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Parent Student Handbook

2024-2025

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Pathfinder Career Academy

<https://oh.pathfindercareeracademy.com/>

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## MISSION

The mission of Pathfinder Career Academy (PCA) is to provide learner-centered, individualized pathways to success for Ohio students, connecting them to their community and partners around the state, preparing them for career success, and enabling them to fulfill their promises.

## VISION

Pathfinder Career Academy's vision is to provide every student in Ohio access to a learner-centered, world-class, career-focused education that gives them the opportunity to graduate with real-world experience, a credential, and/or a degree and sets them on a path for life-long success.

## PHILOSOPHY

Pathfinder Career Academy (PCA) is a student-centered organization dedicated to helping ALL students succeed and find their path to a successful career and future. At PCA, we believe that it takes a holistic approach to put students on the path to lifelong success, and our philosophy and school model embodies that approach. PCA's "North Star" is our Portrait of a PCA Graduate, which outlines the competencies that PCA focuses on instilling in PCA students throughout their school experience:

## CORE PRINCIPLES

- Our students are the most important people at our school, and we believe that every student can succeed and find their path to a successful career and future.
- We build and refine our approach to the science of learning and development, leveraging best practices from proven successes in Career Tech, school innovation, and youth development.
- We believe that relationships are at the core of student success and prioritize them through a strong mentoring program, a comprehensive Advisory approach, and meaningful family engagement.
- We are driven by equity, and we make learning meaningful and relevant to students through personalized learning paths, Credit Flex-enabled approaches, and mastery & equity-based grading.
- We center Career Development throughout the school experience, helping students connect skills, interests, and abilities to career opportunities while helping students understand how they fit into the bigger world.
- We use best-in-class curriculum and tools with proven results to set students up for success and drive academic performance.
- We believe that Project and Problem Based Learning produces successful learners who take greater agency in their own life, as well as their community.
- We believe the foundation of a successful model includes integrated, seamless partnerships with industry, higher education, and community partners across Ohio, opening opportunities for students during their PCA journey and beyond.
- We believe a safe, positive, and caring environment is critical to student success.
- We use data to inform our decisions and measure our success.

Note: The Pathfinder Career Academy Parent-Student Handbook is developed in partnership with parents and the Pathfinder Career Academy staff and is approved by the school's Board of Trustees. This Handbook does not constitute a contract between the school and the student/parent, and the school reserves the right at its discretion to change or amend the handbook at any time in the future.

**\*\*NOTICE\*\***

The school is a community school established under Chapter 3314 of the Ohio Revised Code. The school is a public school, and students enrolled in and attending the school are required to take proficiency tests and other examinations prescribed by law. In addition, there may be other requirements for students at the school that are prescribed by law. Students who have been excused from the compulsory attendance law for the purpose of home education as defined by the Administrative Code shall no longer be excused for that purpose upon their enrollment at Pathfinder Career Academy. For more information about this matter, contact the school administration or the Ohio Department of Education.



## NON-DISCRIMINATION POLICY

The School shall admit students of any race, color, national and ethnic origin to all the rights, privileges, programs, and activities generally accorded or made available to students at the School. The School does not discriminate on the basis of race, religion, creed, national origin, ancestry, sex (including pregnancy), gender (including sexual orientation, gender identity, and status as a transgender or transsexual individual), age, physical or mental disability, citizenship, genetic information, or any other characteristic protected under applicable federal, state, or local law.

## SCHOOL CALENDAR

- August 19- Student's first day
- September 2- Labor Day (No School)
- October 14- Columbus Day (No School)
- October 23- End of 1<sup>st</sup> Quarter
- November 11- Veteran's Day (No School)
- November 27-29- Thanksgiving Break
- December 2-19- EOC Testing
- December 23-January 3- Winter Break
- January 15- End of 1<sup>st</sup> Semester
- January 16- Start of 2<sup>nd</sup> Semester
- January 20- MLK Day (No School)
- February 17- Presidents' Day (No School)
- March 24- End of 3<sup>rd</sup> Quarter
- April 1-17- EOC Testing
- April 21-25- Spring Break
- May 26- Memorial Day (No School)
- June 4- Student's Last Day/End of Semester 2

## APPLICATION - REGISTRATION - ADMISSION

Participation in a public charter school is based on parent choice. Each year, Pathfinder Career Academy will announce its open enrollment period for any Ohio parents or guardians who want to apply for their student(s). If the number of applicants exceeds the capacity of the school or grade level, Pathfinder Career Academy will conduct a random selection lottery after first granting enrollment preferences for prior-year students and then for a sibling of a current student enrolled in the school. As a statewide school Pathfinder Career Academy will admit all students who reside in the state, provided there is the capacity to serve that student's grade level per the annual enrollment goals for each year.

## ENROLLMENT PROCESS

Applications are accepted any time of the year at Pathfinder Career Academy. The following are the general admissions procedures for Pathfinder Career Academy:

1. The Pathfinder Career Academy School is open to any student, grades 6-11, who is entitled to attend school in the State of Ohio, free of tuition.
2. No student shall be denied admission to the school on the basis of race, creed, color, gender, sexual orientation, religion or ancestry, national or ethnic origin, disability, intellectual ability, measures of achievement or aptitude, athletic ability, or any other grounds.

3. Enrollment eligibility does not exceed the capacity of the school's programs, classes, grade levels, or facilities.
4. Admission to the school may be limited to students who have attained a specific grade level or are within a specific age group as outlined in the School's sponsorship contract; to students that meet a definition of "at-risk," as defined in the contract; to residents of a specific geographic area within the district, as defined in the contract; or to separate groups of autistic students and nondisabled students, as authorized in section 3314.061 of the Revised Code and as defined in the contract.
5. Admission to the school is dependent on the successful completion of all required steps and documentation of the admissions process.

Enrollment documentation is required as follows (as documented on the Documentation Check List provided to the parent/guardian):

- Student's Original Birth Certificate or Passport with appropriate seals or other valid proof of date of birth
- Student's Immunization Records (including most recent required immunizations)
- Proof of Residency (in compliance with Ohio Revised Code Section 3314.11):

The application review and acceptance process is as follows:

1. The enrollment window ends on the date reflected on the designated application at 5:00 p.m. local time.
2. Hereafter, all applications are counted.
3. The number of seats available and the number of applications will be compared.
4. Currently enrolled students are placed first.
5. Enrollment preference is given to students residing in the district where the School is located and to siblings of placed students.
6. After current students and siblings and students residing in the district where the School is located are placed, the number of vacancies is confirmed.
7. Enrollment preference is given to children of full-time staff members employed by the School, provided the total number of students receiving this preference is less than five percent of the school's total enrollment. If the number of students eligible for this preference exceeds five percent of the school's enrollment, students are admitted by random lottery according to the Lottery Process (below).
8. After current students and siblings, students residing in the district, and children of full-time employees of the School are placed, the number of vacancies is confirmed.
9. If there are fewer applications than there are vacant seats, all of the applicants that are left will be enrolled. However, if there are more applications than there are available seats, a Lottery will be held.

A Lottery Process will ensure that children in the Pathfinder Career Academy receive a fair and equitable opportunity to enroll in and attend the school. The Governing Authority has created Lottery Process guidelines as follows:

### THE LOTTERY PROCESS

The lottery drawing date will be publicized, and the drawing will be conducted in public so that parents can observe the process and ensure its transparency. At least two independent observers will also be present at the drawing; one of these observers will draw the lottery results.

1. The lottery is a system of a random selection of applications that identifies students for enrollment in vacant seats. It also generates the school's wait list.

Board Approved

2. After all current students and their siblings are placed, students residing in the district where the School is located are placed, and children of full-time employees of the School are placed, all other completed and accepted applications submitted during the enrollment period, including applicants currently on a waitlist, are publicly drawn by a disinterested third party in random order until capacity is reached.
  - a. Special needs and ELL students are included in the lottery process.
3. Names are drawn from the envelope.
4. The selected students are placed on an enrollment list by independent observers.
5. If a selected student has any siblings applying for enrollment, the siblings are automatically accepted and placed if there is space available. If there is no space, the siblings are placed on the waitlist.
6. The process continues until every child who has applied is either placed in an open seat or is assigned to the wait list. Applicants on a wait list prior to the lottery will retain their original position on the waitlist.
7. Parents will receive written notice of the lottery results within 10 calendar days of the drawing. They must accept their child's placement within 10 calendar days of being notified. Parents must provide all documentation from the Document Check List (above) by a given due date before their child can begin attending school. If documentation is not provided by the due date, the child will no longer be considered eligible, and the seat will be offered to the next student on the waitlist.
8. Wait List: The waitlist will remain in effect for the entire school year or until all students have been placed. Throughout the year, new applicants will be placed on the list and placed in the order in which their applications were received. If a parent refuses their child's assigned placement, they are removed from the waitlist, and the next name on the wait list is called.

## ADDRESS AND RESIDENCY VERIFICATION

The Board delegates to the School Superintendent the verification and tracking of student residency and address during initial enrollment and throughout each academic year. In compliance with Ohio Revised Code, the School shall require at least one of the following documents upon enrollment or upon change of residency to verify student residency and address:

1. A deed, mortgage, lease, current homeowner's or renter's insurance declaration page, or current real property tax bill;
2. A utility bill or receipt of utility installation issued within ninety days of enrollment;
3. A paycheck or paystub issued to the parent or student within ninety days of the date of enrollment that includes the address of the parent's or student's primary residence;
4. The most current available bank statement issued to the parent or student that includes the address of the parent's or student's primary residence;
5. Documented affirmation of address of student's parent(s) or legal guardian from district of residence where parent(s) or legal guardian currently resides;
6. Notarized affirmation from parent(s) or legal guardian of current residence address;
7. USPS return receipt from certified letter sent to parent(s) or legal guardian by district of residence;
8. Written confirmation from the Department of Job and Family Services of the current address of the parent(s) or legal guardian; or
9. Written confirmation from a local law enforcement agency of the current address of the parent(s) or legal guardian.
10. Any other official document issued to the parent or student that includes the address of the parent's or student's primary residence.

Parents, guardians, or emancipated students age 18 and older are required to notify the School when a change in the location of the parent's or student's primary residence occurs.

Board Approved

When a student loses permanent housing and becomes a homeless child or youth, as defined in 42 U.S.C. 11434a, or when a child who is such a homeless child or youth changes temporary living arrangements, the district in which the student is entitled to attend school shall be determined in accordance with division (F)(13) of section 3313.64 of the Revised Code and the "McKinney-Vento Homeless Assistance Act," 42 U.S.C. 11431 et seq.

## RE-ENROLLMENT

For those students presently attending the school, re-enrollment starts at the end of March or during the first week of April. Students are not automatically re-enrolled from school year to school year. All parents must state their intention to have their child/student re-enrolled each school year. It is the responsibility of the parent to inform the school of any changes to their residency or contact information.

## CHANGE OF ADDRESS, PHONE NUMBER, OR CUSTODY

It is the Parent/Guardian/Student's responsibility to inform the School Office of any change of address or phone number. If you have a change of address, you are required to provide the corrected student information and proof of residency documentation to the School Office by emailing our office. If there is a change of custody for the Student, you are required to provide the corrected student information, including the current custody order, to the School Office.

## CONTACT INFORMATION UPDATE POLICY

As an online school, ensuring effective communication with parents/guardians is vital for the success of our students. This policy outlines the procedures and consequences regarding failure to update contact information for parents/guardians. Upon enrollment, parents/guardians are required to provide accurate and up-to-date contact information. It is the parent/guardian's responsibility to notify the school immediately of any updates to their contact information.

### **30 Day Contact Effort**

1. If the school determines that we do not have working contact information for the parent/guardian of a student, and all reasonable efforts to obtain updated information have been exhausted, a 30-day period will commence.
2. During this 30-day period, the school will continue attempting to reach the parent/guardian through alternative means, including contacting emergency contacts provided by the parent/guardian and sending certified mail to the last known address.

This 30-day period provides the parent/guardian an opportunity to update their contact information and become actively engaged in their student's schooling.

### **Non-Compliance after 30 Days:**

1. If, after the 30-day period, the school has been unable to establish communication with the parent/guardian and the student remains disengaged from the program, the student will be withdrawn from the program.

Board Approved

- a. Disengagement from the program can be measured in many ways including through attendance/engagement and grades. School administration may utilize their discretion in determining a student's engagement level.

2. The school will make reasonable efforts to notify the parent/guardian of the student's withdrawal from the program, using any available means of communication.

## HANDBOOK ACKNOWLEDGEMENT

Both the Parent and Student are required to sign the Handbook Agreement Form and submit it at the time of admission and then annually while enrolled. The signed Agreement Form is kept in the student's cumulative file and, among other things, expresses the acceptance of the Handbook content by both the Parent and the Student.

## HEALTH CERTIFICATION AND IMMUNIZATION REQUIREMENTS

Immunizations have been proven to help prevent the spread of certain contagious diseases and, in some cases, have eradicated disease. The State of Ohio requires students enrolled in schools to provide proof of vaccination. If your child needs vaccines to meet these requirements, visit your family physician, clinic, or contact your county's health department. Families who seek exemption from these requirements may submit the [State of Ohio Immunization Waiver \(PDF\)](#) in place of immunization records to continue enrollment.

