the recertification. Finally, the staff member is responsible for the cost of a new medical certification each leave year for medical conditions that last longer than one (1) year.

[.] Periodic Status Reports [Drafting Note: Periodic status reports are not mandated by the FMLA.]

When a staff member takes a continuous unpaid FMLA leave, the Superintendent may require the employee to complete periodic status concerning the employee's intent to return to work. If the Superintendent is going to require such reports, the requirement will be specified in the Notice of Eligibility and Rights & Responsibilities that is issued to the staff member at the outset of the FMLA leave.

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4430.01 - **FMLA LEAVE**

Definitions Applicable to FMLA Leave

The term "child" (i.e., son or daughter) means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age eighteen (18), or age eighteen (18) or older and "incapable of self-care" because of a mental or physical disability (as defined by the Americans with Disabilities Act (ADA), as amended) at the time the FMLA leave is to commence.

The term "spouse" means all individuals in legal marriages, regardless of where they live. More specifically, the definition of "spouse" is a husband or wife as defined or recognized in the State where the individual was married ("place of celebration"), and specifically includes individuals in lawfully recognized same-sex and common law marriages. The definition further includes an individual in a marriage that was validly entered into outside the United States if it could have been entered into in at least one (1) State. Civil unions are not considered marriages under the FMLA.

The term "incapable of self-care" means that the individual requires active assistance or supervision to provide daily self-care in three (3) or more of the "activities of daily living" (ADLs) (e.g., caring appropriately for one's grooming and hygiene, bathing, dressing, eating) or "instrumental activities of daily living" (IADLs) (e.g., cooking, cleaning, shopping, taking public transportation, paying bills, maintaining a residence, using telephones and directories, using a post office, etc.).

An employee is "unable to perform the functions of his/her position" where the health care provider finds that the employee is unable to work at all or is unable to perform any one of the essential functions of the employee's position. Additionally, an employee who must be absent from work to receive medical treatment for a serious health condition is considered to be unable to perform the essential functions of the position during the absence for treatment.

Leave for Adoption or Foster Care

Eligible employees may take FMLA leave before the actual placement or adoption of a child if an absence from work is required for the placement or foster care to proceed. Permissible absences include, but are not limited to, the employee attending a required counseling session, appearing in court, consulting with his/her attorney or the doctor(s) representing the birth parent, submitting to physical examinations, or traveling to another country to complete an adoption.

Military Family Leave Entitlements

A. Military Caregiver Leave

Eligible employees may take up to twenty-six (26) weeks of unpaid FMLA leave, in a "single twelve (12) month period," to care for a covered service member with a serious injury or illness. The "single twelve (12) month period" begins on the first day the eligible employee takes Military Caregiver Leave and ends twelve (12) months after that date. If the employee does not use his/her entire twenty-six (26) work weeks leave entitlement during the "single twelve (12) month period" of leave, the remaining work weeks of leave are forfeited.

For purposes of Military Caregiver Leave, the covered service member may be a (1) current member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness or (2) a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) and was discharged or released under conditions other than dishonorable at any time during the period of five (5) years prior to the first date the eligible employee takes FMLA leave to care for the covered veteran. For an individual who was a member of the Armed Forces and who was discharged or released under conditions other than dishonorable prior to March 8, 2013, the period between October 28, 2009, and March 8, 2013, shall not count towards the determination of the five-year period for covered veteran status.

Serious injury or illness for purposes of Military Caregiver Leave is defined as an injury or illness incurred by a covered service member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the covered service member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and that may render the service member medically unfit to perform the duties of his/her office, grade, rank, or rating.

In the case of a veteran, a serious injury or illness means an injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or that existed before the beginning of the member's active duty and was aggravated by the service in the line of duty on active duty in the Armed Forces) and manifested itself before or after the member became a veteran and is (1) a continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of the service member's office, grade, rank, or rating; (2) a physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) of 50 percent or greater, and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; (3) a physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or (4) an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

The term "son or daughter of a covered service member" means a covered service member's biological, adopted, or foster child, stepchild, legal ward, or child for whom the service member stood in loco parentis, and who is of any age. Similarly, the term "parent of a covered service member" means a covered service member's biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered service member. (The term does not include parents "in-law.")

The term "next of kin" means the service member's nearest blood relative, other than the covered service member's spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the service member by court decree or statutory provisions; brothers and sisters; grandparents; aunts and uncles; and first cousins; unless the covered service member has specifically designated in writing another blood relative as his/her nearest blood relative for purposes of Military Caregiver Leave under the FMLA, in which case the designated individual shall be deemed to be the covered service member's next of kin. All family members sharing the closest level of familial relationship to the covered service member are considered the covered service member's next of kin, unless the covered service member has specifically designated an individual as his/her next of kin for Military Caregiver Leave purposes. While an eligible employee may care for more than one (1) seriously injured or ill covered service member at the same time, the employee may not take more than twenty-six (26) work weeks of leave during each "single twelve (12) month period."

Military Caregiver Leave is a "per-service member, per-injury" entitlement. Therefore, an eligible employee may take twenty-six (26) work weeks of leave to care for one (1) covered service member in a "single twelve (12) month period," and then take another twenty-six (26) work weeks of leave in a different "single twelve (12) month period" to care for another covered service member or to care for the same service member with a subsequent serious injury or illness (e.g., if the service member is returned to active duty and suffers another injury). Additionally, an eligible employee could take FMLA leave, after the end of the "single twelve (12) month period" for Military Caregiver Leave, to care for a covered service member if the member is a qualifying family member under non-military FMLA and s/he has a serious health condition.

B. Qualifying Exigency Leave

Eligible employees may take up to twelve (12) weeks of unpaid FMLA leave for any of the following qualifying exigencies that are related to the fact that the employee's spouse, son, daughter or parent is on covered active duty or call to covered active duty status, or has been notified of an impending call or order to covered active duty in the Armed Forces:

1. Issues arising from a qualifying family member's short-notice deployment (i.e., deployment on seven (7) or less calendar days of notice) for a period of seven (7) days from the date of notification.

2. Military events and related activities, such as official ceremonies, programs, or events sponsored by the military, or family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to a qualifying family member's covered active duty or call to covered active duty status.
3. Certain childcare and related activities arising from a qualifying family member's covered active duty or call to covered active duty status, such as arranging for alternative childcare, providing childcare on an urgent, immediate need basis (but not on a routine, regular, or everyday basis), enrolling or transferring a child in a new school or day care facility, and attending certain meetings at a school or a day care facility if they are necessary due to circumstances arising from the active duty or call to active duty of the covered military member (this does not include providing child care on a routine, regular or everyday basis).
4. Making or updating financial and legal arrangements to address a qualifying family member's absence (e.g., preparing and executing financial and healthcare power of attorney, transferring bank account signature authority, enrolling in the Defense Enrollment Eligibility Reporting System, obtaining military identification cards, or preparing or updating a will or living trust) and acting as the military member's representative before a federal, state, or local agency for purposes of obtaining, arranging, or appealing military service benefits while the military member is on covered active duty or call to covered active duty status, and for a period of ninety (90) days following the termination of the military member's covered active duty status.
5. Attending counseling provided by someone other than a healthcare provider for oneself, the qualifying family member, or the child of the qualifying family member, the need for which arises from the qualifying family member's covered active duty or call to covered active duty status. The child must be the military member's biological, adopted, or foster child, stepchild, legal ward or child for whom the military members stands in loco parentis, who is either under eighteen (18) years of age or eighteen (18) years of age or older and incapable of self-care because of a mental or physical disability at the time that FMLA leave is to commence.
6. Taking up to fifteen (15) days of leave to spend time with a qualifying family member who is on short-term, temporary, rest and recuperation leave during the deployment.
7. Attending to certain post-deployment activities, including attending arrival ceremonies, reintegration briefings and events, and other official ceremonies or programs sponsored by the military for a period of ninety (90) days following the termination of the qualifying family member's covered active duty status, and addressing issues arising from the death of a qualifying family member.
8. Providing parental care for a parent of a military member who is incapable of self-care and is the military member's biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered service member when the member was under eighteen (18) years of age. "Incapable of self-care" means the parent requires active assistance or supervision to provide daily self-care in three or more of the activities of daily living (includes adaptive activities such as caring appropriately for one's grooming and hygiene, bathing, dressing and eating) or instrumental activities of daily living (includes cooking, cleaning, shopping, taking public transportation, paying bills, maintaining a residence, using telephones and directories, using a post office, etc.). Parental care includes (1) arranging for alternate care when the parent is incapable of self-care and the covered active duty or call to covered active duty status necessitates a change in the existing care arrangement for the parent; (2) providing care on an urgent, immediate need basis (but not on a routine, regular or everyday basis) when the parent is incapable of self-care and the need to provide such care arises from covered active duty or call to covered active duty status; (3) admitting or transferring to a care facility a parent when admittance or transfer is necessitated by the covered active duty or call to covered active duty status; and (4) attending meetings with staff at a care facility, such as meetings with hospice or social service providers for a parent when such meetings are necessary due to circumstances arising from the covered active duty or call to covered active duty status but not for regular or routine meetings.
9. Any other event that the employee and the Board agree is a qualifying exigency.

The term "qualifying family member" for purposes of Qualified Exigency Leave means a staff member's spouse, son, daughter or parent.

The term "covered active duty" or "call to covered active duty status" for purposes of Qualified Exigency Leave means duty for a member of the Regular Armed Forces during deployment of the member with the Armed Forces to a foreign country, and, in the case of a member of the Reserve components of the Armed Forces, duty during deployment of the member with the Armed Forces to a foreign country under a Federal call or order to active duty in support of a contingency operation pursuant to Sections 688, 12301(a), 12302, 12304, 12305, 12406, or Chapter 15 of Title 10 of the United States Code or any other provision of law during a war or during a national emergency declared by the President or Congress as long as it is in support of a contingency operation.

The term "son or daughter" means the employee's biological, adopted, or foster child, stepchild, legal ward, or child for whom the employee stood in loco parentis, who is on covered active duty or call to covered active duty status, and who is of any age. Similarly, the term "parent" means a biological, adoptive, step, or foster father or mother, or any other individual who stood in loco parentis to the employee when the employee was a son or daughter. (The term does not include parents "in-law.")

Employee Request for FMLA Leave

While eligible employees are not required to expressly request unpaid FMLA leave, it is requested that eligible employees who seek an unpaid FMLA leave for any of the approved reasons complete and submit to the Superintendent a written request for FMLA leave.

Employee Certifications

Eligible employees who apply for FMLA leave "to care for an immediate family member" must submit DOL Form (WH-380-F; "Certification of Health Care Provider for Family Member's Serious Health Condition").

Eligible employees who apply for FMLA leave for "the employee's own serious health condition" must submit DOL Form (WH-380-E; "Certification of Health Care Provider for Employee's Serious Health Condition").

Eligible employees who apply for Military Caregiver Leave must submit DOL Form (WH-385; "Certification for Serious Injury or Illness of Covered Service Member – for Military Family Leave" or WH-385-V, "Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave). The form may be completed by a Department of Defense (DOD) health care provider, Veterans Affairs health care provider, a DOD TRICARE network authorized private health care provider, a DOD non-network TRICARE authorized private health care provider, or any health care provider as defined by 29 C.F.R. 825.125.

Additionally, with respect to Military Caregiver Leave, the District will accept the submission of an Invitational Travel Order (ITO) or Invitational Travel Authorization (ITA), in lieu of the DOL Form, for the time period specified in the ITO or ITA. The ITO or ITA submitted by the employee need not list the employee as the named recipient of the ITO/ITA, provided the employee is the spouse, parent, son, daughter or next of kin of the covered service member. If the covered service member's need for care extends beyond the expiration date specified in the ITO or ITA, the employee is responsible for submitting the DOL Form for the remainder of the employee's leave period. The District will also accept, with respect to Military Caregiver Leave, documentation indicating the service member's enrollment in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers, regardless of whether the employee is the named caregiver in the documentation. Employees are advised that the Superintendent may seek authentication and clarification of such documentation, and may require an employee to provide confirmation of covered family relationship to the seriously injured or ill service member and documentation showing that the discharge was other than dishonorable and the date of the veteran's discharge.

It is the employee's responsibility either to furnish a complete and sufficient certification or to furnish the health care provider providing the certification with any necessary authorization from the employee or the employee's family member in order for the health care provider to release a complete and sufficient certification to the Board to support the employee's FMLA request.

In all instances in which certification is requested, it is the employee's responsibility to provide the Board with complete and sufficient certification, and failure to do so may result in denial of FMLA leave.

Eligible employees who apply for any of the three (3) preceding types of FMLA leave must also execute and provide to his/her health care provider a HIPAA-compliant release form.

If the Superintendent or designee deems a medical certification to be incomplete or insufficient, the Superintendent or designee shall notify the employee, in writing, what information is lacking, and the employee will have seven (7) calendar days to cure the deficiency. The Superintendent or designee (i.e., the Board's health care provider, human resource classified, leave administrator, or other management official, but not the employee's direct supervisor) may contact the certifying health care provider for clarification concerning or to authenticate the content of a medical certification. The representative, however, shall not ask the health care provider for additional information beyond that required by the certification form.

Employees who take leave for "the employee's own serious health condition", prior to returning to work, must submit to the Superintendent a "Fitness-for-Duty Certification". Again, the employee will need to have executed and provided to his/her Health Care Provider a HIPAA-compliant form.

Eligible employees who apply for FMLA leave for "Qualifying Exigency Leave" must submit DOL Form WH-384; "Certification of Qualifying Exigency for Military Family Leave". Specifically, the first time the employee requests Qualifying Exigency Leave, the employee must provide a copy of the qualifying family member's covered active duty orders or other documentation issued by the military that indicates that the qualifying family member is on covered active duty or call to covered active duty status, and the dates of the qualifying family member's covered active duty service. Additionally, each time that the employee requests leave for one of the above-listed qualifying exigencies, the employee must certify the exigency necessitating leave. Such certification supporting leave for a qualifying exigency includes:

- appropriate facts supporting the need for leave, including any available written documentation supporting the request and the type of qualifying exigency;
- the appropriate date on which the qualifying exigency commenced or will commence, and, if requested for a single, continuous period of time, the beginning and end dates for such absence;
- where leave will be needed on an intermittent basis, an estimate of the frequency and duration of the qualifying exigency;
- appropriate contact information if the exigency involves meeting with a third party and a brief description of the purpose of the meeting; and if the qualifying exigency involves Rest and Recuperation leave, a copy of the military member's Rest and Recuperation orders or other documentation issued by the military that indicates the military member has been granted Rest and Recuperation leave and the dates of such leave.

Employees are advised that if the qualifying exigency involves a meeting with a third party, the Superintendent may verify the schedule and purpose of the meeting with the third party. Also, the Superintendent may contact the appropriate unit of the Department of Defense to confirm that the qualifying family member is on covered active duty or call to covered active duty status.

All of the certifications identified above must be submitted by the employee within fifteen (15) calendar days after the District provides the employee with the applicable DOL Form, unless it is not practicable under the particular circumstances to do so despite the employee's diligent, good faith efforts. An employee may not be held liable for administrative delays in the issuance of military documents, despite the employee's diligent, good faith efforts to obtain such documents.

Light Duty

Time spent performing "light duty" work does not count against an employee's FMLA leave entitlement.

District Notices to Employee (Forms are available on the U.S. Department of Labor Website: www.dol.gov)

If the information included in The Employees Rights and Responsibilities Notice changes, the Superintendent will inform the employee of such changes within five (5) business days of receipt of the employee's first notice of the need for FMLA leave subsequent to any change. The Treasurer is charged with responsively answering questions from employees concerning their rights and responsibilities.