## ORIENTATION SESSION

Prior to the start of school, the School Counselor or Success Coach will meet with the student to discuss his or her personal interests, aspirations, and personalized plan of study. The orientation activities prepare students for school start and guide the student through a series of overviews to get acquainted with the educational tools including the student dashboard, course access, calendars, email, and how to turn in assignments. These live sessions are interactive discussions as well as orientation courses to help set up the student for success.

## ACADEMICS

### GRADES

Pathfinder Career Academy has a standard grading procedure, as well as additional notations that may indicate work in progress or incomplete work. The purpose of a grade is to indicate the extent to which the student has acquired the necessary learning. In general, students are assigned grades based upon results, homework, projects, and classroom participation. Each teacher may place a different emphasis on these areas in determining a grade and will so inform the students at the beginning of the course work. If a student is not sure how his/her grade will be determined, s/he should ask the teacher.

Pathfinder Career Academy uses the following grading system:

100 - 93 = A (4.00)	76 - 73 = C (2.00)
92 - 90 = A- (3.67)	72 - 70 = C- (1.67)
89 - 87 = B+ (3.33)	69 - 67 = D+ (1.33)
86 - 83 = B (3.00)	66 - 63 = D (1.00)
82 - 80 = B- (2.67)	62 - 60 = D- (0.67)
79 - 77 = C+ (2.33)	59 - below = Failure
I – Incomplete	P – Acceptable achievement

## GRADE WEIGHTING

It is the goal of the Pathfinder Career Academy that all students challenge themselves with the most rigorous coursework that completes their graduation pathway. In order to acknowledge the advanced level coursework of Honors, Advanced Placement and Dual Credit, the following values will be used to calculate GPA and class rank in grades 9-12.

Course Level	A	A-	B+	B	B-	C+	C	C-	D	F
Regular	4.0	3.7	3.3	3.0	2.7	2.3	2.0	1.7	1.0	0
Honors	4.5	4.2	3.8	3.5	3.2	2.8	2.5	2.2	1.0	0
AP & DC	5.0	4.7	4.3	4.0	3.7	3.3	3.0	2.7	1.0	0

## GRADING PERIODS

Grades will be reported quarterly. Quarters 1 and 3 will be progress reports; progress reports are not final but are a snapshot in time. Final semester grades are calculated based on performance over the entire semester. Semester grades will be posted to the student's permanent transcript and used for the calculation of overall GPA.

## PROMOTION, PLACEMENT, AND RETENTION

### Middle School

Promotion to the next grade (or level) is based on the following criteria:

1. current level of achievement
2. potential for success at the next level
3. emotional, physical, and/or social maturity

## ACADEMIC PREVENTION AND INTERVENTION SERVICES

The School shall provide intervention services commensurate with the student's performance in pertinent subject areas to students who score below the proficient level on a reading, writing, mathematics, or science proficiency or achievement test or to those who do not demonstrate academic performance at their grade level based on the results of a diagnostic assessment.

## RETENTION

No results from required statewide assessments shall be used as the sole basis for determining whether or not to promote a student from grade to grade, except as specified in the Third Grade Reading Guarantee. However, the School may choose not to promote to the next grade level any student who does not take a State-Mandated Assessment if the student is not exempt from the requirement to take assessments.

## GRADUATION REQUIREMENTS

Normally, students will complete graduation requirements in four (4) years. In order to receive a diploma and graduate, a student must pass all requirements by the Ohio Department of Education for graduation, meet the school requirements for basic coursework, and earn the total number of minimum credits. For students enrolled in special education, the criteria for graduation and the extent of participation in the State-mandated requirements will be determined by their IEP team.

The graduation requirements each student is required to meet at Pathfinder Career Academy. Students in the classes of 2023 and beyond (those who entered grade 9 on or after July 1, 2019) are now required

to meet a new set of graduation requirements. These new graduation requirements consist of **three** key components:

1. Course Completion - Students will satisfy Ohio’s curriculum requirements and any additional local requirements. Students will complete the state minimum 20 units, with specific units required in each content area.
2. Demonstrating Competency - Students will demonstrate competency in the foundational areas of English language arts and mathematics or through alternative demonstrations, which include College Credit Plus, career-focused activities, their ACT or SAT scores, or military enlistment.
3. Demonstrating Readiness (Seals) - Students will demonstrate readiness for their post-high school paths by earning two diploma seals that allow them to demonstrate important foundational and well-rounded academic and technical knowledge, professional skills, and leadership and reasoning skills.

In order to be a full-time student at Pathfinder Career Academy, students must be enrolled in a minimum of five (5) credits per school year. All students will be enrolled in a minimum of five (5) credits per school year unless there are special circumstances that have been approved by School Administration. To earn a Pathfinder Career Academy issued diploma, a student must earn a minimum of 5 credits at Pathfinder Career Academy.

Ohio’s core graduation requirements include twenty units that are designed to prepare students for the workforce and college. The units must be distributed as set forth in the chart below.

English Language Arts	4 Units
Health	½ Unit
Mathematics	4 Units*
Physical Education	½ Unit
Science	3 Units**
History & Government	1 Unit***
Social Studies	2 Units****
Electives	5 Units*****

\*including 1 Unit of algebra II (or its equivalent) or 1 Unit of advanced computer science or approved career-based pathway. Students choosing to take advanced computer science in lieu of algebra II understand that some institutions of higher education may require algebra II for purposes of college admission and the parent, guardian or legal custodian of such students must sign a statement acknowledging that not taking algebra II may have an adverse effect on college admission decisions. Except for a student choosing to take advanced computer science in lieu of algebra II, a student may fulfill one of their mathematics units by completing ½ unit of financial literacy instruction and one-half unit of a mathematics course (except for algebra II or its equivalent, or a course required to have an end-of-course examination).

\*\*including inquiry-based laboratory experience, including the following or their equivalent: physical sciences, one unit; life sciences, one unit; advanced study in one or more of the following sciences, one unit: chemistry, physics, or other physical science; advanced biology or other life science; astronomy, physical geology, or other earth or space science; computer science.

\*\*\*including the following: American history, one-half unit; American government, one-half unit.

\*\*\*\* Beginning with students who enter ninth grade for the first time on or after July 1, 2017, the two units of social studies instruction shall include at least one-half unit of instruction in the study of world history and civilizations.

\*\*\*\*\* consisting of one or any combination of foreign language, fine arts, business, career-technical education, family and consumer sciences, technology which may include computer science, agricultural education, a junior reserve officer training corps (JROTC) program, or English language arts, mathematics, science, or social studies courses not otherwise required for graduation. One-half unit of instruction may be in financial literacy.

Each student who enters ninth grade for the first time on or after July 1, 2022, shall receive one-half unit of instruction in financial literacy. As described above, this half-unit may be in lieu of one-half unit of instruction in mathematics (unless the student takes advanced computer science in lieu of one-half unit of math) or as an elective.

Additional graduation requirements vary depending on the year the student entered ninth grade for the first time, and they are subject to additional legislative changes. For specific information related to graduation requirements, and options for a student to progress towards graduation, students and parents should contact the School office.

## COMMUNITY SERVICE GRADUATION SEAL

A student may earn a Community Service Seal by completing a minimum of forty (60) hours of community service during high school in a high-quality community service experience.

### **A high-quality community service experience achieves the following:**

It provides an opportunity for students to explore possible career options and gain valuable work skills. It exposes students to their community's needs while promoting an understanding of, and the value in civic engagement and volunteerism.

### **Tracking and Approval**

- All volunteer service hours must have prior approval by administrator or school counselor.
- Students are responsible for tracking hours and having hours certified by a volunteer coordinator/supervisor (no relatives can verify these hours).
- It is preferable that hours are completed with a charitable organization which is registered as a nonprofit organization in Ohio.
- Students may verify whether a nonprofit organization is registered in Ohio on the Ohio Attorney General's website at <https://charitableregistration.ohioattorneygeneral.gov/charities/Research-Charities.aspx>
- Hours must be submitted to the applicable Pathfinder school counselor along with a written reflection that includes a summary of tasks completed as well as an assessment of how the service has benefited both the student and the community, for final approval no later than May 1st each year.



## CREDIT RECOVERY

In cases of course failure, credit recovery classes may be made available to students who need an opportunity to catch up or make up credits. The goal of Credit Recovery classes is to give high school students the opportunity to graduate in a timely manner. This program has policies and procedures that allow students who have failed one or more courses an opportunity to take a previously failed course at an accelerated pace. Pathfinder Career Academy students may participate in Credit Recovery by adhering to the guidelines outlined below.

Any student failing one or more courses in grades 9-12 may be placed in the Credit Recovery class. Credit Recovery coursework/assessments are modified and constructed to be completed in one academic semester, 9-18 weeks. The classes are designed to help students who have fallen behind to get back on track with their graduating class. Not all courses will be available as credit recovery courses and credit recovery options may require students to work in a more independent fashion with scheduled times for teacher support. These are the general guidelines, but students can discuss options with their academic advisor if they have questions regarding Credit Recovery classes or options.

## STUDENTS AT RISK OF NOT QUALIFYING FOR HIGH SCHOOL DIPLOMA

Each student in grades 9-12 will develop a graduation plan in collaboration with their Guidance Counselor and/or Engagement Coach. Parents are invited to assist in developing and updating the graduation plan which will be reviewed once per year for students in grades 9 and 10, and twice per year for students in grades 11 and 12. The School will consistently monitor and track student progress toward earning a high school diploma per each individual student's graduation plan and will use the student's progress in meeting the terms of the graduation plans as well as the criteria listed below to identify students who are at risk of not qualifying for a high school diploma:

- Credits Earned
- Course Grades
- State Test Scores
- Attendance
- Age

Any student that is identified based on these criteria is considered at-risk for not qualifying for a high school diploma.

Upon review at the end of each semester (grades 11 and 12) and end of each school year (grades 9 and 10), the School will notify the family, in writing, that the student is at risk of not qualifying for a high school diploma. The written notification will include a description of the School's curriculum requirements and/or graduation conditions as well as a description of any additional instructional or support services to help the students qualify for a high school diploma.

## DROPS

Drops are for students who, in the first two weeks after enrolling in a course, need to be removed from the course without any academic consequences. Please note it is only in approved circumstances that a course may be dropped and only in the first two weeks after entering the course. All students must schedule a consultation with his or her engagement coach to obtain approval to drop the course.

## ADDING A COURSE

Students may add courses within the first two weeks of any semester. Courses can be added in order to address circumstances such as requirements necessary for graduation, academic remediation or intervention needs, etc. A student must schedule a consultation with his or her engagement coach to obtain approval to add a course.

## WITHDRAW GRADE (A-F)

Withdraws after the end of the second week after enrolling in a course will result in a “Withdraw Grade” (A-F) displayed on their student transcript.

- In order to withdraw from a course, with no academic penalty, after the second week after enrolling in a course, students must have one of the following excuses:
  - Medical problem (documentation necessary);
  - Students withdrawn due to truancy;
  - Family emergency (requires review by administration); and
  - Other excuse deemed appropriate by administration

*All course withdrawals must be approved by the School. If approval is not granted, students will receive the grade earned in the course after zeros are entered for incomplete work.*

## INCOMPLETE

Incompletes are for students who have worked consistently throughout the semester but have a situation that leaves them unable to finish a class.

- Incompletes will be given with teacher and administrator approval using the following guidelines:
  - Students must have completed over 65% of the class and be passing;
  - Student must have maintained contact with teacher and advisor;
  - Student must have attended live learning classes, if applicable; and
  - Student must be able to complete the class given up to a 3-week extension.
- Incomplete may also be given by administration in the following situations:
  - Doctor approved medical excuses;
  - Family emergency; and
  - Other excuses deemed appropriate by administration.

Documentation of medical events impacting a student’s ability to complete School or of a family emergency must be reported in a timeframe and manner as deemed appropriate in the sole discretion of the School Administrator or their designee.

A request for extension and incomplete grade must be made in writing to administration within 5- days of the end of a semester and, as requested by administration, have supporting documentation on file. Approval is at the sole discretion of the School Administrator.

Lack of internet connectivity will not be a consideration for receiving an incomplete or course extension.

When an incomplete is given to a student, the Teacher and student must both sign a completion contract. This contract will have specific deadlines and commitments, so all parties are aware of expectations. If expectations are not met, the Student will receive a zero for all missing work and a final grade reflecting such.

## FAIL

A fail (or “F”) is given to any student who has not been given an incomplete and has earned an “F” (i.e. – failing coursework, not turning in assignments). An “F” will be earned (assigned) at the end of each semester.

## UNOFFICIAL TRANSCRIPT APPROVAL CRITERIA

Pathfinder wishes to award credit from unofficial transcripts. The following criteria must be present on the unofficial transcript for the purpose of entry into the Historical Grade page in our Student Information System, PowerSchool:

1. Must be received directly from the most recent school listed on the transcript
2. Must include final grades for semester classes and yearlong classes
3. Must include credits earned

## COLLEGE CREDIT PLUS

College Credit Plus and Advanced Standing are available for interested students. More information on these options can be obtained through the CCP Coordinator or the Success Coach. The school does not award high school credit for post-secondary courses any portion of which were taken during a period of expulsion imposed by the School.

## CAREER TECHNICAL EDUCATION

While in middle school, students will explore multiple industries through research and investigation of in-demand careers. Students will learn skills needed to become a contributing member of their community through the development of relationship building skills. Pathfinder strives to provide a relevant, engaging, and challenging curriculum that is developmentally appropriate, meets their individual needs, and prepares them for high school.

High school students have the opportunity to specialize in a chosen career field through admission into one of our career focused academies. While enrolled, students will develop a career portfolio to gather and manage career-related information and goals. They will have the opportunity to apply essential workplace skills through work-based learning, internships, externships, etc. With multiple paths for success, students can gain a competitive advantage against their peers, whether that includes college, career or both.

## CAREER ACADEMY SELECTION

High school students will work with their success coach to decide on the best academy that will meet their career/college goals. Applications may be required for programs provided from outside vendors, colleges, or universities for certain pathways or courses within a pathway. Pathfinder will work to help students navigate applications but will not be responsible for final decisions determined by outside parties. Students will sign an agreement upon entering an academy that aligns with the mission of each academy and its coursework, workload, and expectations of students.

Students who are accepted into a career academy are expected to meet the following requirements:

- Complete all required coursework and activities associated with the academy
- Maintain a minimum grade point average as specified by the school

- Attend all scheduled classes and activities associated with the academy
- Actively participate in all class activities and complete all assignments to the best of their ability

Students who successfully complete a career academy will have gained valuable knowledge, skills, and experience in a specific industry or field. They will also have an advantage in pursuing further education or training in that industry or field, and may have access to job shadowing, internship, or other work-based learning opportunities.

The career academy selection policy is designed to ensure that eligible students have an opportunity to participate in a career academy that aligns with their interests and career goals. By selecting students based on criteria that prioritize academic performance, demonstrated interest and commitment, we aim to create a competitive and rigorous learning environment that prepares students for success in their chosen industry or field.

### CAREER ADVISING POLICY

The purpose of this policy is to ensure that all high school students receive guidance and support in making informed decisions about their career paths and post-secondary education.

1. **Career Advising:** All high school students will receive career advising services from a qualified school counselor and/or success coach. Career advising will include career exploration activities, self-assessments, and goal-setting exercises to help students identify their strengths and interests, as well as potential career pathways.
2. **Individualized Career Plans:** All high school students will have an individualized career plan that outlines their academic and career goals, post-secondary education plans, and steps necessary to achieve those goals. The career plan will be updated annually and reviewed with the student and their parent/guardian.
3. **College and Career Readiness:** All high school students will receive guidance on college and career readiness, including information on college admissions requirements, financial aid, scholarships, and technical training programs.
4. **Parent/Guardian Involvement:** Parents/guardians are encouraged to be involved in their child's career advising process. They will be provided with information on the career advising services available to their child and invited to participate in career advising sessions.
5. **Confidentiality:** All career advising sessions will be kept confidential, and personal information will not be shared without the student's consent or a legal requirement to do so.
6. **Resources:** High school students will be provided with resources, including online tools, handouts, and access to success coaches and school counselors, to support their career exploration and decision-making.
7. **Evaluation:** The effectiveness of the career advising program will be evaluated annually to ensure that it meets the needs of all high school students and is aligned with current best practices.
8. **Grievance Procedure:** Students who feel that their career advising needs are not being met can file a grievance with the school counselor or success coach. The grievance will be reviewed, and appropriate action taken to address the student's concerns.

### CAREER BASED INTERVENTION

Career Based Intervention (CBI) is a recognized Career Tech Program by the State of Ohio designed to support students in grades 7-10 in their post-secondary education and career pursuits. CBI provides students with the resources and guidance needed to develop essential skills, explore career options, and

prepare for their future. CBI consists of related instruction, classroom time, and experiential learning, including various learning outside of traditional classroom time.

The following policies outline the expectations and requirements for participation in the CBI program.

- **Attendance and Participation:** students in CBI are expected to attend all scheduled classes and activities. Absences must be excused and may affect a student's grade in the program. Additionally, students must actively participate in all class activities and complete all assignments to the best of their ability.
- **Career Exploration and Planning:** CBI provides students with a variety of career exploration and planning services, including:
  1. Career assessments and interest inventories
  2. Job shadowing opportunities
  3. College and career counseling
  4. Resume writing and interview skills workshops

CBI students are expected to participate in all career exploration and planning activities and take an active role in developing their post-secondary plans.

- **Work-Based Learning:** CBI provides students with the opportunity to participate in work-based learning experiences, such as internships and apprenticeships. These experiences provide students with valuable on-the-job training and skills development, and can help them build a network of professional contacts. Participation in work-based learning experiences is not mandatory, but students who choose to participate are expected to fulfill all requirements and responsibilities associated with their placement.
- **Student Support Services:** CBI provides students with access to a variety of support services, including academic counseling, tutoring, and other resources that can help them succeed in their academic and career pursuits. Students are encouraged to take advantage of these resources and seek out support when needed.
- **Student Rights and Responsibilities:** CBI students have the right to a safe and supportive learning environment and the opportunity to pursue their academic and career goals. In return, students are expected to adhere to the school's code of conduct and uphold the expectations and responsibilities of the CBI program. Students who violate program policies or fail to meet program expectations may be subject to disciplinary action, up to and including removal from the program.

The Career Based Intervention program is committed to helping students achieve their academic and career goals. By providing students with access to career exploration and planning services, work-based learning opportunities, and academic support, students can develop the skills and knowledge needed to succeed in their chosen fields.

## COMPLIANCE & CREDIT

- If a student becomes a concentrator in any pathway, with successful completion of two or more courses in the same pathway, the student will receive Fine Arts Credit to be counted towards Ohio graduation requirements.
- The required Ohio graduation Personal Finance Credit will be met through the Foundations of Success Academy Finance course (with the assumption that the course is taught by a licensed teacher).
- Additional CTE courses may be taken for elective credit, to be determined and issued with the Head of School's approval.

## ATTENDANCE

### ATTENDANCE AND ABSENCE POLICY

The Pathfinder Career Academy experience takes place almost entirely outside a regular school building; therefore, accountability of student activities and participation is measured by the reporting of the educational learning hours engaged in by the Student. Ohio community school law requires children to receive a minimum of 920 hours of learning opportunities per school year and, as such, attendance is measured in this manner. Attendance is tracked via a combination of the following: reports that are required to be submitted by Parents/Guardians, reports automatically generated by the Pathfinder Career Academy Learning Management System and other methods as dictated by the School.

- Students must log into the systems for the required number of hours daily as directed.
  - It is expected that students are engaged and actively participating in schoolwork each day. Students should be online, completing lessons, and attending live sessions as instructed by teachers. If students are not maintaining the expected level of engagement or not maintaining expected course progress, students may be prevented from participating in School sponsored activities.
  - Live session attendance is critical to student success in the online classroom. It is highly recommended that all students attend all live class offerings on a daily basis in order to interact with teachers and receive instruction and practice, especially when students are not receiving passing grades. These live sessions are recorded and available for students to view at any time.
- Students must show up for in-person testing at designated locations on assigned days.
- Failure to log into the system for the required number of hours per week and/or to show up for assigned testing constitutes an unexcused absence for the Student.
- Students must attend School on all official School days, including testing days, complete all assignments in a timely manner in accordance with stated class schedules, and attend Live Class or view archived materials as directed. Parents/Guardians must maintain communication with her/his Student's teacher(s) every week.
- Parents/Guardians may be directed to log offline hours and/or properly document the Student's offline work.
- Parents/Guardians must provide the School with verification of why absences should be excused within a timeframe and in a manner deemed acceptable by the School Administrator in their sole discretion. All communications regarding student attendance should be directed to [attendance@pathfinderOH.org](mailto:attendance@pathfinderOH.org) or (216) 487-6742.
- Students that fail to meet engagement requirements related to the completion of diagnostic assessments, state testing, live session participation, and completion of course assignments and assessments may be subject to discipline and/or interventions.

### EXCUSED ABSENCES

An excused absence requires verification, if any, as deemed appropriate by the School Administrator or their designee. Where appropriate, the School may require written documentation. Pathfinder Career Academy recognizes the following excused absences:

- Personal illness;
- Death of a relative;
- Observance of religious holidays consistent with the student's truly held religious beliefs;

- Vacation trip – must be preapproved by Pathfinder Career Academy administration, or it is considered unexcused. Approval for vacations is contingent on educational merit and supporting documentation. All vacation requests must be submitted to [attendance@pathfinderOH.org](mailto:attendance@pathfinderOH.org) at least 10 school days before the start of the vacation. Students can only be approved for up to 5 school days in a school year for vacation. The last 3 weeks is a blackout period, and vacation time will not be approved during this time;
- Court appearances, appointments;
- Placement in foster care or change in foster care placement;
- Homelessness;
- Documented technology issue- must have an official HELP DESK TICKET NUMBER, and that information must be reported to the Student’s teachers and the attendance office in writing at [attendance@pathfinderOH.org](mailto:attendance@pathfinderOH.org). Additionally, the documented technology issue must be such that it precludes the Student from using the computer and or accessing his or her curriculum\*; and
- Any other reason at the School Administrator’s sole discretion.

\* Lack of internet service – No excuse will be accepted due to lack of service. There are many alternative locations to obtain internet service.

When a student’s absence is excused, extensions to assignments may be granted only if approved by the teacher(s). Most work and assignments are available online 24-7 and can be done outside the typical school day hours. Having an excused absence does not automatically grant a student an extension. Absences not conforming to the reasons listed above will be considered unexcused and dealt with accordingly. The student will not receive credit during the unexcused absence period.

## TRAVEL POLICY

As an online educational institution committed to providing quality education, Pathfinder Career Academy believes in fostering a conducive learning environment for all students. It is essential to establish guidelines to ensure that students can maintain their academic progress while away from their primary residence.

### 1. Pre-Approval Process

All travel plans must be pre-approved by the school administration. Parents or guardians must submit a travel request to the school administration two weeks before the intended departure date. This should include details such as the duration of travel, destination, and a brief explanation of how the student will continue their studies during the trip.

### 2. Academic Expectations During Travel

Students are expected to maintain regular attendance and engagement with their coursework while traveling. They must dedicate a minimum of 5 hours per day to their studies, adhering to the same standards and expectations as when attending classes from their primary residence.

### 3. Maintenance of Passing Grades

Students must demonstrate academic progress and maintain passing grades while traveling. Assignments, assessments, and other academic responsibilities should be completed according to the provided schedule, with timely submission to ensure continued academic success.



#### **4. Duration of Travel**

Travel periods should not exceed 30 consecutive days at a time. Extended absences may disrupt the continuity of learning and hinder academic progress. Exceptions to this rule may be granted in special circumstances, subject to approval by the school administration.

#### **5. State Testing Requirements**

Students must be present in the state for mandatory, in-person state testing sessions. Failure to comply with this requirement may result in disenrollment from the program, as participation in state testing is required and essential for assessing academic proficiency and compliance with educational standards.

#### **6. Compliance and Consequences**

Non-compliance with the travel policy may result in disenrollment from the program. It is the responsibility of parents and students to familiarize themselves with the terms of this policy and adhere to its guidelines.

By adhering to these guidelines, we aim to ensure that students receive a consistent and uninterrupted educational experience, regardless of their location.

### TRUANCY

Routine and accurate reporting of educational learning is critical. Under Ohio law, there are significant actions that a school must/can take if a student does not routinely attend school (report educational learning hours) in accordance with school policy.

- A student is considered in attendance when they satisfy either of the following conditions:
  - The student participates in at least 90% of the instructional activities offered by the school in the school year; and/or
  - The student is on pace for on-time completion of any course in which the student is enrolled. The School has defined pace to mean the student is currently earning a passing grade in any course in which the student is enrolled.

Instructional activities mean the following classroom-based or non-classroom-based activities that a student is expected to complete, participate in, or attend during any given school day:

- Online logins to curriculum or programs;
- Offline activities;
- Completed assignments within a particular program, curriculum, or class;
- Testing;
- Face-to-face communications or meetings with School staff or service providers;
- Telephone or video conferences with School staff or service providers ;
- Other documented communication with School staff or service providers related to School curriculum or programs.

If a student is not considered in attendance, they shall be considered absent for those hours of instructional activities offered by the School in that school year in which the student does not participate.

### 30 OR MORE CUMULATIVE HOURS OF ABSENCE

In the event that a student has 30 or more hours of unexcused absences in any semester, the School shall submit a written report to the student's parent, guardian, or custodian. A student shall become subject



to certain consequences, including disenrollment from the School if both of the following conditions are satisfied:

- If after the parent, guardian, or custodian receives the written report, as specified above, the student fails to comply with this Truancy Policy within two weeks;  
AND
- Intervention strategies (listed below) fail to cause a student's attendance to comply with the Truancy Policy.

### INTERVENTION STRATEGIES

The School may implement one or more intervention strategies to assist a student with their unexcused absences. Interventions will be applied to best serve the student and the School on a case-by-case basis. Intervention periods should not exceed two weeks. After two weeks, the student will be re-evaluated as to whether they meet the attendance standards. If the student is not meeting the attendance requirements at that point, he or she may be disenrolled.

If the School disenrolls a student due to this policy, the student shall not be eligible to enroll in this School for one school year. The School shall provide the student's parent, guardian, or custodian with a list of alternative educational options, and within 48 hours of the student's disenrollment, the School shall notify the student's resident school district in writing of the disenrollment.

### EXCESSIVE ABSENCES

Excessive absences are when a student misses 38 or more hours with a nonmedical excuse or without a legitimate excuse in one month or 65 or more hours with a nonmedical excuse or without a legitimate excuse in a school year. When a student meets either of these thresholds, the attendance officer or their designee shall notify the parent within seven days after the date which triggered the notification requirement, and the School may refer the student and their family to community resources or other absence interventions where appropriate.