If it is not possible to provide the number of hours, days or weeks that will be counted as FMLA leave (e.g., where the leave will be unscheduled), the Superintendent will provide this information upon request by the employee, but no more often than every thirty (30) days and only if leave was taken during the period. The notice of the amount of leave counted against the employee's FMLA entitlement may be oral or in writing. If such notice is oral, it shall be confirmed in writing, no later than the following payday that is at least one (1) week after the oral notice. Such notice may be in any form, including a notation on the employee's pay stub.

FMLA Leave and Mandatory Overtime

Employees with proper medical certification may use FMLA leave in lieu of working required overtime hours. Thus, hours that an employee would have been required to work but for the taking of FMLA leave will be counted against the employee's FMLA entitlement.

Calculating the Amount of FMLA Leave Used by an Employee

For purposes of determining the amount of FMLA leave used by an employee, the fact that a holiday may occur within the work week taken as FMLA has no effect; the week is counted as a week of FMLA leave. If, however, the employee is using FMLA leave in increments of less than one (1) week, the holiday will not count against the employee's FMLA leave entitlement unless the employee was otherwise scheduled and expected to work during the holiday. Similarly, when an employee is not scheduled to work during winter, spring or summer vacation (i.e., during a period when some or all employees are not expected to work for one (1) or more weeks), the days the employee is not scheduled to work shall not count against the employee's FMLA leave entitlement.

When an employee takes FMLA leave on an intermittent or reduced leave schedule basis, the leave shall be accounted for by using an increment no greater than the shortest period of time that the District uses to account for use of other forms of leave provided that it is not greater than one (1) hour and provided that the employee's FMLA leave entitlement is not reduced by more than the amount of leave actually taken.

Maintenance of Employee Benefits

The same group health plan benefits provided to an employee prior to taking FMLA leave shall be maintained during the FMLA leave (e.g., if family member coverage is provided to an employee, family member coverage shall be maintained during the FMLA leave). Similarly, benefit coverage during FMLA leave for medical care, surgical care, hospital care, dental care, eye care, mental health counseling, substance abuse treatment, etc., shall be maintained during leave if provided in the District's group health plan,

including a supplement to a group plan.

If an employee chooses not to retain group health plan coverage during FMLA leave, the employee will be reinstated, upon return from leave, on the same terms as prior to taking the leave, without any qualifying period, physical examination, exclusion of pre-existing conditions, etc.

[.] Under some circumstances the Board may elect to maintain other benefits (e.g., life insurance, disability insurance, etc.), by paying both the employer's and the employee's (share of) premiums during periods of unpaid FMLA leave. **[DRAFTING NOTE: The Board might elect to maintain these other benefits in order to ensure it can meet its responsibilities to provide equivalent benefits to the employee upon return from unpaid FMLA leave. (Some benefits require that there be no lapse of coverage in order to allow the original benefits to be in place when the employee returns from unpaid FMLA and to avoid any new qualifying periods or requirements. In such case, the Board would need to make sure the premiums associated with the non-health related benefits are paid continuously during the unpaid FMLA leave to avoid a lapse of coverage.)]** If the Board elects to maintain such benefits during an unpaid FMLA leave, at the conclusion of the leave, the Board may recover from the employee (.) (through payroll deductions) the costs it incurred for paying the employee's share of any such premiums, regardless of whether the employee returns to work.

[.] Upon written request, an employee may continue non-group health plan benefits, which the Board elects not to maintain during a period of unpaid FMLA leave, by making timely premium payment(s) in accordance with directions provided by the (.) Superintendent (.) Treasurer (.) Director of Human Resources (.) . In this situation, the employee is responsible for the entire premium (i.e., what is normally considered the employer and employee shares of the premium). **[DRAFTING NOTE: If this option is selected, the District needs to specify the procedures and timing for employees to make the requisite premium payments – e.g., pay the entire premium in advance of the foreseeable leave, pay it during the leave by check submitted by a specific deadline associated with when the Board's payments for the premium are required to be made, or through payroll deduction once the employee returns from leave.]**

Costs Associated with Medical Certification and Recertification

The staff member is responsible for any costs associated with obtaining the original medical certification required to qualify for the use of unpaid FMLA leave. Likewise, if the Board requires a staff member to submit recertification for any of the reasons specified in Policy 1630.01/3430.01/4430.01, the employee is responsible for any costs associated with the recertification. Finally, the staff member is responsible for the cost of a new medical certification each leave year for medical conditions that last longer than one (1) year.

[.] Periodic Status Reports [Drafting Note: Periodic status reports are not mandated by the FMLA.]

When a staff member takes a continuous unpaid FMLA leave, the Superintendent may require the employee to complete periodic status concerning the employee's intent to return to work. If the Superintendent is going to require such reports, the requirement will be specified in the Notice of Eligibility and Rights & Responsibilities that is issued to the staff member at the outset of the FMLA leave.

Revised 6/1/09
Revised 12/1/10
Revised 10/1/13

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Book	Administrative Guidelines
Section	Superintendent Approved Guidelines 40-1
Title	Copy of EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN
Code	ag5111.02
Status	
Adopted	December 1, 2010

5111.02 - **EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN**

In accordance with the Interstate Compact on Educational Opportunities for Military Children ("Compact") the following procedures will be followed when such children are students within the District.

APPLICABILITY

These guidelines apply to the children of:

- A. active duty members of the uniformed services as defined in the Compact, including members of the National Guard and Reserve on active duty orders;
- B. members or veterans of the uniformed services who are severely injured and medically discharged or retired for a period of one (1) year after medical discharge or retirement; and
- C. members of the uniformed services who die on active duty or as a result of injuries sustained on active duty for a period of one (1) year after death.

These guidelines do not apply to the children of:

- A. inactive members of the National Guard and military reserves;
- B. members of the uniformed services now retired, except as provided above;
- C. veterans of the uniformed services, except as provided above; or
- D. other United States Department of Defense personnel and other Federal agency civilian and contract employees not defined as active duty member of the uniformed services.

EDUCATIONAL RECORDS AND ENROLLMENT

- A. **Unofficial or "Hand-Carried" Education Records** - In the event that official education records cannot be released to the parents for the purpose of transfer, the building administrator shall prepare and furnish to the parent of an eligible student a complete set of unofficial educational records containing uniform information as determined by the Interstate Commission.

Upon receipt of the unofficial education records for an eligible student, the District shall enroll and appropriately place the student based on the information provided in the unofficial records pending validation by the official records, as quickly as possible.

- B. **Official Education Records/Transcripts** - Simultaneously with the enrollment and conditional placement of the student, the District shall request the student's official education record from the sending school. Upon receipt of such a request from a receiving school, the District will process and furnish the official education records to the school within ten (10) days or within such time as is established by the Interstate Commission.

- C. **Immunizations** - Eligible students have thirty (30) days from the date of enrollment or within such time as promulgated by the Interstate Commission, to obtain or provide proof of State required immunization(s). For a series of immunizations, initial vaccinations must be obtained within thirty (30) days or within such time promulgated by the Interstate Commission.
- D. **Grade Level Placement** - Eligible students shall be enrolled at the grade level in the District commensurate with their grade level (including Kindergarten) from the school in the sending state at the time of transition, regardless of age. A student that has satisfactorily completed the prerequisite grade level in their prior school shall be eligible for enrollment in the next highest grade level in the District, regardless of age. A student transferring after the start of the school year shall enter the school in the receiving state on the grade level validated by an accredited school in the sending state.
- E. **Enrollment Applications** - Children of active-duty uniformed services members parents/guardians who are subject to a transfer or relocation order and will be relocating to but do not yet reside in the District shall be permitted to apply for enrollment in the same manner and at the same time as resident students. Enrollment applications shall be accepted by electronic means, including those for specific schools or programs within the District. Parents/guardians must provide proof of residence within ten (10) days after establishing residence in the District. A temporary on-base billeting facility, a purchased or leased home or apartment, or a Federal government or public-private venture off-base military housing are all acceptable forms of residency.

PLACEMENT AND ATTENDANCE

- A. **Course Placement** - When an eligible student transfers before or during the school year, the receiving district will initially honor placement of the student in educational courses based on the student's enrollment in the sending state school and/or educational assessments conducted at the sending school if the courses are offered. Course placement includes but is not limited to Honors, International Baccalaureate, Advanced Placement, Vocational, Technical and Career Pathways courses. Continuing the student's academic program from the previous school and promoting placement in academically and career challenging courses should be paramount when considering placement. The District may perform subsequent evaluations to verify appropriate placement and continued enrollment of the student in the course(s).
- B. **Educational Program Placement** - The District will initially honor placement of the student in educational programs based on current educational assessments conducted at the sending school or the student's participation/placement in like programs at the sending school. Such programs include, but are not limited to: 1) gifted and talented programs; and 2) English as a second language (ESL). The District may perform subsequent evaluations to verify appropriate placement of the student.
- C. **Special Education Services** - In compliance with the Federal requirements of the Individuals with Disabilities Education Improvement Act (IDEIA), 20 U.S.C. Section 1400 et seq., the District will initially provide comparable services to a student with disabilities based on his/her current Individualized Education Program (IEP).

In compliance with the requirements of Section 504 of the Rehabilitation Act, 29 U.S.C. Section 794 (as amended) and with Title II of the Americans with Disabilities Act, 42 U.S.C. Sections 12131-12165 (as amended), the District will make reasonable accommodations and modifications to address the needs of incoming students with disabilities subject to an existing 504 or Title II Plan, to provide the student with equal access to education. The District may perform subsequent evaluations to verify appropriate placement of the student.

- D. **Technology-Based Educational Opportunities** - The children of military families shall be permitted to participate in technology-based educational opportunities to minimize disruptions when those students' families transition from one military installation to another. The District shall make necessary provisions to enable students to participate in technology-based opportunities when those students' families receive permanent change of station orders out of the state until the students are enrolled in the schools of a new local education agency.
- E. **Placement Flexibility** - The District may, when determined appropriate, waive course/program prerequisites, or other preconditions for placement in courses/programs offered by the District to allow eligible students to participate.
- F. **Absence Related to Deployment Activities** - A student whose parent or legal guardian is an active duty member of the uniformed services and has been called to duty for, is on leave from, or immediately returned from deployment to a combat zone or combat support posting, shall be granted additional excused absences at the discretion of the Superintendent to visit with his/her parent or legal guardian relative to such leave or deployment of the parent or guardian.

ELIGIBILITY

A. Eligibility for Enrollment

1. Special power of attorney, relative to the guardianship of a child of a military family and executed under applicable law shall be sufficient for the purposes of enrollment and all other actions requiring parental participation and consent.

2. The District will not charge tuition to a transitioning military child placed in the care of a non-custodial parent or other person standing in loco parentis who lives in a district or jurisdiction other than that of the custodial parent.
3. A transitioning military child, placed in the care of a non-custodial parent or other person standing in loco parentis who lives in a district or jurisdiction other than that of the custodial parent, may continue to attend the school in which s/he was enrolled while residing with the custodial parent.

4.

Children of active-duty uniformed services members parents/guardians who are subject to a transfer or relocation order and will be relocating to but do not yet reside in the District shall be permitted to apply for enrollment in the same manner and at the same time as District resident students. Parents/guardians must provide proof of residence within ten (10) days after establishing residence in the District. A temporary on-base billeting facility, a purchased or leased home or apartment, or a Federal government or public-private venture off-base military housing are all acceptable forms of residency.

- B. **Eligibility for Extra-Curricular Participation** - The District will facilitate the opportunity for transitioning military children's inclusion in extra- curricular activities, regardless of application deadlines, to the extent they are otherwise qualified.

GRADUATION

To facilitate the on-time graduation of children of military families the District will adhere to the following procedures:

- A. **Waiver Requirements** - The District will waive specific courses required for graduation if similar course work has been satisfactorily completed in another district or provide reasonable justification for denial. Should a waiver not be granted to a student who would qualify to graduate from his/her sending school, the District will provide an alternative means of acquiring required coursework so that graduation may occur on time.
- B. **Exit Exams** - The District will accept: 1) exit or end-of-course exams required for graduation from the sending state; or 2) national norm referenced achievement tests; or 3) alternative testing, in lieu of testing requirements for graduation in Ohio. In the event the above alternatives cannot be accommodated by Ohio for a student transferring in his/her Senior year, then the provisions of Section C below shall apply.
- C. **Transfers During Senior Year** - Should a military student transferring at the beginning or during his/her Senior year be ineligible to graduate from the District after all alternatives have been considered, the District and the sending district shall ensure the receipt of a diploma from the sending district if the student meets the graduation requirements of the sending district. In the event that the sending district is in a state that is not a member of the Compact, the District will use its best efforts to facilitate the on-time graduation of the student in accordance with A and B above in this Section.

DEFINITIONS

As used in this guideline the following definition will apply, unless the context clearly requires a different construction:

- A. "Active Duty" means full-time status in the active uniformed service of the United States, including members of the National Guard and Reserves on active duty orders.
- B. "Children of Military Families" means a school-aged child(ren), enrolled in Kindergarten through Twelfth grade, in the household of an active duty member.
- C. "Deployment" means the period one (1) month prior to the service members' departure from their home station on military orders through six (6) months after return to their home station.
- D. "Education(al) Records" means those official records, files, and data directly related to a student and maintained by the school or District, including but not limited to records encompassing all the material kept in the student's cumulative folder such as general identifying data, records of attendance and of academic work completed, records of achievement and results of evaluative tests, health data, disciplinary status, test protocols, and individualized education programs.
- E. "Extra-Curricular Activities" means a voluntary activity sponsored by the school or local education agency or an organization sanctioned by the District. Extra-Curricular activities include, but are not limited to, preparation for and involvement in public performances, contests, athletic competitions, demonstrations, displays, and club activities.
- F. "Interstate Commission" means the commission that is created under Article IX of the Compact.
- G. Local Education Agency means a public authority legally constituted by the State as an administrative agency to provide control of and direction for kindergarten through twelfth-grade public educational institutions.
- H. "Member State" means a state that has enacted the Compact.

- I. Military installation means a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the Department of Defense, including any leased facility, which is located within any of the several states, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, the Northern Marianas Islands, and any other United States territory. Such term does not include any facility used primarily for civil works, rivers and harbors projects, or flood control projects.
- J. "Receiving State" means the state to which a military family is sent, brought, or caused to be sent or brought.
- K. "Rule" means: a written statement by the Interstate Commission promulgated pursuant to Article XII of the Compact that is of general applicability, implements, interprets or prescribes a policy or provision of the Compact, or an organizational, procedural, or practice requirement of the Interstate Commission, and has the force and effect of statutory law in a member state, and includes the amendment, repeal, or suspension of an existing rule.
- L. "Sending State" means: the state from which a child of a military family is sent, brought, or caused to be sent or brought.
- M. "State" means: a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, the Northern Marianas Islands and any other U.S. Territory.
- N. "Student" means: the child of a military family for whom the school receives public funding and who is formally enrolled in Kindergarten through Twelfth grade.
- O. "Transition" means: 1) formal and physical process of transferring from school to school or 2) the period of time in which a student moves from one school in the sending state to another school in the receiving state.
- P. "Uniformed Service(s)" means: the Army, Navy, Air Force, Marine Corps, Coast Guard as well as the Commissioned Corps of the National Oceanic and Atmospheric Administration, and Public Health Services.
- Q. "Veteran" means: a person who served in the uniformed services and who was discharged or released there from under conditions other than dishonorable.