### HABITUAL TRUANCY

"Habitual truants" are defined as students that are absent without legitimate excuse for 30 or more consecutive hours, 42 or more hours in one school month, or 72 or more hours in a school year. In the event a student meets the threshold for habitual truancy, the School shall implement one or more of the intervention strategies listed above.

#### **Complaints in Juvenile Court for Habitual Truancy**

A habitually truant student's continued absence and/or failure to participate and make satisfactory progress after the implementation of one or more of the above intervention strategies will require the attendance officer to file a complaint in juvenile court, naming both the student and the student's parent, guardian, or other person having care of the student and alleging that the student is an unruly child based on habitual truancy.

## STUDENT CODE OF CONDUCT

Students are expected to conduct themselves in such a way that they respect and consider the rights of others. Pathfinder Career Academy of Ohio ("School") students must conform with school regulations and accept directions from authorized school personnel. The School will not tolerate

violent, disruptive, or inappropriate behavior by its students. Such behavior is punishable and will result in disciplinary action, which may include suspension, exclusion, or other forms of discipline.

This Code of Conduct applies to any student, whether or not the student is enrolled at the School, attending or otherwise participating in any curricular or extra-curricular program provided in a school operated by the Board or provided on any other property owned or controlled by the Board. The Code of Conduct also applies while a student is in the custody or control of the School, on School grounds or close thereto, while at a School-sponsored function or activity, or on "School provided transportation" (as herein defined). In addition, this Code of Conduct governs a student's conduct at all times, on or off school property, when such student conduct is reasonably related to the health and safety of other students and/or School employees or such conduct would unreasonably interrupt the educational processes of the School.

If a student violates the Code of Conduct, school personnel, students or parents should report the student to the appropriate principal or assistant principal. The administration will cooperate in any prosecution pursuant to the criminal laws of the State of Ohio and local ordinances.

Students' basic constitutional rights to speak and express opinions, even if they are unpopular, will be respected. When misconduct occurs, each student will have due process rights under the law.

The teacher is the key figure in school discipline. The teacher is expected to make every effort to handle the usual problems in maintaining classroom discipline. When a disciplinary problem becomes acute enough to involve the school administrator, then the teacher should seek the assistance of the school leader (hereinafter "school leader" or "principal"). Under these circumstances, both the teacher and the school leader will give due process rights to the student.

## LEVEL OF OFFENSES

Truancy and chronic absenteeism are addressed separately from these levels of offenses. Acts of misconduct that are not specifically attendance-related are categorized into the following four levels of offenses:

**Level I:** Violation of general classroom, bus, or school rules - Level I consists of minor offenses that generally occur in the classroom, on school-provided transportation ("school-provided transportation" is defined to include school buses and other vehicles supplied by the School for student transportation), or on school premises and can be corrected by the teacher, the driver or school leader.

**Level II:** Conduct requiring administrative intervention - Level II consists of offenses that are more serious in nature or persistent, repeated, or serious Level I misconduct.

**Level III:** Suspension and/or removal from the classroom to an alternative learning environment - Level III consists of offenses that significantly disrupt the educational process, school environment, and/or school-related activities, including school-provided transportation or persistent, repeated, or serious Level I or II misconduct.

**Level IV:** Expulsion and/or removal from the classroom to an alternative learning environment - Level IV consists of serious offenses which include willful or malicious acts that have the effect of materially and substantially disrupting the educational environment in the School, on school-provided transportation or at school activities or Level I, II, or III infractions depending on the severity or persistence of the act.

## LEVEL I OFFENSES

**Rule 1: Dress Code.** The Board believes that student dress should enhance a positive image of students and the School. The standards of dress and grooming outlined are necessary to promote discipline, maintain order, secure student safety, and provide a healthy environment that is conducive to learning.

- (A) When a student is at school, participating in School activities or at School-sponsored events, his/her dress and grooming must not:
- I. Present a health or safety hazard to the student or to others in the School or attending the School-sponsored activity;
  - II. Materially interfere with schoolwork, create disorder, or disrupt the educational environment;
  - III. Cause excessive damage or wear-and-tear to School property; and/or
  - IV. Keep the student from participating safely in his/her own education.
- (B) To facilitate a consistent pattern of application of the student dress code, the following standards shall be applied:
- I. Shirts and tops must cover all undergarments and have high enough necklines to cover everything. Strapless, crop, and see-through tops are not acceptable;
  - II. Lower garments should not drag on the floor or allow undergarments to be exposed when the student sits, stands, raises his/her hand, or bends over. Form-fitting lower garments must be worn under a shirt, skirt, or dress that extends to the thighs;
  - III. No skin should be visible between a student's top and bottom garment when the student sits, stands, raises his/her hand, or bends over;
  - IV. Clothing or accessories that include obscene, violent, gang, tobacco, drug, or alcohol-related writing or images are not acceptable. Items of clothing that belittle others may not be worn (i.e., race, religion, gender, etc.);
  - V. Coats and jackets meant for outdoor wear, book bags, and oversized bags must be kept in the school locker or other designated area during the school day;
  - VI. Facial hair must be kept neat and clean;
  - VII. Recreational head coverings and sunglasses should not be worn inside any building; and
  - VIII. Appropriate footwear must be worn to provide for safe and sanitary conditions.
- (C) Building administrators shall judge student dress and grooming in individual buildings. The school leader may exclude (*i.e.*, not admit to class, remove, or suspend) any student when in his/her judgment, the student is not following appropriate dress and grooming standards.
- (D) Exceptions to these standards may be considered based on personal circumstances and cultural beliefs and to promote school spirit. Students who request an exception must have parental permission to do so and obtain permission from the building administrator prior to deviating from the standards of dress. A parent conference may be requested by the building administrator.

**Rule 2: Tardiness.** A student shall be prompt to school and to class according to its scheduled time. Note: No student will be suspended or expelled solely for tardiness or absenteeism though students may be subject to other disciplinary actions and/or required to participate in one or more absence intervention program(s).

**Rule 3: Student Drivers.** To promote safety and enable the School to effectively supervise students immediately before and immediately after School hours, only students who secure a valid School parking permit are allowed to park on School property.

**Rule 4: Miscellaneous Offenses.** Disciplinary problems such as not doing required homework, throwing objects in School, and other such offenses are prohibited and may result in disciplinary actions.

### LEVEL I DISCIPLINARY OPTIONS

Disciplinary options or responses to Level I offenses will include one or more of the following:

- A. Verbal correction
- B. Teacher-student conference
- C. Student-counselor conference
- D. Teacher-parent conference
- E. Behavioral probation
- F. Detention (maintained by the teacher before or after school or during recess)
- G. Parent shadowing
- H. Restriction of transportation privileges by the school leader
- I. Other appropriate disciplinary action
- J. Serious, persistent, or repeated violations may be treated as Level II or III infractions

### LEVEL II OFFENSES

**Rule 5. Skipping Detention.** A student assigned to detention shall report on the assigned day and at the assigned time.

**Rule 6: Forgery.** A student shall not change a grade or place the name of a parent, guardian, teacher, or other individuals as representative of that individual's signature on a school document or on an official document for school purposes.

**Rule 7: Use of Tobacco.** A student shall not use or possess tobacco or any tobacco products such as cigarettes, cigars, dip, chewing tobacco, etc.

**Rule 8: Gambling.** A student shall not participate in gambling.

**Rule 9: Stealing.** A student shall not steal or attempt to steal school property or private property of other students, School personnel, or of visitors to the School.

**Rule 10: Insubordination.** A student shall not repeatedly violate rules or fail to comply with directions of teachers, student teachers, substitute teachers, teacher aides, drivers of school-provided transportation, principals, or other authorized school personnel.

**Rule 11: Violation of Ohio Criminal, Traffic, or Juvenile Code.** Commission by a student of any act in violation of the Ohio Criminal Code, Ohio Traffic Code, or the Ohio Juvenile Code on or off the School grounds, regardless if School related or not, that would, in the judgment of School officials, be a detriment to the ongoing educational processes and/or orderly administration of the School if the student were permitted to continue regular school attendance.

**Rule 12: Violation of the Network Acceptable Use Policy.** Students must have a signed Acceptable Use Agreement before gaining access to the School's computer network. Students shall abide by the School's Network Acceptable Use Policy and any school or classroom rules for network access.

**Rule 13: Personal Communication Devices.** Students may possess and use personal communication devices (PCDs) on School property, School provided transportation, or at School-sponsored activities only during approved times and for approved purposes. Student use of PCDs on School property is a privilege and not a right. This privilege may be revoked by the School at any time. The School reserves the right, in its sole discretion, to determine which types of PCDs it will allow students to use. Such determinations are subject to change. Notwithstanding the foregoing, Students may possess and use PCDs on School property and at School-sponsored curricular and extra-curricular activities when specifically permitted by staff or administration of the School. Such use shall not create a distraction, disruption, or otherwise interfere with the educational environment. Authorized student use of PCDs shall include the following:

- A. Before and after the student instructional day;
- B. During designated lunch periods;
- C. In between class periods. However, PCDs must be powered off and stored out of sight prior to the start of and during the entirety of any class period;
- D. During participation in curricular and extra-curricular activities for instructional or educational purposes, and at the discretion of the teachers, student teachers, substitute teachers, teacher aides, drivers, principals, or other authorized school personnel;
- E. When authorized pursuant to an Individual Education Plan ("IEP"), a Section 504 Accommodation Plan, or a Health Care/Medical Plan with supportive documentation from the student's physician.

**Rule 14: Academic Dishonesty.** Students shall not cheat on tests; shall not copy tests, assignments, or papers; shall not plagiarize; and shall not violate copyright policy or law.

## LEVEL II DISCIPLINARY OPTIONS

Disciplinary options or responses to Level II offenses will include any of the previous (Level I) options and/or one or more of the following:

- A. Parental contact by phone and written or oral notification to parent or guardian
- B. Behavioral probation
- C. Administrator/ school leader/ teacher/student conference
- D. Detention
- E. Parent shadowing
- F. Exclusion from an extracurricular activity
- G. Mediation
- H. Behavioral contract
- I. Confiscation
- J. Temporary removal of the student from the classroom
- K. In-school suspension
- L. Friday/Saturday school
- M. Suspension of transportation privileges
- N. Monetary restitution for damages
- O. Report to Juvenile Court and/or Bureau of Motor Vehicles
- P. Another appropriate disciplinary option or logical consequence determined by the school leader
- Q. Serious, persistent, or repeated Level II misbehavior may result in a more serious consequence, including, but not limited to, any disciplinary option for a Level III offense or

expulsion

### LEVEL III OFFENSES

**Rule 15: Disruption of School.** A student shall not, by use of violence, force, noise, coercion, threat, intimidation, fear, passive resistance, or any other conduct, intentionally cause the substantial and material disruption or obstruction of any lawful mission, process, or function of the School. Disruption will include, among another thing as determined by the school leader, threats to shoot someone or to cause a mass shooting event.

**Rule 16: Damage or Destruction of School or Private Property.** A student shall not intentionally cause or attempt to cause damage to public or private property, including, but not limited to, that of other students, teachers, administrators, other school employees, and visitors.

**Rule 17: Discrimination and Harassment.** No student shall harass or discriminate against any student, employee, or another person on the basis of race, color, national origin, citizenship status, religion, sex, economic status, marital status, pregnancy, age or disability. No student shall retaliate, coerce, or intimidate any person who exercises their right to file a complaint of harassment or discrimination or who participates in the investigation of such complaint. Any participant in a School activity who believes this rule has been violated should report the matter immediately to his or her teacher or to the School Principal.

**Rule 18: Bullying/Assaults/Hazing/Dating Violence.** A student shall not harass, haze, bully, retaliate against, coerce, interfere with, intimidate, inflict injury, cause another to inflict injury, or behave in any way which could cause physical injury or mental anguish to another student, teacher, or other school personnel. These acts are prohibited on school property, on school-provided transportation, or at school-sponsored events. A student shall not intentionally direct to another student, teacher or other school employee words, phrases, or gestures which are vulgar, obscene, or degrading. Students are prohibited from using a Personal Communication Device (PCD) to violate this Rule.

Any student or student's parent/guardian who believes the student has been or is the victim of behavior prohibited by this Rule should immediately report the situation to the student's teacher or to the School Principal. The student may also report concerns to other teachers and school staff who will be responsible for notifying the appropriate administrator.

Every student is encouraged, and every staff member is required, to report student behavior prohibited by this Rule. Reports should be made to those identified above.

All complaints about behavior that may violate this Rule shall be promptly investigated pursuant to Board Policy controlling such investigations. For purposes of this rule, "harassment, intimidation or bullying" is defined as any intentional written, verbal, electronic, or physical act that a student exhibits toward another particular student more than once and the behavior (1) causes mental or physical harm to the student and (2) is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student; or violence within a dating relationship.

For the purposes of this rule, "dating violence" is defined as the intentional use of physical, sexual, verbal, or emotional abuse by a person to harm, threaten, intimidate, or control another person in a dating relationship.

Board Approved

**Rule 19: Extortion.** A student shall not extort or cause others to extort money or personal property from other students or School personnel.