To the extent there is any inconsistency between this guideline and the current Rules implementing this Compact, the current Rules will prevail.

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R.C. 3301.60

Interstate Compact on Educational Opportunity for Military Children



Book	Administrative Guidelines
Section	Superintendent Approved Guidelines 40-1
Title	Copy of ADMISSION TO THE DISTRICT
Code	ag5111
Status	
Adopted	April 1, 1995
Last Revised	April 9, 2018

5111 - ADMISSION TO THE DISTRICT

Qualifying for Admission

Students who qualify for admission to District schools, in accordance with Board of Education Policy 5111, shall be accepted when the following documents have been submitted:

- A. a birth certificate or other appropriate documentary evidence
Acceptable forms of documentation include: foreign birth certificate; religious, hospital, or physician's certificate showing date of birth; entry in a family bible; baptismal record; adoption record; affidavit from a parent; previously verified school records; or other documents permitted by law.
- B. court orders allocating parental rights and responsibilities or other documents allocating custody or guardianship, if applicable
- C. proof of residency consisting of a deed, building permit, rental agreement, tax statement, voter registration card, or completion of Form 5111 F2a or Form 5111 F2b

Acceptable forms of documentation include: telephone bills, utility bills, mortgage or lease agreements, parent affidavits, rent payment receipts, a copy of a money order made for payment of rent, or letter from a parent's employer that is written on company letterhead to establish residency.

Children of active-duty uniformed services members who are subject to a transfer or relocation order and will be relocating to but do not yet reside in the District shall be permitted to apply for enrollment in the same manner and at the same time as resident students. Parents/guardians must provide proof of residence within ten (10) days after establishing residence in the District. A temporary on-base billeting facility, a purchased or leased home or apartment, or Federal government or public-private venture off-base military housing are all acceptable forms of residency.

- D. proof of immunization and/or statutory exception
- E. a power of attorney designating the student's grandparent(s) as attorney-in-fact (Form 5111 F7) or a caretaker authorization affidavit (Form 5111 F8) executed by the student's grandparent(s) that provides the grandparent(s) with whom a student resides, authority over the care, physical custody, and control of the child, including the ability to enroll the child in school, consent in all school related matters, and discuss with the District the student's educational progress (also see Form 5111 F9)

Except in the case of a homeless child (see Policy 5111.01), ~~or~~ a child residing in a domestic violence shelter, or a child of an active-duty uniformed services member subject to a transfer or relocation order who plans to reside in the District, no child shall be admitted to school in the District until proof of residency has been provided and proof of immunization is addressed in accordance with Policy 5320 and AG 5320. If a birth certificate is not available, the parent is to complete Form 5111 F3 and submit the documentary evidence called for therein. If the principal does not receive the child's birth certificate or one (1) of the acceptable alternatives to a birth certificate within fourteen (14) calendar days of the date of the child's enrollment, or the document appears of be inaccurate or suspicious, the principal shall notify the law enforcement agency where the student resided and the Wyandot

County Sheriff's Department that the child may be a missing child. If there is a court order or decree allocating parental rights and responsibilities and designating who will be the resident parent and legal custodian, such order or decree must be submitted within fourteen (14) days of admission. If there is a court order or decree for custody or guardianship to other than a parent, a copy of the order or decree must be submitted within fourteen (14) days of admission. If all of these required documents are not received within that time, the student should be presumed to be a missing child (See AG 5215).

Students presented for enrollment without a birth certificate or appropriate substitute, court orders allocating parental rights and responsibilities, or a grandparent power of attorney or caretaker authorization will be admitted under temporary enrollment for a period of fourteen (14) days, unless extended by the principal. Parents are to be so informed at the time of admission. (See Policy 5111.03 and AG 5111.03 – Children and Youth in Foster Care).

A child who is placed in a foster home or residential facility (i.e., a group home for children, children's crisis care facility, children's residential center, residential parenting facility that provides twenty-four (24) hour child care, county children's home, or district children's home) will not be denied admission solely because the child does not present a birth certificate, comparable certification, or other comparable document upon registration. Such protected child will be admitted under temporary enrollment for a period of up to ninety (90) days to present the required documentation. The protected child and/or the child's parent, guardian, or custodian will be so informed at the time of the child's initial admission.

The sending school shall be contacted within twenty-four (24) hours of the student's entry into the school and requested to send all appropriate records.

If the sending school indicates no record of the student's attendance, or the records are not received within fourteen (14) calendar days of the date of request, or if the student does not present a certification of birth or other documentary evidence, the principal shall immediately notify the law enforcement agency where the student resided and the Wyandot County Sheriff's Department that s/he may be a missing child.

A student who is living in the District under the care of a shelter for victims of domestic violence will not be denied admission because of delay in the forwarding of school records.

Immunization requirements are to be in accordance with AG 5320.

A student who has recently been either discharged or released from the custody of the Department of Youth Services (DYS) and is seeking admittance or re-admittance into the District, will not be admitted until the following records required to be released by DYS have been received by the Superintendent:

- A. an updated copy of the student's school transcript;
- B. a report of the student's behavior while in DYS custody;
- C. the student's current Individualized Education Program (IEP), if an IEP has been developed for the child; and
- D. a summary of the institutional record of the child's behavior.

The Superintendent shall keep such records confidential and may release them only as provided in State law regarding the privacy of a student's records and the Family Educational Rights and Privacy Act (FERPA) since the records are not considered public records for the purposes of required disclosure under Ohio public records law. The Superintendent will consider the records in determining the appropriate educational assignment of the student, including, but not limited to whether the student will be assigned to an alternative school in the District.

Children of Military Families

School-aged children of active-duty uniformed services members who will be relocating to but do not yet reside in the District shall be permitted to apply for enrollment in the same manner and at the same time as resident students. The District shall make necessary provisions to enable students to participate in technology-based opportunities when those students' families receive permanent change of station orders to another military base either in or out of the state until the students are enrolled in the schools of a new local education agency.

Enrollment applications shall be accepted by electronic means, including those for specific schools or programs within the District. These students' parents/guardians must provide proof of residence within ten (10) days after establishing residence in the school district in accordance with this policy.

Homeless Students

Homeless students shall have equal access to the same free and appropriate education provided to all other students of the School District and will be enrolled in accordance with the requirements of Federal law. Students meeting the Federal definition of "homeless" will be immediately enrolled in the School District and assigned to a school building in accordance with the procedure set forth below, even if the homeless student cannot produce all of the documentation otherwise required for enrollment (including proof of residency and/or immunization, a birth certificate, and copies of previous school records). Parent(s) or guardian(s) of homeless students must provide contact information in case of an emergency. (See Policy 5111.01 and AG 5111.01 – Homeless Students.

Transferring Grades/Credit

Students in grades K-8 transferring from another district must submit an official transcript in order for the grades earned by the student to be recorded on the student's official transcript in this District. High school students transferring from another school district must submit an official transcript from the sending school in order for the student to receive credit for course work and to have the grades earned for completed coursework recorded on the student's official transcript in this District. Report cards will not be considered sufficient evidence for granting credit toward graduation.

Verifying Medical Conditions Qualifying a Student for Tuition-Free Admission in the District

Prior to admission and annually thereafter, parent(s) seeking admission for a school aged child under R.C. 3313.64(F)(3) because of a medical condition that may require emergency medical treatment shall:

- A. submit Form 5111 F5 as Verification of regular employment at a location within the District during school hours;
- B. submit Form 5111 F6, or a written statement on the physician's letterhead, describing the child's medical condition and certifying that the condition is such that there is a substantial likelihood that it may require emergency medical attention;
- C. submit Form 5341 F1 Emergency Medical Authorization;
- D. submit a current copy of the child's I.E.P. or 504 Accommodation Plan, if applicable.

If the student is admitted under this section, then the normal admission procedures shall apply.

Admission to the District Pursuant to a Power of Attorney or Caretaker Authorization Affidavit

If an individual indicates that s/he is attempting to enroll the child pursuant to a power of attorney or caretaker authorization affidavit, the School District official should:

- A. verify that the individual attempting to enroll the child is the grandparent of the child;
- B. verify that the child currently resides with the individual;
- C. request that a copy of the power of attorney or caretaker authorization be produced.

This document should be provided in addition to those documents that are required to be produced by any and all other individuals who are seeking to enroll a child in the School District.¹

- D. review the power of attorney to verify that the document:
 1. is identical in form and content to the form set forth in R.C. 3109.53 (see sample Power of Attorney Form 5111 F7).
 2. is properly completed and executed by the child's:
 - a. parent(s), guardian, or custodian granting the power of attorney (i.e., both parents or the parent who is the residential parent and legal custodian of the child) and
 - b. grandparent who is designated as attorney in fact.
 3. is duly notarized by an Ohio Notary Public.
 4. has been filed with the juvenile court of the county in which the grandparent resides and/or any other court having jurisdiction over the child.
 - a. if possible, have the individual provide a time-stamped copy of the power of attorney in order to demonstrate that it has been duly filed within five (5) days of the creation of the document.

- b. in addition, have the individual produce a copy of the receipt showing that notice of the creation of the document has been sent to the parent of the child who is not the residential parent and legal custodian. This receipt should be produced unless the power of attorney was created by both parents, or the non-residential parent's parental rights have been terminated, s/he cannot be located by reasonable efforts, or s/he is prohibited from receiving a notice of relocation.

E. review the caretaker authorization affidavit to verify that the document:

1. is identical in form and content to the form set forth in R.C. 3109.66 (see sample Caretaker Authorization Form 5111 F8).
2. is properly completed and executed by the child's grandparent.
3. is duly notarized by an Ohio Notary Public.
4. has been filed with the juvenile court for the county in which the grandparent resides and/or any other court having jurisdiction over the child.

If possible, have the individual provide a time-stamped copy of the caretaker authorization affidavit in order to demonstrate that it has been duly filed within five (5) days of the creation of the document.

5. request that the individual provide additional proof of residency in the School District, if necessary.

F. verify whether the child is currently serving a suspension or expulsion from a previous school district.²

G. verify that the power of attorney or caretaker authorization affidavit was not executed for the purpose of enrolling the child in the School District so that the child may participate in the academic programs or interscholastic athletic programs of the School District (language should be included in document).

Safe at Home/Address Confidentiality

If a parent (or adult student), presents information to the District certifying that the parent (or adult student), his/her child, or a member of the parent's household is a participant in the Safe at Home/Address Confidentiality Program administered by the Secretary of State, the District shall use the address designated by the Secretary of State to serve as the student's address for enrollment purposes. The District shall place a copy of any certification provided by the parent in the enrollment files.

Provision of District and Building Report Card

The school official responsible for admitting students shall give the Parent of each student who qualifies for admission to school in the District, or to the student if the student is at least eighteen (18) years old, a copy of the District's most recent report card showing the performance rating of the District and the building the student will attend, or alternatively provide a link to the report card.~~grade of the District and the grade of the building the student will attend.~~

"Parent" means either of the biological or adoptive parents of the student, except:

- A. "Parent" means the residential parent as designated by a court when the parents are divorced, their marriage has been dissolved or annulled, or the parents are living separate and apart pursuant to a legal separation, except that:

When the parents are no longer married and have a shared parenting plan, "Parent" still means either parent.
- B. When a court has granted legal custody of the student to an individual other than the biological or adoptive parent, or to an agency, "Parent" means the individual or agency with legal custody.
- C. When a court has appointed a guardian for the student, "Parent" means the court-appointed guardian. A "guardian ad litem," however, is not the "Parent."
- D. "Parent" means the student's grandparent when the District enrolls the student pursuant to a grandparent power of attorney or a grandparent caretaker authorization affidavit.

If the District is unable to identify the parent of a homeless student at the time of admission, or the parent does not accompany the student, the District shall provide a copy of the report card to the student and to the person who accompanies the student.

¹Request that the individual provide additional proof of residency in the School District, if necessary. This additional proof of residency may consist of reasonable evidence such as a deed, building permit, rental agreement, tax statement, voter registration card, etc.

²Similar to other children seeking enrollment in the School District, the School District, after offering an opportunity for hearing, may temporarily deny admittance to a child if s/he has been suspended or expelled under Ohio law and the period of suspension or expulsion has not expired.

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Book	Administrative Guidelines
Section	Superintendent Approved Guidelines 40-1
Title	Copy of ATTENDANCE
Code	ag5200
Status	
Adopted	July 1, 1997
Last Revised	September 14, 2020

5200 - **ATTENDANCE**

The Board of Education requires all students enrolled in the schools of this District to attend school regularly in accordance with the laws of the State. The District's educational program is predicated upon the presence of the student and requires continuity of instruction and classroom participation. The regular contact of students with one another in the classroom and their participation in a well-planned instructional activity under the tutelage of a competent teacher are vital to this purpose.

Excusable Reasons for Absence

The District accepts only the following as reasonable excuses for time missed at school. Each absence shall be explained in writing and signed by the student's parent/guardian. The excuse shall be submitted to and filed as part of the student's school record.

A parent must call in to excuse for absences from school may be approved for one (1) or more of the following reasons or conditions:

A. Personal Illness

The building principal may require a doctor's confirmation if s/he deems it advisable.

B. Appointment with a Health Care Provider

C. Illness in the Family Necessitating the Presence of the Child

The building principal may require a doctor's confirmation and an explanation as to why the child's absence was necessary.

D. Quarantine of the Home

This is limited to the length of the quarantine as fixed by the proper health officials.

E. Death in the Family

This is limited to a period of three (3) days unless a reasonable cause may be shown for a longer absence.

F. Necessary Work at Home Due to Absence or Incapacity of Parent(s)/Guardian(s)

Any absence arising because of this condition shall only apply to a child over fourteen (14) years of age and shall not extend for a period longer than five (5) days and can be renewed for five (5) additional days. At no time, shall such excuse permit a student to be absent from school for a period of more than ten (10) consecutive days.

At the discretion of the Superintendent or his/her designee, a student may be excused for a longer period of time than ten

(10) days if a child's parent or guardian has recently died or become totally or partially incapacitated and there is no older brother or sister living in the home who is out of school. In such cases, the Superintendent or his/her designee may request a certificate of a physician attesting to the physical condition of the parent or guardian.

G. Observation or Celebration of a Bona Fide Religious Holiday

Any student shall be excused for the purpose of observing or celebrating a bona fide religious holiday consistent with his/her creed or belief.

H. Absence During the School Day for Professional Appointments

Parents are to be encouraged to schedule medical, dental, legal, and other necessary appointments other than during the school day. Since this is not always possible, when a student is to be absent for part of the day:

1. the student shall have a statement to that effect from his/her parents;
2. the building principal may require the student to bring a signed statement from the doctor, dentist, lawyer, counselor, etc. to the effect that s/he reported promptly for the appointment;
3. the student shall report back to school immediately after his/her appointment if school is still in session.

I. Emergency or Other Set of Circumstances

The Superintendent shall determine whether the reason for the absence constitutes good and sufficient cause.

J. Medically Necessary Leave

A pregnant student will be considered on an excused absence for so long a period as is deemed medically necessary by the student's physician. Written confirmation by the physician may be required.

K. College Visitation - (not to exceed three (3) visits per year and at the degression of the Principal).

The District requires verification of the date and time of the visitation by the college, university, or technical college.

L. Absences due to a student's placement in foster care or change in foster care placement or any court proceedings related to their foster care status.

M. Absences due to a student being homeless.

Student Vacations During the School Year

Students are permitted to go on vacation during the school year without penalty (except the week ending each semester). The purpose of this administrative guideline is to accommodate parents who must take their vacations during the school year and the desire to enjoy that time as a family.

Whenever a proposed absence-for-vacation is requested, parents must discuss it with the building principal. The length of absence should be made clear, and those involved should have an opportunity to express their views on the potential effects of the absence.

The District will only approve a student's absence for a vacation when s/he will be in the company of his/her own parent or other family relatives but not other students' parents, unless there are extenuating circumstances deemed appropriate by the Principal.

If a student is absent for any other type of vacation, s/he will be considered unexcusably absent from school and subject to truancy regulations.

The student may be given approximate assignments and materials and pages to be completed.

Recording Attendance

The attendance officer shall file a complaint in the juvenile court against a student on the sixty-first (61st) day after the implementation of an absence intervention plan or other intervention strategies, provided that all of the following apply:

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

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

Contacting the Parent/Guardian of an Absent Student

Within 120 minutes after the beginning of each school day, the attendance officer or designee for each school building shall make at least one (1) attempt to contact the parent, guardian, or other person having care of any student who is recorded as absent without legitimate excuse by:

- A. making a telephone call to the number on file for the parent, guardian, or other person having care of the student, and documenting the time the call was made. If the parent, guardian, or other person having care of the student does not answer, the person making the call should attempt to leave a message;
- B. an automated telephone call via a system that includes verification that each call was actually placed, and either the call was answered by its intended recipient or a voice mail message was left by the automated system relaying the required information;

The attendance officer or designee shall not attempt to contact the parent, guardian, or other person having care of a student if the parent, guardian, or other person having care of a student initiates a telephone call or other communication notifying the school or building administration of the student's excused or unexcused absence within 120 minutes after the beginning of the school day.

Excessive Absences

When a student of compulsory school age is absent from school with combined nonmedical excused absences and unexcused absences in excess of thirty-eight (38) or more hours in one (1) school month, or sixty-five (65) or more hours in a school year, that student is considered "excessively absent" from school. The District or school shall notify the child's parent or guardian of the child's absences, in writing, within seven (7) school days after the date of the absence that triggered the notice requirement. At the same time written notice is given, any appropriate intervention action listed herein may be taken.

A "medical excuse" that will not count toward excessive absence hours includes: 1) personal illness; 2) illness in the family necessitating the presence of the child; 3) quarantine of the home; 4) health care provider appointments (doctor, dentist, mental health provider, etc.); 5) medically-necessary leave for a pregnant student in accordance with Policy 5751; 6) death in the family; or 7) other set of circumstances the Superintendent deems on a case-by-case basis to be a good and sufficient cause for medical absence from school.

A medical excuse for personal illness will be accepted in the form of doctor's note.

Habitual Truancy

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

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

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

Absence Intervention Team

To the extent required by law as determined on an annual basis, within ten (10) days of a student becoming habitually truant, the Principal shall assign the student to an absence intervention team.

Within fourteen (14) school days after the assignment of a student to an absence intervention team, the team shall develop an intervention plan for that student in an effort to reduce or eliminate further absences. Each intervention plan shall vary based on the individual needs of the student, but the plan shall state that the attendance officer shall file a complaint not later than sixty-one

(61) days after the date the plan was implemented, if the child has refused to participate in, or failed to make satisfactory progress on, the intervention plan. Within seven (7) school days after the development of the plan, reasonable efforts shall be made to provide the student's parent/guardian/custodian with written notice of the plan.

Each absence intervention team may vary based on the needs of each individual student but shall include a representative from the child's building, another representative from the child's building who knows the child, and the child's parent or parent's designee, or the child's guardian, custodian, guardian ad litem, or temporary custodian. The team also may include a school psychologist, counselor, social worker, or representative of a public or nonprofit agency designed to assist students and their families in reducing absences.

The members of the absence intervention team shall be selected within seven (7) school days of the student meeting the habitually truant threshold. Within the same period of seven (7) school days, the Principal shall make at least three meaningful, good faith attempts to secure the participation of the student's parent/guardian/custodian, guardian ad litem, or temporary custodian on that team. A good faith attempt to secure the participation of the parent shall include, but not be limited to, diligent efforts to reach the parent by telephone, email, or regular mail. If the student's parent responds to any of those attempts, but is unable to participate for any reason, the Principal shall inform the parent of the parent's right to appear by designee. If seven (7) school days elapse and the student's parent, guardian, custodian, guardian ad litem, or temporary custodian fails to respond to the attempts to secure participation, the attendance officer shall investigate whether the failure to respond triggers mandatory abuse or neglect reporting to the public children services agency. At the same time, the absence intervention team shall continue to develop an intervention plan for the child notwithstanding the absence of the child's parent, guardian, custodian, guardian ad litem, or temporary custodian.

The promotion of a student to the next grade level will be prohibited if the student has been absent without legitimate excuse for more than ten percent (10%) of the required attendance hours of the current school year and has failed two (2) or more of the required curriculum subject areas in the current grade unless the student's Principal and the teachers of any failed subject areas agree and so certify in writing that the student is academically prepared to be promoted to the next grade level.

Intervention Strategies

In order to address the attendance practices of a student who is habitually truant, the intervention team may, as part of an intervention plan, take any of the following intervention actions:

- A. provide counseling to the student
- B. request or require the student's parent to attend a parental involvement program
- C. request or require a parent to attend a truancy prevention mediation program
- D. notify the Registrar of Motor Vehicles of the student's absences
- E. take appropriate legal action
- F. assignment to an alternative school (Note: If the District has established an alternative school, it must appear as an alternative intervention strategy.)

Any student who, due to a specifically identifiable physical or mental impairment, exceeds or may exceed the District's limit on excused absence may be referred to the Principal or Director of Pupil Services for evaluation to determine eligibility either under the Individuals with Disabilities Education Improvement Act (IDEIA) or Section 504 of the Rehabilitation Act of 1973, or other appropriate accommodation.

Reporting Requirements

The attendance officer shall file a complaint in the juvenile court against a student on the 61st day after the implementation of an absence intervention plan or other intervention strategies, provided that all of the following apply:

- A. The student is habitually truant.
- B. The school district or school has made meaningful attempts to re-engage the student through the absence intervention plan, other intervention strategies, and any offered alternatives to adjudication, if applicable.
- C. The student has refused to participate in or failed to make satisfactory progress on the plan, as determined by the absence intervention team, or any offered intervention strategies or alternative to adjudication.

If the student, at any time during the implementation phase of the absence intervention plan or other intervention strategies, is absent without legitimate excuse for thirty (30) or more consecutive hours or forty-two (42) or more hours in one school month, the attendance officer shall file a complaint in juvenile court against that student, unless the absence intervention team has determined that the student has made substantial progress on the absence intervention plan.

In the event that the sixty-first (61st) day after the implementation of the absence intervention plan or other intervention strategies falls on a day during the summer months, the absence intervention team or the attendance officer may extend the implementation of the plan and delay the filing of the complaint for an additional thirty (30) days from the first day of instruction of the next school year.

Whenever any student of compulsory school age has sixty (60) consecutive hours in a single month or a total of ninety (90) hours of unexcused absence from school during the school year, s/he will be considered "habitually absent" under R.C. 3321.13(B)(2). The Superintendent shall notify the student and his/her parents, guardian, or custodian, in writing, that the Superintendent will notify the Registrar of Motor Vehicles, if appropriate, and the Judge of the Juvenile Court of the child's unexcused absences and "habitually absent" status unless the student or his/her parents wish to challenge the record. They are to be notified that the absence information has been provided to the Superintendent, that as a result of that information the child's temporary driver instruction permit or driver's license will be suspended or the opportunity to obtain such a permit or license will be denied, and that they may appear in the Principal's office to challenge such information at a scheduled date and time which shall be no earlier than three (3) days or later than five (5) days after the date of the notification. The Principal may grant an extension, if requested by the child or the child's parent, guardian, or custodian.

Notification will be sent within two (2) weeks after the Superintendent receives the information or the conclusion of the hearing if the determination that the student did not have a legitimate excuse for the absences is upheld. The student's name, address, birthdate, school, district, and attendance record shall be sent to the Juvenile Judge in writing and to the Registrar of Motor Vehicles, if appropriate, in the manner designated by the Registrar.

The District shall report to the Ohio Department of Education, as soon as practicable, and in a format and manner determined by the department, any of the following occurrences:

- A. when a notice that a student has been absent with or without legitimate excuse for thirty-eight (38) or more hours in one school month, or sixty-five (65) or more hours in a school year is submitted to a parent, guardian, or custodian;
- B. when a child of compulsory school age has been absent without legitimate excuse from the public school the child is supposed to attend for thirty (30) or more consecutive hours, forty-two (42) or more hours in one school month, or seventy-two (72) or more hours in a school year;
- C. when a child of compulsory school age who has been adjudicated an unruly child for being a habitual truant violates the court order regarding that adjudication;
- D. when an absence intervention plan has been implemented for a child under this policy.

Encouraging Attendance

Promoting and fostering desired student attendance habits requires a commitment from the administration, faculty, and parents. No single individual or group can - in and of itself - successfully accomplish this task.

A professional staff member's responsibility must include, but not be limited to:

- A. providing meaningful learning experiences every day;
Therefore, a student who is absent from any given class period would be missing a significant component of the course.
- B. speaking frequently of the importance of students being in class, on time, ready to participate;
- C. keeping accurate attendance records tracked to the nearest full hour (excused vs. unexcused);
- D. requiring an admit slip from a student when s/he returns from an absence and invoking a consequence if s/he does not have one;
- E. incorporating defined, daily participation as part of the teaching/learning process and each grading period (See AG 2220);
- F. requiring students to make up missed quizzes, tests, and other pertinent assignments before or after the regular school day and not permitting students to use instructional time to do make-up work.

Students Leaving School During School Day

- A. No staff member shall permit or cause any student to leave the school prior to the regular hour of dismissal except with the knowledge and approval of the Principal and with the knowledge and approval of the student's parents. (see Form 5230 F1)
- B. No student will be released to any government agency without proper warrant or written parental permission except in the event of an emergency as determined by the Principal or their designee.

Make-Up Opportunities

A student may make-up units of study with a properly licensed teacher if prior approval has been granted by the Principal.

- A. Evening high school attendance for make-up is also permitted.
- B. Students will be given the opportunity for making up work missed due to approved absences. The length of time for completion of make-up work shall be commensurate with the length of the absence.
- C. Students may be given the opportunity to make-up work missed due to suspension. The make-up work must be completed and presented to the teacher upon his/her return to school. Tests missed during the period of suspension may be made up by the students by contacting the teacher on the day of his/her return to school. The teacher, at his/her convenience, may administer the test or assign alternate written work in lieu of the test missed.
- D. A student wishing to make-up work should contact his/her counselor to obtain assignments.

Tardiness

- A. Students not in homeroom or in class when the late bell rings are considered tardy, and attendance shall be tracked and recorded to the nearest full hour.
- B. All students who are tardy to school must report to the Principal's office to sign in.
- C. When a teacher detains a student after class, s/he shall issue a late pass for the student's next class.
- D. Teachers are to refer cases of chronic tardiness to the Principal.

Tracking Remote Attendance

Consistent with the District's remote learning plan (e.g., Blended Learning, On-Line Learning, etc.), the District will provide a variety of instruction models, including both teacher-led remote learning and self-directed remote learning. While attendance will be monitored and collected at the student level, the tracking of attendance does not necessitate knowing what every student is doing at every moment with regard to the student's educational experience. Regardless of the way attendance is tracked, the District will convert to and report attendance in hour increments (i.e., while attendance may be taken hourly in the remote learning setting, the attendance information collected will be reported in hourly increments for each student.)

Student attendance in teacher-led remote learning (synchronous web-based instruction) shall be tracked in the same manner as hourly, in-person instruction. Teachers shall determine hourly attendance by evidence of student login and logoff data. Teachers are encouraged to verify meaningful attendance in a method selected by the teacher, such as an ungraded quiz at the close of a lesson, a survey or poll questions (unrelated to the lesson and unpredictable) at the end of the lesson, or asking students questions at random throughout a session.

In addition to the reasons listed at the beginning of this guideline, absences from teacher-led remote learning (synchronous web-based instruction) may be considered excused under the following circumstances, with notice from a parent/guardian:

- A. temporary internet outage for individual students or households;
- B. temporary technical difficulties for individual students or households, such as password resets or software upgrades occurring during a teach-led learning lessons;

- C. computer/device malfunction;
- D. malfunction of a District-owned device for which the District is providing technical assistance, repair, or replacement.

Attendance in self-directed remote learning (asynchronous) shall be tracked by evidence of participation, which may include, but is not limited to:

- A. daily logins to learning management systems;
- B. daily interactions with the teacher to acknowledge attendance, which may include, but are not limited to, messages, emails, telephone calls, video chats or other formats that enable teachers to engage with students; and
- C. assignment completion.

The teacher will determine the number of hours a typical student would take to complete an assignment and report those hours of attendance when the assignment is completed. A teacher may adjust the number of hours of attendance based on the length of time the student actually spent on the assignment, as reported by the student, parent, or other person with knowledge.

If there is no evidence a student participated or engaged in any way in a remote learning activity, the student will be marked with an absence for the hours allotted for that remote learning activity.

Remote learning shall not be used to make up absences from in-school learning.

The District's efforts to foster student attendance in a remote learning setting will be guided by the following principles:

- A. It is critical to build and maintain strong relationships that can endure time and distance. To this end, the District will strive to (a) maintain updated contact information for students and parents, (b) engage in outreach opportunities to learn more about the student and/or family's digital access (including internet connectivity, and technology devices), and (c) establish meaningful communication that connects students, families, educators and, in some cases, other caring adults from the community.
- B. The District will balance its focus on consistent student attendance, including exposure and engagement in learning, with a priority on the health and safety of students, families, and educators.
- C. The District will seek to maintain frequent contact with students and families, connect students to appropriate resources, encourage student participation, and offer enriching, interesting and engaging learning opportunities.
- D. The District will use data to drive its decisions that are aimed at understanding successes and opportunities, supporting diverse learning styles, identifying solutions, and driving continuous improvement.
- E. The District will leverage community partnerships to strengthen its efforts to support student's attendance, exposure, and engagement in learning, and student's overall mental health and well-being.
- F. The District will employ a multi-tiered system of support to remove barriers that prevent students from participating and engaging in learning, mitigate negative learning experiences, address lack of engagement and misconceptions, and provide needed social-emotional supports.

Staff responsible for recording student's attendance in the District's student information system shall be afforded flexibility in situations where students have varied schedules throughout the week. Such flexibility is particularly important in circumstances where a family's schedule necessitates a student complete a majority of his/her remote work during the evening or over the weekend. Ultimately, staff are authorized to attribute attendance hours to specific days in the school's calendar for information system purposes and to determine which days will show any remote education-related absence. For example, in situations where the District is facing assignment completion into attendance and a student shows no participation in a remote education activity that should have taken three (3) hours for all students, the three (3) hours of absence do not have to be split across the five (5) days the student had to complete the assignment. To ease record keeping and data entry, the staff may record all three (3) hours of absence on one (1) of the remote learning days provided for the assignment.

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Book Administrative Guidelines

Section Superintendent Approved Guidelines 40-1

Title EPINEPHRINE AUTO-INJECTORS: MAINTENANCE AND USE

Code ag5330.02

Status

5330.02 - **EPINEPHRINE AUTO-INJECTORS: MAINTENANCE AND USE**

In consultation with a licensed health professional who is authorized to prescribe drugs, and in accordance with State law, the Superintendent hereby approves this policy and procedure, alternatively termed "Administrative Guidelines," governing the maintenance and use of epinephrine auto-injectors ("Epi-Pens").