**Rule 20: Narcotics, Alcoholic Beverages, Drugs, Counterfeit or Look-Alike Drugs and Drug Paraphernalia.** A student shall not possess and shall not receive, buy, use, transmit, sell, or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, controlled substance, any illegal mind-altering substance, inhalant or intoxicant of any kind.

A student shall not possess and shall not receive, buy, use, transmit, sell, or be under the influence of any counterfeit controlled substance. A counterfeit controlled substance is any substance that is made to look like a controlled substance or is represented to be a controlled substance or that a student believes to be a controlled substance.

Except as legitimately provided for in Policy, a student shall not buy, sell, transfer, possess, or use any drug, medication, inhalant or other substance which can be taken internally where the student or students involved cannot show a legitimate health or other reason for the use of such substances.

Drug paraphernalia shall not be worn, carried, or brought to school or school events.

Students found to be in violation of this rule shall be suspended or expelled.

**Rule 21: Acts of Immorality.** Possession of indecent, obscene, or pornographic matter is prohibited. Engaging in sexual acts, displaying excessive affection, or other inappropriate behavior with a person of the same or opposite sex is prohibited.

**Rule 22: Fighting.** Students shall not engage in intentional efforts to cause physical harm to a student or staff member. Neither shall students intentionally incite another student to engage in willful physical conflict or combat.

**Rule 23: Direct Threat.** Students shall not intentionally commit or promote any act or expression of a threatening nature directed to any individual or group of teachers, other staff members, students, or other groups at school.

### LEVEL III DISCIPLINARY OPTIONS

Disciplinary options or responses to Level III offenses will include any of the previous (Level II) options as well as:

- A. Out-of-school suspension
- B. In-school suspension
- C. Removal from the classroom to an alternative learning environment
- D. Serious or repeated Level III misbehavior may result in a more serious consequence, including but not limited to expulsion
- E. Another appropriate disciplinary option or logical consequence determined by the administrator.



## LEVEL IV OFFENSES

**Rule 24: Weapons and Dangerous Instruments.** A student shall not possess, handle, transport, carry, use, conceal, or transmit any objects that can reasonably be considered a weapon, a firearm (including any object represented as a firearm or made, construed, or altered so that, to a reasonable person without specialized training in firearms, the object appears to be a firearm), a knife, or another dangerous object of no reasonable use to the student.

1. Any student who is determined to have brought a firearm as defined below to School or onto other property owned or property controlled by the School shall be expelled for one (1) year. The Principal or Superintendent may reduce this action on a case-by-case basis in accordance with this policy. An expulsion under this paragraph shall extend into the following school year.
2. Any student who is determined to have brought a firearm to an interscholastic competition, an extracurricular event, or other school program or activity that is not located on school property or property controlled by the school, may be expelled by the superintendent for a period of one (1) year. The superintendent may reduce this action on a case-by-case basis in accordance with a policy established by the Board. An expulsion under this paragraph shall extend into the following school year.
3. A student who possesses a firearm at School, on property controlled by the school, or at any interscholastic competition, extracurricular event or school-related activity shall be expelled by the superintendent for a period not to exceed one (1) year, subject to reduction of this term by the Principal or Superintendent on a case-by-case basis. An expulsion under this paragraph may be extended by the superintendent into the following school year.
4. A student who possesses a knife or dangerous object capable of causing serious bodily injury at school or on property controlled by the school or to any interscholastic competition, an extracurricular event or school activity sponsored by the School with intent to use such knife or dangerous object to cause injury or damage to another person or to property shall be expelled by the superintendent for a period not to exceed one year. An expulsion under this paragraph may be extended by the superintendent into the following school year.

"Firearm" shall have the same meaning as provided in the "Gun-Free Schools Act," 115 Stat. 1762, 20 USC 7151.

"Knife" shall be defined as any device consisting of a sharp blade three (3) inches or longer in length, whether or not fastened to a handle, designed or intended for use as a cutting instrument.

"Dangerous object" shall be defined as a device which is or may be used to cause harm to another person, including, but not limited to, a club, chain, razor, or other sharp blade less than three (3) inches in length, metal knuckles, noxious irritants, chemicals, or explosive or incendiary devices.

**Rule 25: Bomb Threat.** A student who makes a bomb threat to a school building or to any premises at which a school activity is occurring at the time of the threat shall be expelled for a period of one year, subject to reduction of this term by the Principal or Superintendent on a case-by-case basis. Any expulsion for a violation of Rule 25 shall extend into the school year following the school year in which the incident took place.

**Rule 26. Criminal Act Resulting in Physical Harm.** A student who commits an act that is a criminal offense when by committed by an adult and results in serious physical harm to person(s) or property while the student is at school, on any other property owned or controlled by the Board, or at any school-related activity or extracurricular event, may be expelled by the superintendent for a period up



to one (1) year, subject to reduction of this term by the Principal or Superintendent on a case-by-case basis. Any expulsion for a violation of Rule 26 shall extend into the school year following the school year in which the incident took place.

## SUSPENSION

### General

The School Leader will determine the length of the suspension (up to ten days) and whether the suspension will be served in-school or out-of-school on a case-by-case basis.

The parameters for completing and grading assignments missed because of a pupil's suspension are as follows:

1. The pupil shall have an opportunity to do both of the following:
  - a. Complete any classroom assignments missed because of the suspension;
  - b. Receive at least partial credit for a completed assignment.
2. This policy permits grade reductions on account of the pupil's suspension subject to the approval of the Principal or Superintendent.
3. This policy prohibits the receipt of a failing grade on a completed assignment solely on account of the pupil's suspension.

Generally, students in grades pre-kindergarten through three (3), shall not be given out-of-school suspensions. An out-of-school suspension may be imposed upon students in grades pre-kindergarten through three (3) for violating Rules 24, 25, or 26. Also, students in grades pre-kindergarten through three (3) may be given an out-of-school suspension as necessary to protect the immediate health and safety of the student, classmates, and teachers and staff. Whenever possible, the School Leader shall consult with a mental health professional before suspending the student. If the events leading up to the suspension indicate a need for additional mental health services, the School Leader or mental health professional shall, in any manner that does not result in a financial burden to the School, assist the student's parent or guardian with locating or obtaining those services, including referral to an independent mental health professional.

Any student suspended is not permitted to participate in any extracurricular activities.

### In-School Suspensions

If a student is issued an in-school suspension, the School Leader will ensure the student is serving the suspension in a supervised learning environment. Notification of an in-school suspension shall be given to the student and the student's parent, guardian, or custodian in the same manner as other forms of discipline.

### Out-of-School Suspension Procedure

The following procedure does not apply to in-school suspensions.

The School Principal or Administrator may only issue an out-of-school suspension by using the following procedure. Prior to the imposition of the suspension:

- a. A written notice of intent to suspend will be given to the student, which contains the following:
  - i. The reason for the intended suspension; and

- ii. If the suspension is based on one of the serious criminal offenses listed in Ohio Revised Code 3313.622(A) for which permanent exclusion is allowed, and if the student is age 16 or older, the notice must also indicate the possibility that the School Principal may seek permanent exclusion.
- b. The student must be allowed an informal hearing before the School Principal or designee to challenge the reasons for the intended suspension or otherwise explain his/her actions. The student is not entitled to call witnesses at the informal hearing.

If an out-of-school suspension is imposed during the last ten (10) days of the academic year, the suspension will not be carried over into the following year. However, the superintendent may require the student to participate in a community service program or another alternative consequence (the school leader is to prepare a list of alternative consequences) for the number of hours equal to the remaining part of the period of suspension. The student shall begin community service or alternative consequence during the first full weekday of summer break. If the student does not complete the assigned community service or alternative consequence, the school may determine its next course of action, which shall not include the student serving the remaining time of the out-of-school suspension at the beginning of the following school year.

## EXPULSION

### General

Except as provided under Level IV offenses above, the term of a student expulsion shall be limited to the greater of 80 days or the number of school days remaining in the semester or term in which the incident giving rise to expulsion occurs. In the event that the term of expulsion exceeds the number of school days left in the school year, the Superintendent may apply all or any part of the period of expulsion to the following school year.

Mitigating Circumstances: The School Superintendent shall consider, on a case-by-case basis, all of the relevant facts and circumstances of the misconduct underlying the expulsion including (a) applicable Ohio or federal laws, (b) the student's disability, and (c) extent of culpability of the student. The Principal or Superintendent may reduce the period of expulsion if, in the judgment of the Principal or Superintendent:

- A. The student has not engaged previously in other serious misconduct, whether or not similar to the misconduct underlying the expulsion;
- B. The misconduct was committed under circumstances not likely to reoccur;
- C. The student shows genuine remorse for the misconduct; and
- D. The student is not likely to engage in further serious misconduct.

The Principal shall notify the appropriate criminal justice or juvenile delinquency authorities of these determinations. In the event the School or Principal later determines that such notification was in error or that the determinations reflected in the notifications have changed, the Principal shall provide supplemental notice of such error or change in the same manner.

Whenever possible, the School Leader shall consult with a mental health professional before expelling the student. If the events leading up to the expulsion indicate a need for additional mental health services, the School Leader or mental health professional shall, in any manner that does not result in a financial burden to the School, assist the student's parent or guardian with locating or obtaining those services, including referral to an independent mental health professional.

Any student expelled is not permitted to participate in any extracurricular activities.

## **Expulsion Procedures**

The following procedure is required before the student's expulsion:

1. Prior to the imposition of the expulsion, the Superintendent must provide the student and the student's parent, guardian, or custodian written notice of the intention to expel and provide an opportunity to appear in person before the superintendent or designee to challenge the reasons for the intended expulsion. The notice must include the following:
  - a. The reasons for the intended expulsion;
  - b. Notification of the opportunity of the student and the student's parent, guardian, or custodian, or representative to appear in person before the superintendent or designee to challenge the reasons for the intended expulsion or otherwise explain the student's actions
  - c. The time and place for a hearing, which must be scheduled not less than three (3) nor more than five (5) school days after giving the notice, unless the period is extended by the Superintendent at the request of the student or the student's parent, custodian, guardian, or representative. The parent, guardian, custodian, or representative must be sent written notice of any extension, and the new time and place to appear.
  - d. If the student is age 16 or older and the expulsion is for one of the serious criminal offenses listed in Ohio Revised Code 3313.622(A) for which permanent exclusion is allowed, the notice must also indicate the possibility that the Superintendent may seek permanent exclusion.
2. Within one (1) school day after the expulsion is imposed at the hearing, the Superintendent shall provide written notification to the parent, guardian, or custodian of the student and the treasurer of the Board of the expulsion. The notice must include:
  - a. The reasons for the expulsion;
  - b. Notification of the right to appeal to the Board or its designee. The notice must also explain that the intent to appeal must be in writing and received by the Board within 14 days after receiving the notice;
  - c. The right to representation at all appeal proceedings;
  - d. The right to an appeal hearing before the Board or its designee to be heard against the expulsion;
  - e. The right to request that the hearing be held in executive session;
  - f. Notice that the expulsion may be extended pursuant to Ohio Revised Code 3313.66(F) if the student is sixteen years of age or older;
  - g. If the expulsion is based on one of the serious criminal offenses listed in Ohio Revised Code 3313.622(A) for which permanent exclusion is allowed, and if the student is age 16 or older, the notice must also indicate the possibility that the School may seek permanent exclusion if the student is convicted of or adjudicated a delinquent child for the violation;
  - h. When the Superintendent expels a student for more than twenty (20) school days or for any period of time extending into the next semester or school year, the School shall provide, along with this notice, the student and the student's parent, guardian, or custodian, with information about services or programs offered by public and private agencies that work toward improving those aspects of the student's attitudes and behaviors that contributed to the incident giving rise to the expulsion. The notice shall include the names, address, and phone numbers of the agencies.

The Superintendent is required to initiate expulsion proceedings on expellable offenses even if the student in question withdraws from the School prior to the hearing or the decision to impose expulsion. If it is determined that the student would have been expelled had the student still been enrolled, the expulsion shall still be imposed and the requirements under this policy following the imposition of expulsion are to be followed.

The Superintendent may apply any remaining part or all of the period of expulsion into the following year.

If the student's expulsion is appealed to the Board or its designee in the manner outlined in the above notice provisions, the student or the students' parent, guardian, or custodian may be represented in appeal proceedings and shall be granted a hearing; pursuant to a request, the Board may hold the hearing in executive session, but its decision may only be made at a public meeting. The Board by a majority vote of its full membership, or by action of the designee, may affirm the expulsion, reinstate the student, or otherwise reverse, vacate, or modify the order. A verbatim record of the hearing is to be made.

### EMERGENCY REMOVAL

A student who poses a continuing danger to persons or property or an ongoing threat of disrupting academic progress in the School may be immediately removed, without notice and hearing, from curricular activities by a teacher; such student may be immediately removed, without notice and hearing, the administrator, principal, or assistant principal may remove the student from curricular activities and from the school premises. The teacher, as soon as practicable, shall submit in writing to the principal the reasons for the removal.

If an emergency removal of a student in grades six (6) through twelve (12) is made, the student must be provided with notice of a hearing and the reason for the removal. As soon as practicable after the emergency removal of a student, written notice shall be given to the student of the reason(s) for the removal and the date, time, and place of a hearing on the removal, which hearing shall take place on the next school day after the removal. The individual who ordered, caused, or requested the removal shall be present at the hearing.