A. **Locations:** At least two (2) Epi-Pens of both dose sizes (i.e., 0.3 mg of epinephrine and 0.15 mg of epinephrine) shall be securely stored in the following location in each school building:

Office of School Nurse

~~[Other:] _____~~

B. **Storage, Replacement, and Disposal:** Epi-Pens shall be stored, replaced, and disposed of in accordance with the following guidelines:

1. Storage: Epi-Pens shall be stored in the carrier tube provided at a temperature between 60⁰F - 80⁰F. Further, in Clinic

2. Replacement: Upon Use / Expiration

3. Disposal: Upon Use / Expiration

The ~~Building Principal~~ ~~school nurse~~ ~~_____~~ is responsible for verifying that an appropriate number of Epi-Pens are maintained in the school building and they have not expired.

C. **Individuals Authorized to Administer Epi-Pens in Emergency Situations:** The following individuals are authorized to access and use Epi-Pens in emergency situations:

1. licensed school nurse (LSN)

2. licensed athletic trainer

3. building Principal

4. ~~building secretary~~

5. ~~teacher~~

6. ~~aide~~

7. other, as designated by student's IEP, 504 Plan, or IHP

8. Registered Nurse.

Each school shall have at least two (2) persons trained in the appropriate use of an epinephrine auto-injector. Building Principals shall maintain a list of the specific individuals authorized to use, in emergency situations, the District-maintained Epi-Pens. The list shall also be available on an electronically accessible site for employees' reference.

D. **Training:** Before using an Epi-Pen in an emergency situation, an individual other than a licensed school nurse or licensed athletic trainer, must complete an Epi-Pen administration program conducted by a licensed health professional. The training shall be done in accordance with any guidance provided by the Ohio Department of Education. The training shall include how to recognize anaphylaxis and administer an epinephrine auto-injector. The training shall also include an evaluation by the licensed health professional of the employees' understanding of the protocols for administration of an Epi-Pen. The LSN is responsible for coordinating the training of Board employees to administer Epi-Pens.

E. **Emergency Situations:** The authorized individuals may access and use an Epi-Pen in emergency situations, including but not limited to:

1. when an individual demonstrates signs or symptoms of anaphylaxis;
2. upon the first signs of a severe allergic reaction for which Epi-Pen treatment is indicated;
3. ~~[other:]~~

F. **Emergency Medical Provider Assistance:** Immediately following deployment of an Epi-Pen, the individual administering it shall request assistance from an emergency medical service provider (911). If the Epi-Pen was self-administered by the student, pursuant to AG 5330, the

school nurse

and other school employees~~[other:]~~

shall be responsible for requesting assistance from an emergency medical service provider (911) immediately following the incident.

G. **Additional Recipients of Epi-Pen Assistance:** In addition to students, school employees, contractors, and visitors, an Epi-Pen may be administered to the following individuals in an emergency situation: any individual on school grounds who is believed to be having an anaphylactic reaction.

H. **Reporting of Injections:** Any person who administers an Epi-Pen to a student shall promptly notify

the student's parent/guardian.

~~OR~~

~~_____, who shall be responsible for promptly notifying the student's parent/guardian that an injection has been administered.~~

Additionally, all Epi-Pen injections by Board employees/contractors to students shall be reported in writing to the Superintendent and Registered Nurse. The report shall include whether the school's or student's Epi-Pen was used, and whether the student was previously known to be subject to severe allergic reaction (anaphylaxis).

Protocol for Use:

The definitive protocol for Epi-Pens, as issued by Dr. David Stukus - Allergy Speccials ~~[insert name of licensed health professional authorized to prescribe drugs]~~, are as follows:

A. administration: SQ

B. dosage: 0.15 or 0.3 mg according to size.

~~[DRAFTING NOTE; END OF OPTION]~~

Nothing herein shall affect a student's ability to self-administer Epi-Pens in accordance with Policy 5330 and AG 5330.

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Book Administrative Guidelines
 Section Superintendent Approved Guidelines 40-1
 Title ASTHMA INHALERS: MAINTENANCE AND USE
 Code ag5330.03
 Status

5330.03 - ASTHMA INHALERS: MAINTENANCE AND USE

In consultation with a licensed health professional who is authorized to prescribe drugs, and in accordance with State law, the Superintendent hereby approves this policy and procedure, alternatively termed "Administrative Guidelines," governing the maintenance and use of Asthma Inhalers.

A. Protocol for Use:

The definitive orders for Asthma Inhalers, as issued by a licensed healthcare professional ~~_____~~ ~~[insert name of licensed healthcare professional]~~, are as follows:

- 1. Administration: inhalation _____
- 2. Dosage: 1 puff _____
- 3. Number of Times Used: X2 _____
- 4. Method of Disposal: Sharps container _____

B. Locations: At least two (2) Asthma Inhalers shall be securely stored in the following location in each school building:

- Office of School Nurse
- ~~[other:]~~ _____

C. Storage, Replacement, and Disposal: Asthma Inhalers shall be stored, replaced, and disposed of in accordance with the following guidelines:

- 1. Storage: Medication Cupboard _____
- 2. Replacement: Upon Use / Expiration _____
- 3. Disposal: Upon Use / Expiration _____

The ~~Building Principal~~ school nurse _____ is responsible for verifying that an appropriate number of Asthma Inhalers are maintained in the school building and they have not expired.

D. Individuals Authorized to Use Inhalers to Administer Asthma Medication in Emergency Situations: The following individuals are authorized to access and use Asthma Inhalers in emergency situations:

- 1. licensed school nurse LSN

2. licensed athletic trainer
3. licensed health professional
4. building Principal
5. ~~building secretary~~
6. ~~teacher~~
7. ~~aide~~
8. other, as designated by student's IEP, 504 Plan, or IHP
9. ~~_____~~

Each school shall have at least two (2) persons trained in the appropriate use of an Asthma Inhaler. Building Principals shall maintain a list of the specific individuals authorized to use, in emergency situations, the District-maintained Asthma Inhalers. The list shall also be available on an electronically accessible site for employees' reference.

E. **Training:** Before using an Asthma Inhaler in an emergency situation, an individual other than a licensed school nurse or licensed athletic trainer, must complete an Asthma Inhaler administration program conducted by a licensed health professional. The training shall be done in accordance with any guidance provided by the Ohio Department of Education. The training shall include how to recognize asthma symptoms and use an Asthma Inhaler to provide a dosage of medication to an individual. The training shall also include an evaluation by the licensed health professional of the employees' understanding of the protocols for the use of an Inhaler to administer a dosage of asthma medication to an individual. The LSN is responsible for coordinating the training of Board employees to use an Inhaler to administer asthma medication.

F. **Emergency Situations:** The authorized individuals may access and use an Asthma Inhaler in emergency situations, including but not limited to:

1. when an individual demonstrates signs or symptoms of asthma;
2. ~~[other:] _____~~

G. **Emergency Medical Provider Assistance:** Immediately following use of an Asthma Inhaler, the individual administering it shall request assistance from an emergency medical service provider (911). This requirement does not apply if the Asthma Inhaler was administered by a school nurse, athletic trainer, or a licensed health professional. In the event the Asthma Inhaler does not produce the expected relief from the asthma attack, the

school nurse

School Employees ~~[other:] _____~~

shall be responsible for requesting assistance from an emergency medical service provider (911) immediately following the use of the Asthma Inhaler.

H. **Additional Recipients of Asthma Inhaler Assistance:** In addition to students, school employees, contractors, and visitors, an Asthma Inhaler may be administered to the following individuals in an emergency situation: any individual on school grounds who is believed to be having an asthma attack.

I. **Reporting of Use of Asthma Inhalers:** Any person who administers an Asthma Inhaler to a student shall promptly notify

the student's parent/guardian.

~~OR the _____, who shall be responsible for promptly notifying the student's parent/guardian that an Inhaler has been used to administer a dosage of asthma medication.~~

Additionally, all uses of Asthma Inhalers to administer a dose of medication by Board employees/contractors to students shall be reported in writing to the Superintendent and Registered Nurse. The report shall include whether the school's or student's Asthma Inhaler was used and whether the student was previously known to exhibit signs and symptoms of asthma.

Nothing herein shall affect a student's ability to self-administer Asthma Inhalers in accordance with Policy 5330 and AG 5330.



Book Administrative Guidelines

Section Superintendent Approved Guidelines 40-1

Title Vol. 40, No. 1 - August 2021 Reissued from Special Update - March 2021 PROCUREMENT, MAINTENANCE, AND USE OF INJECTABLE AND NASALLY ADMINISTERED GLUCAGON

Code ag5330.04

Status

5330.04 - **PROCUREMENT, MAINTENANCE, AND USE OF INJECTABLE AND NASALLY ADMINISTERED GLUCAGON**

The Board of Education has authorized procurement of Glucagon for use in emergency situations to treat very low blood sugar. In accordance with State law, the Superintendent hereby approves this policy and procedure, alternatively termed Administrative Guidelines, governing the procurement, maintenance, and use of Glucagon in injectable and nasally administered doses. This guideline was promulgated following consultation with a licensed health professional authorized to prescribe drugs.

A. **Procurement.** The District may obtain injectable or nasally administered Glucagon from the following sources:

1. A licensed health professional authorized to prescribe drugs under State law who personally furnishes Glucagon or alternatively issues a prescription for the drug in the name of the school building or District; and
2. The Superintendent/designee may obtain a prescriber-issued protocol that includes definitive orders for the drug as well as the dosages to be administered.

B. **Locations:** At least two (2) doses of Glucagon shall be securely stored in the following location(s) in each school building:

Office of School Nurse

[OTHER:] _____

C. **Storage, Replacement, and Disposal:** Glucagon doses shall be stored, replaced, and disposed of in accordance with the following guidelines:

1. Storage: Glucagon injectors and nasally administered doses shall be stored in the original carrier provided at a temperature between 60⁰F - 80⁰F. Further, _____
2. Replacement: Upon Use _____
3. Disposal: Upon Use / Expiration Date _____

The Building Principal school nurse _____ is responsible for verifying that an appropriate number of Glucagon doses are maintained in the school building and is also responsible for monitoring the expiration dates of the procured drugs.

D. **Individuals Authorized to Administer Glucagon in Emergency Situations:** The following individuals are authorized, by position and/or after completing specific training, to access and administer Glucagon in emergency situations

1. licensed school nurse (LSN)

2. licensed athletic trainer
3. building Principal (trained)
4. ~~building secretary (trained)~~
5. ~~teacher (trained)~~
6. ~~aide (trained)~~
7. ~~other trained personnel, as designated by student's IEP, 504 Plan, or IHP~~
8. Registered Nurse

In addition to a school nurse, each school building shall have at least two (2) persons trained in the appropriate use of Glucagon, whether injected or nasally administered. Building Principals shall maintain a list of the specific individuals authorized to administer the District-maintained Glucagon during emergency situations. The list shall also be available on an electronically accessible site for employees' reference.

- E. **Training:** Before administering Glucagon in an emergency situation, an individual other than a licensed school nurse or licensed athletic trainer, must complete a Glucagon administration program conducted by a licensed health professional. The training shall be done in accordance with any guidance provided by the Ohio Department of Education. The training shall include how to recognize the emergency circumstances which would necessitate the administration of Glucagon. The training shall also include an evaluation by the licensed health professional of the employees' understanding of the protocols for administration of Glucagon. The LSN is responsible for coordinating the training of Board employees to administer Glucagon.
- F. **Emergency Situations:** The authorized individuals may access and use Glucagon, either as an injectable or nasally administered in emergency situations when an individual demonstrates signs or symptoms of severe hypoglycemia. Staff authorized to use Glucagon will be trained to recognize the common signs and symptoms of severe hypoglycemia.
- G. **Emergency Medical Provider Assistance:** Immediately following deployment of Glucagon, whether by injection or nasally administered, the individual administering it shall request assistance from an emergency medical service provider (911). If the Glucagon was self-administered by the student during an emergency situation, the

school nurse

and other school employees ~~[OTHER:]~~

shall be responsible for requesting assistance from an emergency medical service provider (911) immediately following the incident.

- H. **Additional Recipients of Glucagon Assistance:** In addition to students, Glucagon may be administered to the following individuals in an emergency situation:

school employees

contractors

any individual on school grounds who is believed to be having symptoms of severe hypoglycemia.

- I. **Reporting of Injections:** Any person who administers Glucagon to a student shall promptly notify

the student's parent/guardian.

~~OR _____, who shall be responsible for promptly notifying the student's parent/guardian that Glucagon has been injected or nasally administered.~~

Additionally, all administrations of Glucagon by Board employees/contractors to students shall be reported in writing to the Superintendent and Registered Nurse. The report shall include whether the school's or student's medicine was used, and whether the student was previously known to be subject to severe hypoglycemia.

Under State law, a school board, individual school board members, school district employees, and contracted service providers are not liable for damages in a civil action for injury, death or loss that allegedly arose from an act or omission associated with procuring, maintaining, or using injectable or nasally administered glucagon in accordance with Board policies and procedures absent willful or wanton misconduct.

Legal

R.C. 3313.7115 (A)



Book	Administrative Guidelines
Section	Superintendent Approved Guidelines 40-1
Title	Copy of INVENTORY PROCEDURE
Code	ag7450
Status	
Adopted	September 1, 1997

7450 - **INVENTORY PROCEDURE**

A. General Procedure for Consumable Inventory

In order for the District to meet requirements for preparing GAAP (Generally Accepted Accounting Procedures) basic financial statements, it is necessary to conduct an annual inventory of consumable supplies and materials on hand at fiscal year end, June 30th.

The Physical Inventory Area Supervisor for each building/department will be the building principal or department supervisor as appropriate.

Inventory sheets will be provided by the Treasurer's office and will include:

Date

Building/Department

Item Description

Part #/Catalog #

Quantity

Unit Cost

Extended Cost

Grand Total Cost

B. Responsibilities of Physical Inventory Area Supervisor

1. To supervise the inventory for a specific location.
2. To ensure that qualified stock counters and sheet writers are available for the inventory period.
3. To serve as the contact with Treasurer's office during the inventory.

C. Action to be Taken (Pre-Inventory Planning)

1. Select a sufficient number of inventory stock counters, sheet writers, and if necessary, material handlers to complete the inventory within the allotted time period. Provide the inventory crew with instructions on completing the inventory

sheets.

2. Determine that people involved with inventory are qualified.
 - a. **Counters** - Employees should be familiar with the stock and with the part/supply numbering system. If possible, they should have prior inventory experience.
 - b. **Writers** - Employees should have legible handwriting.
3. Arrange so that areas subject to inventory are clean and that stock is arranged in an orderly and accessible manner. All scrap should be removed to a separate section and clearly identified.
4. Issue instructions that operations, when possible, will cease and no stock will be moved during the inventory recording period. In areas where movement of inventory is anticipated, schedule counting of items to be as least disruptive as possible. Consequently, count high moving items last and slow moving items first. Areas where work must be continuous should be noted to the inventory controller, and records kept of counted inventory used until verified and released.
5. Advise all inventory participants that their work may be subject to verification by State Auditors.
6. If perpetual records are used, make sure that all postings are current. Auditors may wish to test the accuracy of perpetual records prior to the actual inventory.
7. Meet with inventory crews to do the following:
 - a. Give specific area assignments to the inventory crews so that physical boundaries are clearly identified. This will avoid overlapping or failure to cover an area.
 - b. Remind inventory crews not to destroy sheets but rather to void them in case of error.
 - c. Remind inventory crews not to borrow inventory sheets from each other.
 - d. Advise inventory crews their count is being audited, so accuracy is important.
 - e. Review with the inventory crew the procedure for preparing inventory sheets. Stress accuracy of the counts.
 - f. Remind writers to repeat all information back to the counters to get an immediate double check that the information is correct.