Unless it is likely that the student will face expulsion for the behavior resulting in emergency removal, the hearing shall be conducted as described in the *Suspensions* section above except that the hearing shall occur on the next school day following the removal.

If it is likely that the student will face expulsion for the behavior resulting in emergency removal, the hearing shall be conducted as described in the *Expulsions* section above except that it shall occur on the next school day after the removal.

If, prior to the hearing, the student is reinstated to curricular activity by the Principal or Superintendent, the teacher supervising the student on reinstatement may request a written explanation of the reinstatement.

### PERMANENT EXCLUSION

The Board may request an adjudication order of permanent exclusion of a student from the Superintendent of Public Instruction at the Ohio Department of Education on the recommendation of the Superintendent or Principal of the School. The student and the student's parent, guardian, or custodian shall be notified in writing of the School's intent to recommend permanent exclusion.

A recommendation of permanent exclusion may be made by the School's Superintendent or Principal must include (A) proof that the student was sixteen (16) years of age or older at the time of the offense which resulted in expulsion and was convicted of or adjudicated a delinquent child for behavior, the commission of which as an adult would have been a violation of ORC §§ 2923.122, 2923.12, 2925.11, 2903.01, 2903.02, 2903.03, 2903.04, 2903.11, 2903.12, 2907.02 or 2907.05 or any substantially similar

ordinance, (B) the written determination(s) of the Superintendent or Principal that the student's continued attendance in school may endanger the health and safety of other students or school employees, and (C) a copy of the written notice provided to the student and the student's parent or guardian of the School's intent to recommend permanent exclusion.

Within fourteen days after receipt of a recommendation of permanent exclusion from the School's Superintendent or Principal, the Board may adopt a resolution requesting an order of permanent exclusion from the Ohio Superintendent of Public Instruction. Prior to adopting such a resolution, the Board shall review and consider all of the following available information:

- A. The academic record of the student and a record of any extracurricular activities in which the student previously was involved;
- B. The disciplinary record of the student and any available records of the student's prior behavioral problems other than the behavioral problems contained in the disciplinary record;
- C. The social history of the student;
- D. The student's response to the imposition of prior discipline and sanctions imposed for behavioral problems;
- E. Evidence regarding the seriousness of and any aggravating factors related to the offense that is the basis of the resolution seeking permanent exclusion;
- F. Any mitigating circumstances surrounding the offense that gave rise to the request for permanent exclusion;
- G. Evidence regarding the probable danger posed to the health and safety of other students or of school employees by the continued presence of the student in a public school setting;
- H. Evidence regarding the probable disruption of the teaching of any school's graded course of study by the continued presence of the student in a public school setting;
- I. Evidence regarding the availability of alternative sanctions of a less serious nature than permanent exclusion that would enable the student to remain in a public school setting without posing a significant danger to the health and safety of other students or of school employees and without posing a threat of the disruption of the teaching of any school's graded course of study.

If the Board does not adopt a resolution requesting an order of permanent exclusion, it shall immediately send written notice of that fact to the recommended Superintendent or Principal, the student, and the student's parent, guardian, or custodian.

If the court proceeding instituted because of the offense resulting in expulsion is not concluded, and the student was 16 years of age or older at the time of the offense, the superintendent may file a motion in the court requesting an order extending the expulsion pursuant to Ohio Revised Code 3313.66(F)(1) or if the court proceedings have concluded and the school is seeking an order of permanent exclusion from the Ohio superintendent of public instruction, but the Ohio superintendent of public instruction has yet to issue an order regarding permanent exclusion, pursuant to Ohio Revised Code 3313.66(F)(2) the superintendent of the school may file a motion with the court requesting an order to extend the expulsion until the Ohio Superintendent had made a determination.

## DISCIPLINE/SUSPENSION/EXPULSION OF DISABLED STUDENTS

In matters relating to the disciplining of disabled students, the Board of Directors shall abide by federal and state laws regarding suspension and expulsion. The School Principal will follow the guidelines below and ensure they are properly used when disciplining any student with a disability.

## REMOVALS OF NOT MORE THAN 10 DAYS-THE 10-DAY RULE

The School may unilaterally remove a Student with a disability who violates a code of student conduct from the Student's current placement for not more than ten (10) school days. This option may be used only if the disciplinary action is consistent with actions taken against nondisabled students. The School may place Students removed under the 10-day rule in an appropriate interim alternative educational setting ("IAES") if applicable (see below), another setting, or suspend them. Removals under the 10-day rule are not considered a "change of placement," and the School is not obligated to provide services to Students during those removals. The School can use the 10-day rule to remove a student for either a single removal of ten (10) consecutive school days; or a series of shorter-term removals over the course of the school year that are more than ten (10) school days during that school year, so long as those removals do not constitute a pattern of removals (and therefore, a change of placement). When a removal is not a change of placement, an IEP meeting is not required.

## REMOVALS OF MORE THAN 10 DAYS - CHANGE OF PLACEMENT

A change of placement occurs if a removal is for more than ten (10) consecutive school days; or if a student is subjected to a series of removals which accumulate to more than ten (10) school days, that constitute a pattern. This may occur for either suspensions or expulsions. If a change of placement occurs (after a Manifestation Determination Review (see below)), then the School must notify the parents, guardians, or custodian of that decision. This notice must inform the parents or guardians of all the procedural safeguards accorded under the law. These safeguards include a Manifestation Determination Review, a right to receive services, and a continuation of services for a free appropriate public education (FAPE). The School must provide services that:

- enable the student to continue to participate in the general education curriculum (although in another setting); and
- enable the student to progress toward meeting the goals set out in the Student's IEP.

## MANIFESTATION DETERMINATION REVIEW ("MDR")

Before imposing disciplinary consequences that would amount to a change of placement, the School will conduct an MDR to examine a Student's behavior. The purpose of the MDR is to determine whether a Student's disability caused, influenced or otherwise impacted the Student's behavior in question. To make this determination, the Student's IEP team is required to review certain information and determine whether the behavior causing the disciplinary infraction is or is not a manifestation of the Student's disability.

No later than the date on which the decision to take a disciplinary action which may be a change of placement is made, the School must notify the parents or guardians of that decision and of all procedural safeguards, including the MDR. The School and the parents or guardians must determine which members of the IEP team are relevant to conduct the manifestation determination. The team will review all relevant information in the Student's file to determine (1) whether the conduct in question was caused by, or had a direct and substantial relationship to, the Student's disability or (2) was the direct result of the School's failure to implement the IEP. If the team determines that either condition is applicable for the Student, it must determine that the conduct is a manifestation of the Student's disability.

*Manifestation* - If the team determines that the behavior was a manifestation of the student's disability, the full IEP team must then:

- conduct a functional behavior assessment and implement a behavior intervention plan for the student, unless the School conducted a functional behavior assessment prior to the manifestation determination;
- if the IEP team already developed a behavior intervention plan, it must review and modify the plan as necessary to address the behavior; and
- return the Student to the placement from which he or she was removed.

*No Manifestation* -If the team determines that the behavior was not a manifestation of the disability, the School may discipline the Student using the relevant disciplinary procedures applicable to Students without disabilities in the same manner and for the same duration, continuing to provide services to Students with disabilities.

If a student's behavior was not a manifestation of the disability, the School will still take steps to attend to the Student's behavior. The student must receive, as appropriate, a functional behavior assessment, behavioral intervention services, and modifications designed to address the behavior violation in order to attempt to prevent a reoccurrence.

*Exceptions to the MDR Requirement* - The Unilateral Change in Placement and 45-Day Rule

School personnel may remove a Student to an IAES for up to forty-five (45) school days, without a prior MDR or IEP meeting, when a student:

- carries or possesses a weapon (a device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except that the term does not include a pocketknife with a blade of less than 2 1/2 inches in length);
- knowingly possesses or uses illegal drugs (a controlled substance not legally possessed or used under the supervision of a licensed health care professional, or legally possessed or used under any other authority under the Controlled Substances Act (21 U.S.C. 812) or under any other provision of federal law), or sells or solicits the sale of a controlled substance (a drug or other substance identified under Schedule I, II, III, IV or V in the Controlled Substances Act); or
- has inflicted serious bodily injury on another person (a cut, abrasion, bruise, burn or disfigurement, physical pain, illness, impairment of the function of a bodily member, organ or mental faculty, or any other injury, no matter how temporary).

This authority can be exercised if a student commit any of the offenses described above at the School, on the School premises, or at a School function.

The IEP team will meet subsequent to the unilateral placement in an IAES and must:

- determine what the permanent setting will be,
- take steps to modify the student's IEP, as appropriate,
- provide appropriate behavioral intervention services and modifications designed to address the behavior violation so that it does not recur, and
- continue to provide the student with educational services to enable him or her to participate in the general education curriculum and to progress toward IEP goals.

The School must still conduct an MDR, but it can occur after the removal to the 45-day setting. If the conduct is a manifestation of the student's disability, the School must still meet all of the requirements outlined above for the MDR, with the additional exception that the Student stay in the alternative placement for 45 school days, regardless of the outcome of the manifestation.

## DUE PROCESS COMPLAINT

Parents or guardians who disagree with any decision regarding placement or the outcome of an MDR may appeal the decision through the filing of a due process complaint and may request an expedited due process hearing.

The School may request a hearing to change a Student's placement if the School believes that maintaining the Student's current placement is substantially likely to result in injury to the student or others. Under those circumstances, the hearing officer may order a change in placement of a student with a disability to an IAES for a period of up to forty-five (45) school days if the hearing officer agrees with the School's assessment.

During any due process proceedings, the student's placement, through a disciplinary action, must not change unless the parents/guardians and the School agree otherwise, or upon admissions to the School and parent/guardian consent.

In the case where a student has been placed in an IAES, the Student will remain in the IAES chosen by the School, pending the hearing officer's decision or until the time period expires, whichever occurs first, unless the Parent and School agree otherwise. An expedited hearing will be arranged during an IAES appeal and will occur within twenty (20) days of the hearing request, and the hearing officer must make a determination within ten (10) school days after the hearing.

## STUDENTS DISCIPLINING A 504 STUDENT

### **Section 504 Manifestation Determination Reviews**

A Student on a 504 Plan is to be afforded due process relating to any proposed change in educational placement where the student is subject either to expulsion or suspension for a period of more than ten (10) consecutive school days or a series of suspensions that are each ten (10) or fewer school days in duration, but exceed ten (10) school days in the aggregate and create a pattern of exclusions. In all such cases, except in the case where such suspension or expulsion pertains to the use or possession of illegal drugs or alcohol as detailed below, the School shall follow the procedures pertaining to discipline/suspension/expulsion of disabled students.

### **Disciplinary Procedures for Students Possessing or Using Alcohol or Illegal Drugs**

The School may take disciplinary action pertaining to the use or possession of illegal drugs or alcohol against any Student on a 504 Plan who currently is engaging in the illegal use of drugs or in the use of alcohol to the same extent that such disciplinary action is taken against students without disabilities.

### **Emergency Removal from Placement**

Emergency removal of a 504 student from his/her current placement may take place through parental agreement to an interim placement or through injunctive relief from a court when the current placement presents a substantial likelihood of resulting in injury to the student or others.

## ANTI-HARASSMENT, INTIMIDATION & BULLYING POLICY

### INTRODUCTION

It is the policy of the School that any form of bullying behavior, whether in the classroom, on school property, to and from school, or at school-sponsored events, is expressly forbidden.



The disciplinary procedure for any student guilty of harassment, intimidation, or bullying shall not infringe on any student's rights under the first amendment to the Constitution of the United States.

The School's administration shall semiannually provide the president of the board of directors a written summary of all reported incidents and post the summary on its website, to the extent permitted by section 3319.321 of the Revised Code and the "Family Educational Rights and Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232q, as amended.

The School's policy on harassment, intimidation, and bullying shall appear in any student handbooks and in any of the publications that set forth the comprehensive rules, procedures, and standards of conduct for schools and students.

Any School employee, student, or volunteer shall be individually immune from liability in a civil action for damages arising from reporting an incident in accordance with a policy adopted pursuant to this policy if that person reports an incident of harassment, intimidation, or bullying promptly in good faith and in compliance with the procedures as specified in this policy. Except as provided in this paragraph, nothing in this section prohibits a victim from seeking redress under any other provision of the Ohio Revised Code or common law that may apply.

This policy does not create a new cause of action or a substantive legal right for any person.

Students who have been determined to have engaged in prohibited behaviors are subject to disciplinary action, which may include suspension or expulsion from school. The School's commitment to addressing such prohibited behaviors, however, involves a multifaceted approach, which includes education and the promotion of a school atmosphere in which harassment, intimidation, or bullying will not be tolerated by students, faculty, or school personnel.

It is imperative that harassment, intimidation, or bullying be identified only when the specific elements of the definition are met because the designation of such prohibited incidents carries special statutory obligations. However, misconduct by one student against another student, whether appropriately defined or not, will result in appropriate disciplinary consequences for the perpetrator.

## DEFINITIONS

1. Harassment, intimidation, or bullying means either of the following:
  - a. Any intentional written, verbal, or physical act that a student has exhibited toward another particular student more than once and the behavior both:
    - i. Causes mental or physical harm to the other student;
    - ii. Is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student.
  - b. Violence within a dating relationship.
2. Harassment, intimidation, or bullying also means electronically transmitted acts i.e., Internet, cell phone, personal digital assistance (PDA) or wireless hand-held device that a student has exhibited toward another particular student more than once and the behavior both:
  - a. Causes mental or physical harm to the other student/school personnel; and
  - b. is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student/school personnel.
3. In evaluating whether conduct constitutes harassment, intimidation, or bullying, special

attention should be paid to the words chosen or the actions taken, whether such conduct occurred in front of others or was communicated to others, how the perpetrator interacted with the victim, and the motivation, either admitted or appropriately inferred.

4. A school-sponsored activity shall mean any activity conducted on or off school property (including school buses and other school-related vehicles) that is sponsored, recognized, or authorized by The School.

## TYPES OF CONDUCT

Harassment, intimidation, or bullying can include many different behaviors, including overt intent to ridicule, humiliate or intimidate another student or school personnel. Examples of conduct that could constitute prohibited behaviors include:

- a) Physical violence and/or attacks;
- b) threats, taunts, and intimidation through words and/or gestures;
- c) extortion, damage, or stealing of money and/or possessions;
- d) exclusion from the peer group or spreading rumors; and
- e) repetitive and hostile behavior with the intent to harm others through the use of information and communication technologies and other web-based/online sites (also known as "cyberbullying"), such as the following:
  - f) Posting slurs on websites where students congregate or on web-logs (personal online journals or diaries);
  - g) sending abusive or threatening instant messages;
  - h) using camera phones to take embarrassing photographs of students and posting them online;
  - i) using websites to circulate gossip and rumors to other students; and
  - j) excluding others from an online group by falsely reporting them for inappropriate language to Internet service providers.

## COMPLAINT PROCESS

Harassment, intimidation, or bullying behavior by any student/school personnel at the School is strictly prohibited, and such conduct may result in disciplinary action, including suspension and/or expulsion from school. Harassment, intimidation, or bullying, in accordance with House Bill 276, means any intentional written, verbal, graphic, or physical acts, including electronically transmitted acts i.e., Internet, cell phone, personal digital assistant (PDA), or wireless hand-held device, either overt or covert, by a student or group of students toward other students/school personnel with the intent to harass, intimidate, injure, threaten, ridicule, or humiliate. Such behaviors are prohibited on or immediately adjacent to school grounds, at any school-sponsored activity, on school-provided transportation or at any official school bus stop that a reasonable person under the circumstances should know will have the effect of:

- I. Causing mental or physical harm to the other student/school personnel, including placing an individual in reasonable fear of physical harm and/or damaging of students'/personal property; and
- II. is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student/school personnel.

## COMPLAINTS

### Formal complaints

Students, parents, or guardians may file reports regarding suspected harassment, intimidation, or

bullying. Such written reports shall be reasonably specific including person(s) involved, number of times and places of the alleged conduct, the target of suspected harassment, intimidation and/or bullying, and the names of any potential student or staff witnesses. Such reports may be filed with any school staff member or administrator, and they shall be promptly forwarded to the principal for review and action in accordance with Section 7 of this policy.

### **Informal complaints**

Students, parents or guardians and school personnel may make informal complaints of conduct that they consider to be harassment, intimidation and/or bullying by verbal report to a teacher, school administrator, or other school personnel. Such informal complaints shall be reasonably specific as to the actions giving rise to the suspicion of harassment, intimidation and/or bullying, including person(s) involved, number of times and places of the alleged conduct, the target of the prohibited behavior(s), and the names of any potential student or staff witness. A school staff member or administrator who receives an informal complaint shall promptly document the complaint in writing, including the above information. This written report by the school staff member and/or administrator shall be promptly forwarded to the principal for review and action in accordance with Section 7 of this policy.

### **Anonymous complaints**

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

### **False complaints**

Students are prohibited from deliberately making false reports of harassment, intimidation, or bullying. Any complaints made or reports filed alleging harassment, intimidation, or bullying, as provided in this policy, found to be false will be disciplined according to current school disciplinary procedure(s) established and implemented and being consistent with due process rights of all students involved, including the student(s) making such false claims. If it is found that a student made deliberately false claim(s) of harassment, intimidation, or bullying, the student is subject to the full range of disciplinary consequences in accordance with Section 7 of this policy and being consistent with due process rights of the student making such false claims.

## **SCHOOL PERSONNEL RESPONSIBILITIES AND INTERVENTION STRATEGIES**

### **Teachers and other school staff**

Teachers and other school staff who witness acts of harassment, intimidation, or bullying, as defined above, shall promptly notify the building principal and/or their designee of the event observed, and shall promptly file a written incident report concerning the events witnessed. Teachers and other school staff who receive student or parent reports of suspected harassment, intimidation, and bullying shall promptly notify the building principal and/or their designee of such report(s). If the report is a formal, written complaint, such complaint shall be forwarded promptly (no later than the next school day) to the building principal and/or their designee. If the report is an informal complaint by a student that is received by a teacher or other professional employee, he or she shall prepare a written report of the informal complaint which shall be promptly forwarded (no later than the next school day) to the building principal and/or their designee.

In addition to addressing both informal and formal complaints, school personnel are encouraged to address the issue of harassment, intimidation or bullying in other interactions with students. School personnel may find opportunities to educate students about harassment, intimidation and bullying and help eliminate such prohibited behaviors through class discussions, counseling, and reinforcement of socially appropriate behavior. School personnel should intervene promptly whenever they observe student conduct that has the purpose or effect of ridiculing, humiliating, or intimidating another student/school personnel, even if such conduct does not meet the formal definition of "harassment, intimidation or bullying."

## ADMINISTRATOR RESPONSIBILITIES

### **Investigation**

The principal and/or their designee shall be promptly notified of any formal or informal complaint of suspected harassment, intimidation, or bullying. Under the direction of the building principal and/or their designee, all such complaints shall be investigated promptly. A written report of the investigation shall be prepared when the investigation is complete. Such report shall include findings of fact, a determination of whether acts of harassment, intimidation or bullying were verified, and, when prohibited acts are verified, a recommendation for intervention, including disciplinary action shall be included in the report. Where appropriate, written witness statements shall be attached to the report.

Notwithstanding the foregoing, when a student making an informal complaint has requested anonymity, the investigation of such complaint shall be limited as is appropriate in view of the anonymity of the complaint. Such limitation of investigation may include restricting action to a simple review of the complaint (with or without discussing it with the alleged perpetrator), subject to receipt of further information and/or the withdrawal by the complaining student of the condition that his/her report be anonymous.

### **Remedial actions**

Verified acts of harassment, intimidation, or bullying shall result in an intervention by the building principal and/or their designee that is intended to ensure that the prohibition against harassment, intimidation or bullying behavior is enforced, with the goal that any such prohibited behavior will cease.

Harassment, intimidation, and bullying behavior can take many forms and can vary dramatically in seriousness and impact on the targeted individual and other students. Accordingly, there is no one prescribed response to verified acts of harassment, intimidation, and bullying. While conduct that rises to the level of "harassment, intimidation or bullying," as defined above, will generally warrant disciplinary action against the perpetrator of such prohibited behaviors, whether and to what extent to impose disciplinary action (detention, in and out-of-school suspension, or expulsion) is a matter for the professional discretion of the building principal. The following sets forth possible interventions for building principals to enforce the board of directors' prohibition against "harassment, intimidation or bullying."

### **Non-disciplinary interventions**

When verified acts of harassment, intimidation or bullying are identified early and/or when such verified acts do not reasonably require a disciplinary response, students may be counseled as to the definition of harassment, intimidation or bullying, its prohibition, and their duty to avoid any conduct that could be considered harassing, intimidating or bullying.

If a complaint arises out of conflict between students or groups of students, peer mediation may be considered. Special care, however, is warranted in referring such cases to peer mediation. A power imbalance may make the process intimidating for the victim and therefore inappropriate. The victim's communication and assertiveness skills may be low and could be further eroded by fear resulting from past intimidation and fear of future intimidation. In such cases, the victim should be given additional support. Alternatively, peer mediation may be deemed inappropriate to address the concern.

### **Disciplinary interventions**

When acts of harassment, intimidation and bullying are verified, or a false claim alleging the same is substantiated, and a disciplinary response is warranted, students are subject to the full range of disciplinary consequences. Anonymous complaints that are not otherwise verified, however, shall not be the basis for disciplinary action.

In and out-of-school suspension may be imposed only after informing the accused perpetrator of the reasons for the proposed suspension and giving him/her an opportunity to explain the situation.

Expulsion may be imposed only after a hearing before the board of directors, or an impartial hearing officer designated by the board of directors in accordance with board policy. This consequence shall be reserved for serious incidents of harassment, intimidation or bullying and/or when past interventions have not been successful in eliminating prohibited behaviors.

## **INTERVENTION STRATEGIES**

### **General**

In addition to the prompt investigation of complaints of harassment, intimidation or bullying and direct intervention when such prohibited acts are verified, other board actions may ameliorate any potential problem with harassment, intimidation or bullying in school or at school-sponsored activities. While no specific action is required and school needs for such interventions may vary from time to time, the following list of potential intervention strategies shall serve as a resource for administrators and school personnel:

1. Respectful responses to harassment, intimidation or bullying concerns raised by students, parents or school personnel;
2. planned professional development programs addressing targeted individuals' problems, including what is safe and acceptable Internet use;
3. data collection to document victim problems to determine the nature and scope of the problem;
4. use of peers to help ameliorate the plight of victims and include them in group activities;
5. avoidance of sex-role stereotyping (e.g., males need to be strong and tough);
6. awareness and involvement on the part of all school personnel and parents with regard to victim problems;
7. an attitude that promotes communication, friendship, assertiveness skills and character education;
8. modeling by school personnel of positive, respectful and supportive behavior toward students;
9. creating a school atmosphere of team spirit and collaboration that promotes appropriate social behavior by students in support of others (Ohio School Climate Guidelines);
10. employing classroom strategies that instruct students how to work together in a collaborative and supportive atmosphere; and

11. form harassment, intimidation and bullying task forces, programs and other initiatives involving volunteers, parents, law enforcement and community members.

### INTERVENTION STRATEGIES FOR PROTECTING VICTIMS

1. Supervise and discipline offending students fairly and consistently; 1i. provide adult supervision during recess, lunch time, bathroom breaks and in the hallways during times of transition;
2. maintain contact with parents and guardians of all involved parties;
3. provide counseling for the victim if assessed that it is needed;
4. inform school personnel of the incident and instruct them to monitor the victim and the offending party for indications of harassing, intimidating and bullying behavior. Personnel are to intervene when prohibited behaviors are witnessed; and
5. check with the victim daily to ensure that there has been no incidents of harassment/intimidation/bullying or retaliation from the offender or other parties.

### REPORTING OBLIGATIONS

1. Report to the parent or guardian of the perpetrator
  - a. If after investigation, acts of harassment, intimidation and bullying by a specific student are verified, the building principal and/or their designee shall notify in writing the parent or guardian of the perpetrator of that finding. If disciplinary consequences are imposed against such student, a description of such discipline shall be included in such notification.
2. Reports to the victim and his/her parent or guardian
  - a. If after investigation, acts of bullying against a specific student are verified, the building principal and/or their designee shall notify the parent or guardian of the victim of such finding. In providing such notification, care must be taken to respect the statutory privacy rights of the perpetrator of such harassment, intimidation, and bullying.
3. List of verified acts of harassment, intimidation, or bullying
  - a. It is a requirement that the School administrators semiannually provide the president of the board of directors a written summary of all reported incidents and post the summary on the School website. The list shall be limited to the number of verified acts of harassment, intimidation, and bullying, whether in the classroom, on school property, to and from school, or at school-sponsored events.
  - b. This policy shall not be interpreted to prohibit a reasonable and civil exchange of opinions or debate that is protected by state or federal law such as the nondiscrimination, suspension/expulsion, due process, violent and aggressive behavior, hazing, discipline/punishment, sexual harassment, peer sexual harassment and equal educational opportunity acts.

### POLICE AND CHILD PROTECTIVE SERVICES

1. Allegations of criminal misconduct will be reported to law enforcement, and suspected child abuse must be reported to Child Protective Services, per required timelines. The School must also investigate for the purpose of determining whether there has been a violation of the School's Policy or Procedure, even if law enforcement or CPS is also investigating. All School personnel must cooperate with investigations by outside agencies.
2. In addition to, or instead of filing a harassment, intimidation or bullying complaint through this policy, a complainant may choose to exercise other options, including but not limited to filing a complaint with outside agencies or filing a private lawsuit. Nothing prohibits a complainant from seeking redress under any other provision of the Ohio Revised Code or common law that may apply.

## TRAINING

1. Orientation sessions for students shall introduce the elements of this policy and procedure. Students will be provided with age-appropriate information on the recognition and prevention of harassment, intimidation or bullying, and their rights and responsibilities under this and other school policies, procedures, and rules at student orientation sessions and on other appropriate occasions. Parents will be provided with information about this policy and procedure, as well as information about other school rules and disciplinary policies. This policy and procedure shall be reproduced in student, staff, volunteer, and parent handbooks.
2. Information regarding the policy on harassment, intimidation and bullying behavior shall be incorporated into employee and volunteer training materials and with direct contact with students. Time spent by school employees in the training, workshops or courses shall apply toward any state or school mandated continuing education requirements.
3. School personnel members are encouraged to address the issue of harassment, intimidation and bullying in other interaction with students. School personnel may find opportunities to educate students about bullying and help eliminate bullying behavior through class discussions, counseling, and reinforcement of socially appropriate behavior. School personnel should intervene promptly whenever they observe student conduct that has the purpose or effect of ridiculing, humiliating, or intimidating another student or school personnel, even if such conduct does not meet the formal definition of "harassment, intimidation or bullying."