D. Actions to be Taken (During Inventory)

1. Issue inventory sheets and record to whom issued. REMEMBER - ALL SHEETS MUST BE ACCOUNTED FOR!
2. Analyze each area with the inventory crew and determine the best course to follow.
3. If necessary, request office personnel to provide aid in getting adequate descriptions, units of measure, and pricing information.
4. Check to see that all completed inventory sheets are accounted for.
5. Assign personnel to cost each item, extend cost, sub-total each page, and grand total on final page. This procedure should be spot checked and verified by Inventory Supervisor.
6. Return all (used and unused) inventory sheets in numerical sequence to the Treasurer's office no later than the scheduled completion date.

E. Exceptions to above procedures

1. Buildings and Grounds Department
Inventory conducted by building location.

2. Food Service

Donated commodities should be recorded and costed separately from balance of supply inventory.

3. Transportation

a. Transportation Supervisor is to provide a list of specific supply and repair items to be inventoried due to accumulated value of parts on hand necessitated by summer repair schedules.

b. All fuels (gas and diesel), oil, etc. are to be reported.

F. Follow-through procedure

Upon completion of the inventory process at the Building/Department level, return all consumable inventory sheets to the Treasurer's office. After verification by the Treasurer's office, the District Consumable Inventory Fiscal Year End Report will be compiled and a request sent to the State Auditors for observation and verification of the inventory. Each Building/Department will be apprised of this schedule and upon verification by the auditors, the inventory process will be complete for that fiscal year.

G. New Equipment Inventory Control Procedures

All equipment with a value of \$100 or more or that has a life of over five (5) years, is to be given an inventory number and recorded on the New Equipment Inventory listing located in the Treasurer's office. **[DRAFTING NOTE: The Federal regulation (2 CFR § 200.439) allows for a \$5,000 threshold. Capital expenditures with a unit cost of \$5,000 or more require prior written approval of the Federal awarding agency or pass-through entity.]**

1. Remove equipment from the shipping container. Inspect it to be sure all parts have been received and are in good condition.
2. After inspection, an inventory ID Number should be attached. These numbers are to be issued in sequence, by the Treasurer. The sticker should be attached as close as possible to the serial number, without covering any information pertinent to the repair or replacement of the equipment.
3. All information pertaining to the equipment, i.e., item, serial number, vendor, date of purchase, cost, building located in, room located in, maintenance agreement, etc. should be recorded on the new inventory listing.

H. Textbook Inventory Procedures

1. All nonconsumable textbooks, teachers editions of textbooks, and reference books that are not controlled by the library, are to be stamped and numbered.
2. Hardback Textbooks and Teacher's Editions
 - a. Each book is stamped with the school or District name on the inside front cover and on any page in the middle of the book.
 - b. Numbering is done on the inside front cover and contains the year purchased and the book number. (Example: 96-0, 96-2, 96-3) Each book title will receive its own set of sequenced numbers.
3. Paperback Books
 - a. Because of the small print, paperback books are stamped and numbered on the inside front cover only.
 - b. Once the books are received, all pertinent information concerning the purchase is recorded in the "Textbook Inventory" file located in the Treasurer's office. Information such as title, publisher, cost, building and teacher, and copyright are recorded.
4. At the end of each school year, a new inventory report is sorted by school and teacher and sent to the respective school. Each teacher updates and returns his/her report to the building principal to update the records. Reasons for most changes are replacement of texts with a new edition or a destroyed or lost book. Each teacher is also to submit Form 5513 F1 - Textbook Condition, indicating the condition of each textbook issued to students.

I. Workbook Inventory Procedures

1. As workbooks are received, they are entered in the "Workbook Inventory" file located on the Treasurer's disk. Information such as supplier, cost plus shipping, building, etc. is to be recorded.
2. Purchases made throughout the year will be added to the previous year's ending inventory giving a total of books available for sale. At the end of the fiscal year a new inventory will be taken. This figure will indicate the total amount of books sold. Total amount of books sold, multiplied by the cost, should be equal to the amount deposited throughout the year for workbooks.
3. A list will be furnished to each school secretary, who will keep track of workbooks given to students who are unable to pay. Accounting adjustments will be made to the 009 Fund at the end of the fiscal year, based on records kept by the school secretary.
4. Workbooks are not to be stamped or marked in any way with District identification.

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Book	Administrative Guidelines
Section	Superintendent Approved Guidelines 40-1
Title	Copy of STUDENT RECORDS
Code	ag8330
Status	
Adopted	November 1, 2004
Last Revised	February 12, 2018

8330 - **STUDENT RECORDS**

Student records shall be maintained in accordance with Board of Education Policy 8330 and State/Federal laws and regulations.

The student record is the legal record for each student who is or has attended schools within the District. All information contained in the student record must be factual, verifiable and of a constructive nature. The Board shall collect, maintain and use only information necessary for legally mandated District functions.

Education Records, as defined in 34 C.F.R. 99.3 (Family Educational Rights and Privacy Act), means those records, files, documents, and other materials that are: (1) directly related to a student; and (2) maintained by the Board or by a party acting for the Board. "Record" means any information recorded in any way, including, but not limited to: handwriting; print; computer media; tape; film; microfilm and microfiche.

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

The term, Education Records, does not include:

A. records of instructional, supervisory, and administrative personnel and educational personnel ancillary thereto that are:

1. kept in the sole possession of the maker thereof; and
2. used only as a personal memory aid; and
3. not accessible or revealed to any other person except a temporary substitute for the maker of the record;

For the purpose of this definition, a "substitute means an individual who performs on a temporary basis the duties of the individual who made the record, and does not refer to an individual who permanently succeeds the maker of the record in his/her position."

B. records maintained by a law enforcement unit (e.g., School Resource Officer) of the School District that were created by that law enforcement unit for the purpose of law enforcement;

C. records relating to an individual who is employed by the Board, that:

1. are made and maintained in the normal course of business;
2. relate exclusively to the individual in that individual's capacity as an employee; and
3. are not available for use for any other purpose.

Records, however, relating to an individual at the District who is employed as a result of his/her status as a student are education records.

- D. records on a student who is eighteen (18) years of age or older, or is attending an institution of postsecondary education, that are:
1. made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his/her professional capacity, or assisting in a paraprofessional capacity; and
 2. made, maintained, or used only in connection with treatment of the student; and
 3. disclosed only to individuals providing the treatment (except, that the records can be personally reviewed by a physician or other appropriate professional of the student's choice). For the purpose of this definition, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at the educational agency or institution;
- E. records created or received by the Board after an individual is no longer a student in attendance and that are not directly related to the individual's attendance as a student (e.g. information pertaining to the accomplishments of alumni);
- F. grades on peer-graded papers before they are collected and recorded by a teacher.

The student's school record shall contain the following information that shall be retained permanently or for one hundred years:

- A. name, address, and telephone listing of parent (see Form 8330 F1);
- B. enrollment data to include validated birth record, proof of residency, immunization records and social security number or computer number;
- C. attendance records;
- D. grades and/or transcripts;
- E. standardized and/or mandated achievement test data, including proficiency/diagnostic assessment/achievement test records that include the date each student meets the proficient level for the test administered; and
- F. date of graduation and/or transfer or withdrawal.

The student's education records shall contain, if applicable to the individual, the following information, to be retained for the period of time designated in the schedule of records retention, AG 8310A:

- A. health and medical information;
- B. court order on parental rights and responsibilities and/or custodial or guardianship arrangements, including any court orders regulating access of a parent to school records;
- C. awards and recognitions;
- D. reports and such other confidential information generated by professionals or agencies outside the District relevant to the student's educational program; and
- E. such other verifiable, factual and relevant information to be used in making decisions regarding the student's educational program, including disciplinary records.

Whenever the District is notified by a law enforcement agency that a missing child report has been filed regarding a student who is currently, or was previously, enrolled in the District, the staff member in charge of admission shall mark that student's records in such a manner that whenever a copy of or information regarding the records is requested, any school official responding to the request is alerted to the fact that the records are those of a missing child. Thereafter, if the District receives a request for a copy of or information regarding the missing student's records, the staff member in charge of admission immediately shall report the request to the law enforcement agency that notified the school that the student is a missing child. When responding to the request for a copy of or information from the missing student's records, the staff member in charge of admission shall do so in such a way

that the receiving district or school is unable to discern that the student's records are marked as identifying the student as a missing child.

The District shall retain the mark in the student's records until notified that the student is no longer a missing child. Upon notification by a law enforcement agency that a student is no longer a missing child, the staff member in charge of admission shall remove the mark from the student's records in such a way that if the records are forwarded in the future to another district or school, the receiving district or school will be unable to discern that the records were ever marked.

Whenever the District is notified by the Ohio Department of Job and Family Services (ODJFS) and/or applicable custodial agency that a student has been placed into foster care or has a change in his/her foster care status or living arrangements, the staff member in charge of admission shall update that student's records to reflect the foster care placement or change in foster care status or living arrangements. The student's records shall be updated within twenty-four hours (24) of receiving notification from ODJFS or the applicable custodial agency.

The District will dispose of student education records in groups based on the student's date of birth. Prior to disposing of student educational records, the District shall make reasonable attempts to contact students by:

- A. posting a notice regarding the intent to dispose of student education records on the District's website for a period of thirty (30) days; or
- B. posting a notice regarding the intent to dispose of student education records in the "Legal Notices" section of a newspaper of general circulation in the District;

The notice will be posted in the newspaper of general circulation at least twice over a period of thirty (30) days.

The District shall not destroy any student education record if there is an outstanding request to inspect and review the record.

Once the student either consents in writing to the disposal of the school record or fails to respond to the District's notices, an application for one (1) time records disposal will be made to the local records commission in accordance with AG 8310A. Upon approval of the disposal, the application will be sent to the Ohio History Connection and the Auditor of State, respectively, for review and approval. It is understood, however, that the Ohio History Connection may not view or select for its custody records that contain a student's personally identifiable information, without the written consent of the student (if s/he is eighteen (18) years of age) or his/her parents.

Disposal of Records of Students with Disabilities (or Disabled Students)

If a student is identified as a student with a disability under the Individuals with Disabilities Education Improvement Act ("IDEIA") or Section 504 of the Rehabilitation Act of 1973 ("Section 504"), the Custodian of Records (COR) shall:

- A. maintain the student's education records, which includes those records identified on page three (3) of this guideline and information and/or data relevant to the identification, evaluation and/or placement of students in accordance with the IDEIA, Section 504, or other applicable State law and regulations, for five (5) years after termination of special education programs, services, and/or graduation; and
- B. only destroy such education records after notifying the parents/eligible students that the information is no longer needed to provide educational services and will be destroyed.

The COR should remind them that the records may be needed by the student or the parents for Social Security benefits or other purposes (see Form 8330 F8).

The applicable school record on a disabled student shall be retained permanently in the same manner as the school record for a non-disabled student.

RESPONSIBILITY

The COR shall be the building principal who may delegate certain responsibilities to the school secretary. The COR is responsible for maintaining the confidentiality of directory information, if the parents or eligible student have so requested, and other personally identifiable information in the education records. The COR is responsible for the implementation of this Board's policies and procedures regarding confidentiality, including informing all personnel in this District who collect, maintain, use or otherwise have access to student records of this Board's policies and procedures on confidentiality.

The District's Records Officer (DRO) shall prepare an annual notice to parents/eligible students that informs them of their rights to (see Form 8330 F9):

- A. inspect and review the student's education records;

- B. request amendment to the records if the parent or eligible student believes the information to be inaccurate, misleading, or otherwise in violation of the student's privacy rights;
- C. limit the disclosure of personally identifiable information defined as directory information within Policy 8330 or to such other disclosures not required by law;
- D. request a hearing if the Board refuses to amend records believed by the parent or eligible student to be misleading or inaccurate and to file a complaint with the United States Department of Education if the parent/eligible student is dissatisfied with the results of the hearing;
- E. obtain a copy of the Board's policy on student records.

The notice may be in the form of a section of the District's newsletter and/or the student handbooks (see Form 8330 F9).

Ongoing Maintenance of Records

A. **Public Listing of Authorized Employees** (see Form 8330 F2)

1. Each COR shall maintain a current listing of those employees and other persons, approved by the DRO, authorized to access personally-identifiable information housed at the location specified.
2. Each COR shall post and maintain the listing for public inspection at his/her respective location.

B. Types and Location of Records

1. The DRO shall prepare a listing of the types and locations of records collected, maintained, or used by the District, and the name of the COR at each location.

The list shall be provided to parents/eligible students upon request.

2. Education records shall be stored in secured facilities and/or equipment, and shall be available only to those specified in policy or these guidelines. Reasonable and appropriate methods (including but not limited to physical and/or technological access controls) shall be utilized to control access to student records and to make certain that school officials obtain access to only those education records in which they have legitimate educational interest. The COR is directed to utilize reasonable methods to identify and authenticate the identity of parents, students, school officials and any other parties to whom the District discloses personally identifiable information from education records.

C. **Consent to Disclose Information** (see Form 8330 F4 and Form 8330 F8)

1. Whenever there is a request for a copy of information from a student's record, the COR shall obtain written and dated consent, prior to disclosure of records, from parents/eligible students, that includes:

- a. the records that may be disclosed;
- b. the purpose for which the disclosure may be made;
- c. the party or class of parties to whom the disclosure may be made;
- d. whether or not the parents/eligible students wish to have a copy of the records disclosed and/or, if the student is not an eligible student, whether the Board should provide that student with a copy of the disclosed record.

Signed permission should be obtained from eligible students prior to allowing their parents access to the records, provided the student is not considered a dependent under Section 152 of the Internal Revenue Code.

2. Prior consent will not be needed if:

- a. the disclosure is to school officials, including teachers, who have a legitimate educational interest (as defined by Board policy) in the information;

In order for a contractor, consultant, volunteer or other party to whom the Board has outsourced institutional services or functions to be considered a school official, the outside party must:

1. perform an institutional service or function for which the Board would otherwise use employees;
 2. be under the direct control of the Board with respect to the use and maintenance of education records; and
 3. be subject to applicable provisions governing the use and re-disclosure of personally identifiable information from education records.
- b. the disclosure is to another school, school district, or postsecondary institution, as stated in Board policy;
- c. the disclosure is, subject to the conditions set forth in applicable Federal and/or State statutes and/or regulations, to authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the United States Secretary of Education, or State and local educational authorities;
- d. the disclosure is in connection with a student's application for or receipt of financial aid; (See section below entitled: "Disclosure for Student Financial Aid");
- e. the disclosure is to organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction;

Disclosures pursuant to this paragraph are limited to circumstances when the study is conducted in a manner that does not permit personal identification of parents and students by individuals other than representatives of the organization that have legitimate interests in the information; the information is destroyed when no longer needed for the purposes for which the study was conducted; and the Board enters into a written agreement with the organization that contains all the content required by applicable Federal regulations;

- f. the disclosure is to accrediting organizations to carry out their accrediting functions;
- g. the disclosure is to parents of a dependent student, as defined in Section 152 of the Internal Revenue Code of 1986;
- h. the disclosure is to comply with a judicial order or lawfully issued subpoenas;

Disclosures permitted by this paragraph may only occur after the Board makes a reasonable effort to notify the parent or eligible student of the order or subpoena, so the parent or eligible student may seek protective action, unless the disclosure is authorized by applicable Federal regulations. The Board need not notify the parent when the parent is a party to a court proceeding involving child abuse and neglect (as defined in Section 3 of the Child Abuse Prevention and Treatment Act) or dependency matters, and the order is issued in the context of that proceeding.

Additionally, if the Board initiates legal action against a parent or student, the Board may disclose to the court, without a court order or subpoena, the student's education records that are relevant for the Board to proceed with the legal action as plaintiff. Likewise, if a parent or student initiates legal action against the Board, the Board may disclose to the court, without a court order or subpoena, the student's education records that are relevant for the Board to defend itself.

- i. the disclosure is in connection with a health or safety emergency; (See section below entitled: "Emergency Release");
- j. the disclosure is information the Board has designated as "directory information";
- k. the disclosure is to the parent of a student who is not an eligible student, or to the student;
- l. the disclosure concerns sex offenders and other individuals required to register under Section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, and the information was provided to the Board pursuant to that law and its implementing regulations;
- m. the disclosure concerns the juvenile justice system and its ability to serve, prior to adjudication, the student whose records are released, provided the officials to whom the records are released certify, in writing, to the District that the information will not be released to a third party, except as provided by State law, without the prior written consent of the parents;

- n. the disclosure is to an agency caseworker or other representative of a State or local child welfare agency, or tribal organization as defined in Federal law, who has the right to access a student's case plan as determined by the agency or organization, when such agency or organization is legally responsible for the care and protection of the student provided the education records and personally identifiable information will not be unlawfully released to third parties;

The agency or organization may release the education records and personally identifiable information to an individual or entity engaged in addressing the student's education needs and authorized by the agency or organization to receive such disclosure and such disclosure is consistent with State or tribal laws applicable to protecting the confidentiality of a student's education records.

- o. the disclosure is authorized by other sections of Family Education Rights and Privacy Act (FERPA).

3. De-identified Records and Information – The District may release education records without prior consent if all personally identifiable information has been removed provided the administration (i.e., the DRO and COR) have made a reasonable determination that a student's identity is not personally identifiable, whether through single or multiple releases, and taking into account other reasonably available information.
4. No person shall release to a parent of a student who is not the residential parent or any other person any information about the school to which the student has transferred or that would enable the parent who is not the residential parent to locate the student if the school to which the student has transferred informs this District that the student is under the care of a shelter for victims of domestic violence as defined in R.C. 3113.33.

Parents: Disclosure, Inspection, Review of Records

The COR shall permit parents/eligible students, upon request, to retrieve information from and to inspect and review, records that are maintained by the District that relate to the student's education. The following conditions shall apply:

- A. At times, agencies or individuals outside the District provide the District with information necessary and relevant to the student's education. Confidential information that is in a student's record from an outside professional or agency may be released to or accessed by the parent through the originator. Such information may be provided to the District only with the written consent of the parent. Upon parental request the Board will notify the parent with the date and source of any record generated outside the District so that parents may access these records through the originator.
- B. If any education record includes information on more than one (1) student, the parents/eligible student shall have the right to review and inspect only the part of the record that relates to the student, or to be informed of that specific information.
- C. The request for access to records must be honored within a reasonable period, but in no case later than forty-five (45) days from receipt of the request. Requests to inspect and review education records that are collected, maintained or used by the District with respect to students with disabilities must be honored without unnecessary delay, and before any meeting regarding an individualized educational program (IEP), hearing relating to the identification, evaluation, or placement of the student, or resolution session, and in no case more than forty-five (45) days after the request was made.
- D. The parents/eligible students have a right to have their representative inspect and review the records upon submission of a signed and dated written consent that:
1. specifies the records that may be disclosed;
 2. states the purpose of disclosure;
 3. identifies the party or class of parties to whom the disclosure may be made.
- E. The Board shall presume that either parent has the authority to disclose, inspect, and review the student's records unless a court order indicates otherwise or unless otherwise prohibited by law.

If the parents/eligible students request an opportunity to inspect and review records, a written request is necessary.

- F. The parents/eligible students are to complete the Board's Request for Information Form 8330 F5 prior to receiving copies of any record.

The COR shall arrange a mutually-agreeable time for the review with the parents/eligible students.

- G. Subject to the limitations within the law, policy, and/or guidelines, the COR shall provide parents/eligible students with copies of any information in the student's education records and shall respond to reasonable requests for explanation and

interpretation of the records. Copies of the records shall be provided for the current cost of duplication unless that fee effectively prevents the parents/eligible students from exercising the right to inspect and review the records.

H. If the parents/eligible students request disclosure of specific information by telephone, the COR shall not disclose requested information.

I. The District shall not destroy any education record if there is an outstanding request to inspect and review the record.

Third Party: Disclosure, Inspection/Review, and/or Copies of Records

When authorized the COR shall permit inspection and review of a student's education records, disclose specified information, or provide copies of education records only after the requesting party has agreed not to share the information with a third party unless the parents/eligible students have so consented or the particular circumstances meet the requirements of Federal law on third-party disclosure.

Amendments of Records (see Form 8330 F6a, Form 8330 F6b, and Form 8330 F6c)

The COR shall provide parents/eligible students with the opportunity to amend records when they believe that any of the information regarding their student is inaccurate, misleading, or violates the student's privacy.

A. Upon receipt of a written request to amend records, the COR shall ascertain the specific information that is requested to be amended and the reason for the change.

The COR shall decide whether or not to amend the record.

If the COR decides not to amend, the parents/eligible students shall be so informed of the decision as well as of their rights to a hearing.

B. If the parents/eligible students request a Records Hearing, the Superintendent shall:

1. select the Records Hearing Officer (RHO) (who may be an official of the District who does not have a direct interest in the outcome of the hearing);
2. direct the person selected as the RHO to arrange a hearing with the parents/eligible students within ten (10) business days from the date of the hearing request or at a mutually agreed time and place.

The RHO shall inform the parents/eligible students that they shall be afforded a full and fair opportunity to present evidence relevant to the issues and may be assisted or represented by individuals of their choice, including an attorney, at their own expense.

The RHO is responsible for maintaining the student's record during the appeal process so that no information is lost or destroyed during the appeal process.

C. The RHO shall conduct the hearing by:

1. introducing the participants;
2. reviewing the agenda for the hearing;
3. identifying the records in question;
4. reviewing the items for which amendment is being requested;
5. allowing the parents/eligible students and/or their representative to present evidence related to the issues;
6. allowing the Board's representative to present evidence related to the issues;
7. recording the evidence presented by both parties;
8. allowing each party a reasonable period of time to question the evidence of the other party;
9. adjourning the hearing.

- D. No later than ten (10) business days from the conclusion of the records hearing, the RHO shall summarize and send a copy of the findings to the Superintendent (see Form 8330 F7).
- E. The Superintendent, within ten (10) business days after receiving the findings of the RHO, shall make a decision, based solely upon the evidence presented at the hearing, and send to the parents/eligible students:
1. a letter stating the decision and the justification for the decision;
 2. a copy of the RHO Report;
 3. copies of the amended records, if any;
 4. a notification of the right to place a statement in the record commenting on the contested information or stating why s/he disagrees with the decision.
- F. If the Board and parents/eligible students agree to the necessary amendments, the COR shall make necessary changes in the student record and send the parents/eligible students written confirmation that the changes have been made.
- G. If as a result of the hearing, the Board decides not to amend the record, the parents/eligible students have the right to place a statement in the record commenting on the contested information in the records and/or stating they disagree with the decision of the RHO. Such a statement shall be maintained with the contested part of the records as long as the records exist and shall be disclosed as part of any record disclosure.
- H. Unless specified otherwise in law, third parties seeking to access confidential information in a student's record that has been generated by a professional or agency outside the District may access these records only through the originator and in compliance with the laws governing disclosure.

EMERGENCY RELEASE

The COR may release any personally-identifiable information (without parent's/eligible student's consent) to appropriate parties, including parents of eligible students, in connection with a health/safety emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals.

Upon receipt of a request for emergency information, the COR shall consider the totality of the circumstances pertaining to a threat to the health or safety of others. If the COR determines that an articulable and significant threat exists, s/he may release information from education records to any necessary individuals. If the COR or another school official releases personally identifiable information pursuant to this Section, s/he must record in the student's education records the basis for the decision that a health or safety emergency existed.

TRANSFER OF RECORDS TO OTHER PRIVATE AND PUBLIC SCHOOL AND SCHOOL DISTRICTS

Transfer of student records, including disciplinary records regarding suspensions and expulsions, must be within fourteen (14) days of request and shall not be withheld from the school for a student's failure to pay any fees, fines, or charges imposed by this District.

The COR shall transfer a student's records to another school when requested by the private or public school or school district in which the student is enrolled, seeks or intends to enroll, or is instructed to enroll, on a full-time or part-time basis, provided that:

- A. a reasonable attempt is made to notify the student's parent or eligible student of the transfer (unless the disclosure is initiated by the parent or eligible students; or Board's annual notification - Form 8330 F9 - includes a notice that the Board will forward education records to other agencies or institutions that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer);
- B. the parent or eligible student, upon request, receives a copy of the record; and
- C. the parent or eligible student, upon request, has an opportunity for a hearing to challenge the content of the record.

The COR shall transfer a student's records when requested by a juvenile detention facility in which the student has been placed or a juvenile court that has taken jurisdiction of the student.

The COR shall transfer a student records upon request to a public school or school district in which a student in foster care is enrolled. Such records shall be transferred within one (1) school day of the enrolling school's request.

A copy of the cover letter sent to the requesting school district shall be retained in the student's file.

If parents/eligible students request a copy of the records being transferred, they shall be provided free of charge.

If a student is under the care of a shelter for victims of domestic violence, release of information is limited by law.

If the District receives a request for a copy of or information regarding a missing student's records, the staff member in charge of admission immediately shall report the request to the law enforcement agency that notified the school that the student is a missing child. When forwarding a copy of or information from the student's records in response to a request, the staff member in charge of admission shall do so in such a way that the receiving district or school is unable to discern that the student's records are marked as identifying the student as a missing child.

DESTRUCTION OF RECORDS COMPELLED BY STATUTE

Notwithstanding other provisions of this Administrative Guideline, records shall be destroyed as required by law.

Upon written request by a person whose juvenile court records have been ordered sealed and presentation of a copy of the order, the District shall expunge records subject to the order, pursuant to R.C. 2151.357.

It is a fourth degree misdemeanor for anyone to knowingly release, disseminate, or make available for any purpose any information or other data concerning any arrest, taking into custody, complaint, indictment, information, trial, hearing, adjudication, or correctional supervision, the records of which have been sealed pursuant R.C. 2151.356.

The District may retain records in its possession regarding an adjudication that a student is a delinquent child that were used as the basis for the student's permanent exclusion, regardless of a court order to seal the record. Disclosure of such records to any person may result in criminal prosecution.

Pursuant to R.C. 3313.662, a student who has reached the age of twenty-two (22) or whose permanent exclusion has been revoked may send a written notice to the Superintendent requesting destruction of records of the student's permanent exclusion. Upon receipt of the request and a determination that the student is twenty-two (22) years of age or older or that the student's permanent exclusion has been revoked, the Superintendent shall ensure that the records are removed from the student's file and destroyed.

DISCLOSURE FOR STUDENT FINANCIAL AID

The COR may release, **without parents' consent**, student information regarding financial aid for which a student has applied or which a student has received, provided that personally-identifiable information from the education records of the student may be used only:

- A. to determine the eligibility of the student for financial aid;
- B. to determine the amount of financial aid;
- C. to determine the conditions which will be imposed regarding the financial aid;
- D. to enforce the terms or conditions of the financial aid.

Financial aid means a payment of funds provided to an individual (or a payment in kind of tangible or intangible property to the individual) that is conditioned on the individual's attendance at an educational agency or institution.

DISCLOSURE FOR PURPOSES OF MARKETING OR SELLING INFORMATION

The Board shall not permit the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose). For purposes of this section, "personal information" means individually identifiable information including: (1) a student or parent's first and last name; (2) a home or other physical address (including street name and the name of the city or town); (3) a telephone number; or (4) a Social Security identification number.

INSPECTION OF INFORMATION COLLECTION INSTRUMENT

The parent of a student has the right to inspect upon request any instrument used in the collection of personal information before the instrument is administered or distributed to a student. The parent must submit a written request to the building principal at least ten (10) business days before the scheduled date of the activity. The instrument will be provided within five (5) business days of the principal receiving the request. Parents will be notified at least annually at the beginning of the school year of the specific or approximate date(s) during the school year when such activities are scheduled or expected to be scheduled.

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

as the following:

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

Directory Information

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

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

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

Safeguarding Education Records and Responding to Data Breaches

Significant challenges exist with respect to the safeguarding of education records from unauthorized access and disclosure. These challenges include inadvertent posting of students' grades or financial information on publicly available Web servers; theft or loss of laptops and other portable devices that contain education records; computer hacking; and failure to retrieve education records at termination of employment or service as a contractor, consultant or volunteer. In light of these challenges, the DRO and COR are directed to work with the District's IT Department/Staff to identify, implement and administer appropriate methods and security controls to protect education records, especially those in electronic information/data systems.

The District's IT Department/Staff is encouraged to review the National Institute of Standards and Technology (NIST) Special Publication (SP) (800-100, "Information Security Handbook: A Guide for Managers," and NIST SP 800-53, "Recommended Security Controls for Federal Information Systems" for guidance and to use any methods or technologies they determine are reasonable to mitigate the risk of unauthorized access and disclosure taking into account the likely harm that would result. The IT Department/Staff is charged with development of appropriate responses to data breaches and other unauthorized disclosures, and said steps should include at a minimum the following:

- A. reporting the incident to law enforcement authorities;
- B. determining exactly what information was compromised (e.g. names, addresses, SSNs, ID numbers, grades, etc.);
- C. taking steps to immediately retrieve data and prevent further disclosures;
- D. identifying all affected records and students;
- E. determining how the incident occurred, including which school officials had control of and responsibility for the information that was compromised;
- F. determining whether the incident occurred because of a lack of monitoring or oversight;
- G. determining whether any Board policies and/or District procedures were violated;

H. conducting a risk assessment and identifying appropriate physical, technological and administrative measures to prevent similar incidents in the future; and

I. notify students and parents that the United States Department of Education's Office of Inspector General maintains a Web site describing steps students may take if they suspect they are a victim of identity theft.

While notification of students is not required in all circumstances, it shall be the DRO's responsibility to determine, in conjunction with the Superintendent, whether students and/or parents will be notified of any breaches. If the decision is made not to issue a direct notice to a parent or student upon an unauthorized disclosure of education records, the DRO or COR shall nevertheless record the disclosure so the parent or student will become aware of it during an inspection of the student's education record.

Safe at Home/Address Confidentiality Program

If a parent (or adult student), presents information to the District certifying that the parent (or adult student), his/her child, or a member of the parent's household is a participant in the Safe at Home/Address Confidentiality Program administered by the Secretary of State, the Board shall refrain from including the student's actual/confidential residential address in any student records or files (including electronic records and files) or disclosing the student's actual/confidential residential address when releasing student records. Since student records are available to non-custodial parents, designated school officials who have a legitimate educational interest in the information, and other individuals or organizations as permitted by law (including the public in some situations), the Board shall only list the address designated by the Secretary of State to serve as the student's address in any student records or files, including electronic records and files. Further, the Board shall use the student's designated address for any and all communications and correspondence between the Board and the parent(s) of the student (or adult student). The student's actual/confidential residential address shall be maintained in a separate confidential file that is not accessible to the public or any employees without a legitimate purpose.

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

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

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

It is important that the address used in Form 8330 F9 be checked annually to verify the accuracy of the address for complaints regarding the Family Educational Rights and Privacy Act (FERPA) and the Protection of Pupil Rights Amendment (PPRA).

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Section	Superintendent Approved Guidelines 40-1
Title	Copy of CHILD ABUSE OR NEGLECT
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8462 - **CHILD ABUSE OR NEGLECT**

In compliance with Board policy and State statute, District employees are required to report to the proper legal authorities any sign of child abuse or neglect. The child may suffer from physical abuse and neglect, sexual abuse, and/or emotional maltreatment. Basically, physical abuse is the nonaccidental, physical injury of a child; physical neglect is the failure to provide proper parental care, support, medical attention, and education for a child; sexual abuse is any indecent sexual activity involving the child; and emotional maltreatment is the failure to provide warmth, attention, supervision, and/or normal living experiences for a child. This applies to student under the age of eighteen (18) and physically or mentally disabled students under the age of twenty-one (21).

In this respect, the following may be considered signs of such abuse or neglect and should be reported immediately:

- A. malnutrition and/or basic deprivation
- B. significant history (siblings abused)
- C. direct parental threats or admission of abuse or neglect
- D. symptoms of venereal disease
- E. dental injuries or eye injuries
- F. head injuries
- G. repeated burns or poisoning
- H. scars and bruises in unusual locations (neck, back, buttock, under arms, behind knees, tops and bottoms of feet)
- I. injuries reflecting direct blows or use of instruments

A child who is being abused may also:

- A. be hyperactive;
- B. act fearful of adults;
- C. cling to adults;
- D. be anxious, tense, and nervous.

Procedure for Reporting

All **suspected** cases are to be reported even if documentation is not available. The law provides protection for the reporting staff member who acts in good faith. Professional staff members may report directly to Children's Services, the Department of Human Services, or the appropriate local law enforcement agency or have an administrator do so in his/her presence. Classified staff members are to report to the principal.

A. The oral report shall include: (see Form 8462 F1)

1. the name, address, and telephone number of all of the following:
 - a. the reporter
 - b. the alleged child victim
 - c. the caretaker or guardian, if different from caretaker, of the alleged child victim
2. the approximate age and what is known of the child's behavior and level of functioning;
3. when and where the alleged abuse or neglect occurred, the type, extent, and duration of the alleged abuse or neglect, and the child's current condition;
4. when, where, and how the child is at risk of abuse or neglect;
5. the circumstances surrounding the alleged abuse or neglect or any other information which might be helpful to establish the cause of abuse or neglect;
6. what is known about the behavior and functioning of the caretaker of the alleged child victim;
7. whether or not anything has been done to reduce the risk to the child;
8. what actions have been taken, such as photographs, medical attention, or notification of law enforcement officials or other persons;
9. the identity and current whereabouts of the alleged perpetrator, the relationship of the alleged perpetrator to the alleged child victim, and the access s/he may have to the child;
10. any knowledge of other children living in the home, and if so, their names, approximate ages, and relationship to the alleged child victim;
11. any knowledge if other children in the home are currently or have been alleged victims of child abuse or neglect, and if so, their names and approximate ages, and the identity of the alleged perpetrator;
12. the identity and location of anyone else with knowledge of the current allegation of abuse or neglect.

B. Notify the student's principal that a report has been made. The principal shall ensure that the suspected case has been properly reported; and, if not, s/he shall ensure that an appropriate oral report is made immediately.

C. Since it is the responsibility of the social worker and/or law enforcement agency to investigate possible abuse and/or neglect, school personnel should not pressure the child to divulge information regarding any injury or other circumstances surrounding the abuse and/or neglect. The school need not prove that abuse and/or neglect exists before reporting. They need only suspect that abuse and/or neglect has or is currently occurring.

D. The oral report shall be followed, not more than five (5) days later, by a written report from the staff member, if requested by the social service or law enforcement agency receiving the oral report. The report is to include all information given at the time of the oral report and any other information that is available from the school that may be helpful in the investigation of the report.

INVESTIGATION OF CHILD ABUSE OR NEGLECT

Investigators who seek to interview a student who is a suspected victim of abuse or neglect must make the request to the principal who shall determine from the investigator whether or not it is appropriate to notify the student's parents. If it is appropriate, the principal should notify the parents of the time and place of the impending interview.

If the interviewer directs that parents are not to be notified, the principal shall record this direction and request the interviewer to sign a written statement that s/he has directed the principal to permit the interview without prior notification of the parents. If the

interviewer refuses to sign the statement, the principal shall prepare another written statement that the District has been directed by the agency to make the named student available for interview or interrogation without notice to the parents and request the interviewer to sign this statement. If the interviewer refuses, the principal shall record the time, date, interviewer's name/title/badge number, and that the interviewer has refused to sign the statement. The principal shall sign this record and maintain it in the school files.

It is understood that the department or board investigating the report has a duty to provide written notice to the Superintendent or other designated administrator of the allegations contained in and the person named as the alleged perpetrator in the report, unless the Superintendent or administrator is named as the alleged perpetrator in the report. Also, the department or board investigating the report must provide written notice of the disposition of the investigation to the Superintendent or other designated administrator, not later than three (3) days after the conclusion of the investigation.

Suspected Abuse/Neglect by Parents

Parents who are abusing their child may:

- A. be reluctant to give information;
- B. describe a story that doesn't fit the injury;
- C. have an inappropriate reaction to the severity of injury;
- D. express unreasonable expectations for the child's performance;
- E. claim conditions that do not exist, e.g.

"S/He bruises easily."

"S/He moves constantly." (Child sits quietly.)

- F. indicate family problems such as marital discord, crowding, financial stress, psychological disorders, retardation, alcohol or drug addiction, etc.

When it is necessary to deal with parents who are suspected of child abuse, the staff member should try to be sympathetic and communicate a readiness to help. Parents are often beset by serious personal problems and possibly were themselves abused or neglected as children.

Suspected Abuse by Staff Members

If a staff member is suspected of abuse, his/her supervisor should be notified immediately and the matter kept in strict confidence by the reporting person. The supervisor shall follow the District's due-process procedures for dealing with an employee's real or alleged violation of any law or District policy. This procedure does not negate the requirement for the reporting person to report the suspected abuse to the proper agency.

Anonymous Reporting Program

Any agreement entered into by the District and a reporting program provider will specify that the provider must annually submit a report to the Department of Public Safety and the Department of Education that includes the number of anonymous reports made through the reporting program and the method by which they were received, disaggregated by each school.

The District will submit data to the Ohio Department of Education (ODE) and the Department of Public Safety at the end of each school year in the manner prescribed by each agency. The data shall be disaggregated by school and include:

1. the number and type of disciplinary actions taken in the previous school year as a result of an anonymous complaint;
2. the number and type of mental wellness referrals as a result of anonymous complaints;
3. the race and gender of the students subject to the disciplinary actions and mental wellness referrals as a result of anonymous reports;
4. any other information ODE or the Department of Public Safety determines necessary.

The data shall be considered security records and are not public records under R.C. 149.33.

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

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Book Administrative Guidelines
 Section Superintendent Approved Guidelines 40-1
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New

8600 - **TRANSPORTATION**

The following guidelines are established to implement the Board of Education policy on transportation.

A. Administrative Responsibilities

The Transportation Director _____ is responsible for planning and operating the transportation program, and for the maintenance of all District vehicles. Included within this scope of responsibility are:

1. () establishing bus routes and time schedules in accordance with State laws and Board policy;
2. () coordinating the dispatching operations;
3. () supervising and analyzing vehicle maintenance programs;
4. () preparing and submitting all State/Federal reports;
5. () selecting, training, and supervising bus drivers;
6. () preparing transportation budgets;
7. () developing specifications for bids on buses, equipment, and/or contracted services;
8. () verifying the qualifications of bus drivers;
9. () determining whether or not transportation shall be provided for a resident student;
10. () determining which resident students qualify for transportation to and from a State-chartered nonpublic school or an approved community school;
11. () determining the reasonableness and practicability of transporting a qualified resident student to and from their school of attendance and developing transportation plans for eligible students;
12. () coordinate with the Liaison for Homeless Children to arrange for joint transportation of homeless students when necessary.

Quality transportation services require cooperation and effective communication with the Principal _____ who shall be responsible for:

1. () supervision at bus loading and unloading zones;

2. communication to parents and students concerning student behavior, safety, schedules, and the like;
3. addressing all behavior problems;
4. enforcement of traffic regulations on the school site;
5. ~~communication about overcrowding and unsafe conditions or practices to the _____.~~

B. Bus Conduct

1. Parents are to be informed that school bus transportation is a privilege and not a right and that the bus driver is the sole authority on the bus while students are being transported.
2. Parents are also to be informed that they are responsible for:
 - a. the safety of their child while going to or from the bus stop and while waiting for the school bus, including waiting for a school bus in a location clear of traffic and away from the bus stop;
 - b. their child being at the bus stop at least 5 minutes prior to scheduled pick-up time;
 - c. damage by their child to school buses, personal property, or public property.
3. Students are expected to conduct themselves in a proper manner at bus stops. The Board will not enter into disputes involving parents and/or students concerning matters that take place prior to the student boarding the school bus, or after the student has disembarked from the bus on his/her way home.
4. Students will ride only assigned school buses and will board and depart from the bus at assigned bus stops. Students will not be permitted to ride unassigned buses for any reason other than an emergency, except as approved by the principal.
5. A change in a student's regular assigned bus stop may be granted for a special need, if a note from a parent is submitted to the building principal stating the reason for the request and the duration of the change and the principal approves.
6. A permanent transfer to another route or bus stop for morning pick-up and/or afternoon drop-off will only be made upon the approval of the Transportation Director.
7. Students shall cross all streets at least ten (10) feet in front of the school bus and after the driver has signaled the student that it is all right to do so.
8. For the safe operation of the school bus, noise on buses shall be kept at a minimum with students speaking in reasonable conversation voices. Students must be quiet at railroad crossings and other danger zones as designated by the bus driver.
 - a. ~~While on the school bus, students are not allowed to play their own personal radios, CD players, or tape recorders.~~
 - b. ~~Both the use of a bus radio and the station or programs which students listen to must be approved by the _____.~~
9. The following cargo is forbidden to be transported on a school bus: pets, alcoholic beverages, drugs, ammunition, explosives, firearms, knives, or any other dangerous materials or objects. If there is a question on the transportation of a particular item, the _____ should be consulted.

C. Student Surveillance

In accord with Board policy, the Transportation Director may install the appropriate equipment for video recording the interior of the buses while transporting students. S/He should follow the District's purchasing practices (AG 6320) in obtaining such equipment and abide by the following guidelines for the use of such video surveillance/electronic monitoring equipment:

1. (x) Arrange for the installation of the video recording device in a location on each bus that will allow for the camera to record all students.
2. (x) Develop a plan whereby the video camera(s) is installed on the bus on a rotating basis and so students are not aware of the installation.
3. (x) Record the date, time, and bus number of each video recording and maintain the recording in a secure location for a period not to exceed the school year.
4. (x) Establish a procedure whereby no one observes a video recording without the prior authorization of the appropriate building principal. Observation shall be done only by those who are authorized to view student records and in accordance with AG 8330 - Student Records.

Any disciplinary action resulting from the use of the video-recording device shall be determined by the appropriate building principal. Due process shall be provided to the students involved in accordance with Board policy and administrative guidelines relating to discipline. Any use of photographs obtained through the use of the video recording devices shall be in accordance with Federal and State law.

The Transportation Director ~~_____~~ ~~[transportation director]~~ shall be responsible for reviewing the video recordings to verify that bus safety procedures are being followed properly and the buses are being operated in accord with District guidelines and State law.

D. ~~Eligibility of Nonpublic or Community School Students for Transportation~~

~~In accordance with State law, the _____ shall determine the length of time necessary to transport a resident student attending a chartered nonpublic school or attending an approved community school located outside the School District from the school bus collection point designated by the _____ for that student's attendance area to the student's nonpublic or community school of attendance. If it is determined that the student can be transported in thirty (30) minutes or less, then s/he is eligible for District transportation; however, if it is determined that the length of time required to transport the student to his/her chartered nonpublic school or approved community school located outside the School District is more than thirty (30) minutes, then s/he is not eligible for District transportation.~~

~~To determine the length of time required, if necessary, the distance between the designated collection point and the chartered nonpublic school or approved community school located outside the School District shall be clocked while driving in a school bus at the time of day that the student would normally be transported on the most direct route possible.~~

~~The Board, however, will not be required to provide transportation for any native student enrolled in a community school if the Board has entered into an agreement with the governing authority of the community school that designates the community school as responsible for providing or arranging the transportation of the District's native students to and from the community school and is certified by the State Board of Education as having met certain requirements established by State law. Also, the Board will not be responsible for providing transportation for any native student enrolled in an approved community school if the governing authority of the community school submits a written notification to the Board, by a date prescribed by the State Board of Education, stating that the governing authority will accept responsibility for providing or arranging for the transportation of the District's native students to and from the community school.~~

E. Providing Payment-in-Lieu of Transportation

In accordance with State law, the Superintendent in consultation with Transportation Director ~~_____~~ may determine, and advise the Board, that the transportation of a resident student, who is otherwise eligible for transportation under State law, Board policy, and these guidelines, is impracticable. The determination will be formalized through a resolution passed by the Board at its next scheduled meeting. In such instances, the Board may, in lieu of providing transportation, pay the parent an amount per student as determined by the Board and shall not exceed the average cost of transportation of children by all boards of education in the State during the next preceding year.

The determination for payment-in-lieu will be made at least thirty calendar days prior to the district's first day of student instruction, or no later than fourteen calendar days if a student is enrolled less than thirty days prior to the first day of instruction or after the start of the school year. Parents/guardians who are eligible for payment-in-lieu of transportation shall be notified in writing by the Superintendent _____. The notice will detail the reason(s) why the determination was made based on factors considered in accordance with state law. The nonpublic/community school and the state board of education will receive copies of the notice as well. Parents who are eligible for payment-in-lieu of transportation must accept, in writing, the Board's determination that they are eligible for such payment.

~~Parents who are eligible for payment in lieu of transportation shall be notified by the _____. Parents who are eligible for payment in lieu of transportation must accept, in writing, the Board's determination that they are eligible for such payment.~~

Parents who do not agree with the decision regarding the impracticality of transporting their child(ren) must inform the Board, in writing, of their disagreement. Upon receipt of such notice, the Board shall seek confirmation from the State Board of Education that such transportation is impracticable. The Board shall provide transportation until the State Board of Education renders its decision.

Parents/guardians may authorize the community or nonpublic school where their student is enrolled to act on their behalf at any time after requesting transportation, including in mediation procedures.

F. Special Services

In compliance with Board policy, the transportation services may be provided for field trips, co-curricular trips, and extra-curricular trips, including athletics.

Transportation may be provided on weekends and holidays to District students who are participating in approved School District programs which are under the supervision of professional staff members.

G. Homeless Students

Students meeting the Federal definition of homeless will be transported from their temporary place of residence to their school of assignment, at the request of the parent, guardian, or unaccompanied minor, to the same extent as all other students of the District and consistent with Board Policy 8600. If the homeless student's temporary residence is located outside the boundaries of the District, the Liaison for Homeless Children will coordinate with the Director of Transportation to contact the District in which the student temporarily resides to arrange for joint transportation of the student and to seek inter-district agreement on a method for apportioning the cost of such joint transportation. In no event will a homeless student be denied enrollment based on issues related to student transportation.

H. (x) Use of Buses by Authorized Entities During Emergencies

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