## ADDITIONAL POLICIES

### SECTION 504

The Rehabilitation Act of 1973 includes Section 504 to prevent discrimination based upon disability. The Section 504 civil rights statute requires the needs of students with disabilities to be met as adequately as the needs of the non-disabled. The Pathfinder Career Academy will provide a "free appropriate public education" (FAPE) to each qualified student with a disability under Section 504. An individual with a disability means any person who: "(i) has a mental or physical impairment that substantially limits one or more major life activity; (ii) has a record of such an impairment; or (iii) is regarded as having such an impairment" [34 C.F.R. §104.3(j)(1)].

### CHILD FIND POLICY

The School is participating in an effort to assist the State of Ohio in identifying, locating, and evaluating all children who may have disabilities that may be hindering their ability to receive FAPE (Free and Appropriate Public Education).

School districts across the state of Ohio are also participating in this effort to identify disabilities such as autism, deaf blindness, hearing impairment, including deafness, mental retardation, multiple disabilities, orthopedic impairment, other health impairment, traumatic brain injury, and/or visual impairment including blindness.

We are committed to affording all children their right to a free and appropriate education, regardless of any disability a child may have. However, in order to accomplish this, we must know that a need is present.

Parents, guardians, relatives, public and private agency employees, and concerned citizens are used to helping schools find any child, birth through age 21, who may have a disability and need special education



and related services. If you are aware of a child who may have special needs, please notify the School's Administrator.

The School will contact the parents or guardians of the child to find out if the child needs to be evaluated. Free testing is available to families to determine whether or not a special need exists. If a need is identified, the child can begin receiving special education and related services.

## HOMELESS STUDENT POLICY

Children who meet the Federal definition of "homeless" will be provided a free and appropriate public education in the same manner as all other students at the school. To that end, homeless students will not be stigmatized or segregated based on their status as homeless and will be assigned to the school serving those non-homeless students residing in the area in which the homeless child is actually living. Pursuant to the School's Open Enrollment Policy, any homeless child in the State of Ohio is eligible to attend the school. No homeless student will be denied enrollment based on a lack of proof of residency. No Board policy, administrative guidelines, or practice will be interpreted or applied in such a way as to inhibit the enrollment attendance, or school success of homeless children.

Homeless students will be provided services comparable to other students in the School including:

- Transportation
- Educational services for which the homeless student meets eligibility criteria including services provided under Title I of the Elementary and Secondary Education Act or similar State and local programs, educational programs for children with disabilities, and educational programs for students with limited English proficiency
- Programs in vocational and technical education;
- Programs for gifts and talented students; and
- School nutrition programs.

## MCKINNEY-VENTO HOMELESS CHILDREN AND YOUTH PROGRAM OVERVIEW

The Superintendent of the School shall serve as the School's local liaison for homeless children and youth. To the extent that the School receives assistance from the Federal Program for Education for Homeless Children and Youth, it shall comply with requirements to coordinate services for homeless students with local social service agencies and programs, including those funded under the Runaway and Homeless Youth Act.

## SCHOOL RECORDS

The Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within forty-five (45) days after the day the School receives a request for access. Parents or eligible students should submit to the school administrator a written request that identifies the records they wish to inspect. The school administrator will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. Parents or eligible students who wish to ask the School to amend a record should write the school administrator, clearly identify the part of the record they want changed



and specify why it should be changed. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to provide written consent before the school discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests.

A "school official" is a person employed, contracted, or volunteering at the School in an administrative, supervisory, academic or support staff position, including but not limited to, school employees (whether employed directly by the Board or by a third party on behalf of the Board); a member of the school law enforcement unit, which consists of the School Leader; a person with whom the School has contracted to perform a special task (i.e. Attorney, auditor, outside consultant); a person serving on the Board. A School official has a "legitimate educational interest" in an education record when the official needs to review the record in order to fulfill his or her responsibility on behalf of the School, such as when the official is performing a task that is specified in his or her job description or by a contract agreement or other official appointment; performing a task related to a student's education; performing a task related to the discipline of a student; or providing a service or benefit relating to the student or student's family, such as health care, counseling, assisting with the college application procedure; any other purpose that the Board deems necessary as related to a student's education. Upon request, the School discloses education records without consent to officials of another school or school district in which a student seeks or intends to enroll.

The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office  
U.S. Department of Education 400 Maryland Avenue, SW  
Washington, DC 20202

Release or inspection of student records will be handled in accordance with the Board of Directors' Student Records Policy.

## STUDENT DIRECTORY INFORMATION

It is the policy of the School not to release any personal information such as names, home address and phone numbers to outside agencies or requesting parties without the direct written consent of the Parent or guardian or as otherwise required by law, such as military recruiters, etc. Unless a Parent/Guardian - or adult student (18 years of age or older) - notifies the School in writing that the Parent/Guardian or adult student permits the distribution of any personal information, the School will not release the information. Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. The School has designated student names and grade levels as directory information and will use such information in school publications, social media publications, recognition lists, programs and/or student directories. If you do not want the School to disclose any or all the information designated above as

directory information you must notify the School in writing. A sample notice has been included at the end of this Handbook that you may use for that purpose.

### ACCESS BY MILITARY RECRUITERS/INSTITUTIONS OF HIGHER EDUCATION

Two federal laws require the School to provide military recruiters, upon request, with student names, addresses and telephone listings, unless parents have advised the School that they do not want their student's information disclosed without their prior written consent. Similarly, state law requires the School to provide military recruiters, upon request, with the names and addresses of students in grades ten through twelve, unless parents have advised the School that they do not want such information disclosed.

### AUDIO-VISUAL INFORMATION

The School recognizes the value of audio-visual and other types of electronic communication in providing our students with an effective education. In communicating our school-related activities, opportunities exist to photograph and/or videotape students and their work in a variety of activities. However, individual student records (academic, behavioral) will not be disclosed. Communications may include school newsletters, local newspapers, community access cable channel, school-sponsored web pages, marketing materials and other publications. Highlighting the achievements and celebrating student successes in our school is an integral part of the reporting responsibility to the community.

However, we will respect your wish for privacy in this area. Please call the School should you have any questions or concerns. You may also notify the School in writing if you prefer that we do not use your student's name, picture and/or work product for presentations or other uses.

### PARENT'S RIGHT TO KNOW TEACHER QUALIFICATIONS

Parents have the right to request the following regarding their child's teacher(s):

- Licensure and certification information;
- Emergency or provisional status;
- Educational background; and
- Qualifications of instructional aides.

## SUSPENSION PROCEDURES

Rules of suspension and expulsion follow due process requirements as mandated by the laws of the State of Ohio.

### SUSPENSION

Out-of-school suspension is the removal of a student from school for a period of one to ten days.

While students are suspended from school, they shall be afforded the opportunity to complete missed classroom assignments. The student will have the opportunity to complete any classroom assignments missed due to the suspension, and the student shall receive at least partial credit for such completed assignments as determined from time to time by the School Administrator and teaching staff. In no event shall the student receive a failing grade on a completed assignment solely on the basis of the student's suspension. During suspension, students are not permitted to participate in extracurricular activities or be on any School property.

The Superintendent, Assistant Superintendent, or Superintendent designee may suspend a student. Prior to suspending a student, the Superintendent, Assistant Superintendent, or Superintendent designee must do both of the following:

1. Give written notice of the intention to suspend and the reasons for the intended suspension to the student. If the proposed suspension is based on a violation listed in Ohio Revised Code Section 3313.662(A) and the student is sixteen years of age or older, the notice must contain a statement that the School may seek to permanently exclude the student if the student is convicted of or adjudicated a delinquent child for that violation;

AND

2. Provide the student an opportunity to appear at an informal hearing before the Superintendent, Assistant Superintendent, or Superintendent designee and challenge the reasons for the intended suspension or otherwise explain. The hearing can happen immediately and can happen anywhere - the hall, office, classroom, etc.

Within one school day after the time of the student's suspension, the Superintendent, Assistant Superintendent, or Superintendent designee shall also provide written notice of suspension to the parent/guardian of the student and the treasurer of the Board. The notice shall contain:

1. The reasons for the suspension;
2. Notice of the right of the student or student's parent/guardian/custodian to appeal to the Board or the Board's designee;
3. Notice that the student/parent/guardian/custodian has the right to be represented in all appeal proceedings;
4. Notice of the right to be granted an appeal hearing before the Board or the Board's designee to be heard against the suspension;
5. Notice of the right to request that the hearing be held in executive session;
6. Notice that the School may seek the student's permanent exclusion if the suspension was based on a violation listed in Ohio Revised Code Section 3313.662(A) that was committed when the student was sixteen years of age or older and if the student is convicted of or adjudicated a delinquent child for that violation; and
7. The date and manner by which a student or parent/guardian/custodian may notify the Board of their intent to appeal the suspension. If the student or parent/guardian wishes to appeal the suspension, the request must be submitted, in writing, to the principal within five (5) school days of the written notice of suspension. The principal shall immediately forward this written appeal to the Board and Board's appeal hearing designee.

If there are fewer than ten (10) school days remaining, the out-of-school suspension may not be applied to the following school year, but the School leader may require the student to participate in a community service program or other alternative consequences for a number of hours equal to the remaining period of the suspension.

## WEAPONS EXPULSION

A student must be expelled for one year for:

- Bringing a firearm to the School or onto School Property (any Property owned, used, or leased by the School for school, school extra-curricular activities, or school-related events).

A student may be expelled for a period not to exceed one year for:

- Bringing a firearm to an interscholastic competition, an extracurricular event, or any other School program or activity that is not located at the School or on School Property.
- Possessing a firearm at School, on School Property, or at an interscholastic competition, an extracurricular event, or any other School program or activity in which a firearm was initially brought onto the property by another person.
- Bringing a knife capable of causing serious bodily injury to School, onto School Property, an interscholastic competition, an extracurricular event, or any other program or activity sponsored by the School or in which the School is a participant.
- Possession of a knife capable of causing serious bodily injury at School, on School Property, or at an interscholastic competition, an extracurricular event, or any other program or activity sponsored by the School or in which the School is a participant in which a knife capable of causing serious bodily injury was initially brought onto the property by another person.
- Committing an act while at School, on School Property, at an interscholastic competition, an extracurricular event, or any other School program or activity that is a criminal offense when committed by an adult that results in serious physical harm to persons or serious physical harm to property.
- Making a bomb threat to a school building or to any premises at which a School activity is occurring at the time of the threat.

Firearm has the same meaning as provided pursuant to the "Gun Free Schools Act of 1994". At the time this policy was adopted, the above-referenced statute defined a firearm as any weapon (including a starter's gun) which will or is designed to or may readily be converted to expect a projectile by the action of an explosive, including the frame or receiver of any such weapon; and any firearm muffler or silencer; or any destructive device. If the definition of a firearm as provided by the "Gun Free Schools Act of 1994" changes, then the definition set forth in this policy shall automatically change to conform to it.

Knife is defined as a cutting instrument consisting of a sharp blade or edge, not to include scissors, wire cutters, or other similar tools determined by the principal(s) to be necessary for the school setting at a particular building or grade level, if used only for the necessary purpose.

The specific circumstances under which the Superintendent may, in his/her discretion, reduce a one-year expulsion may include: the student was unaware that he/she brought or was in possession of a firearm or knife capable of causing serious bodily injury; the student legitimately did not understand that the item he/she brought or possessed was a firearm or knife capable of causing serious bodily injury; a recommendation from qualified individuals concerning circumstances that justifiably mitigate the student's culpability.

## PERMANENT EXCLUSION

A student may be permanently excluded from school if the student is convicted of, or adjudicated a delinquent child for, committing, when the student was sixteen years of age or older, an act that would be a criminal offense if committed by an adult and if the act is any of the following:

1. A violation of section 2923.122 of the Revised Code;
2. A violation of section 2923.12 of the Revised Code, of a substantially similar municipal ordinance, or of section 2925.03 of the Revised Code that was committed on property owned or controlled by, or at an activity held under the auspices of, a board of education of a city, local, exempted village, or joint vocational school district;
3. A violation of section 2925.11 of the Revised Code, other than a violation of that section that would be a minor drug possession offense, that was committed on property owned or controlled by, or at

an activity held under the auspices of, the board of education of a city, local, exempted village, or joint vocational school district;

4. A violation of section 2903.01, 2903.02, 2903.03, 2903.04, 2903.11, 2903.12, 2907.02, or 2907.05 or of former section 2907.12 of the Revised Code that was committed on property owned or controlled by, or at an activity held under the auspices of, a board of education of a city, local, exempted village, or joint vocational school district, if the victim at the time of the commission of the act was an employee of that board of education;
5. Complicity in any violation described in (1), (2), (3), or (4) above that was alleged to have been committed in the manner described in (1), (2), (3), or (4) above, regardless of whether the act of complicity was committed on property owned or controlled by, or at an activity held under the auspices of, a board of education of a city, local, exempted village, or joint vocational school district.

## DISABILITIES COMPLIANCE

The School will comply with all laws and regulations presented in the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, and the Individual with Disabilities Education Improvement Act of 2004. Discipline procedures for students having a disability will follow the procedures outlined in the Individuals with Disabilities Education Improvement Act of 2004 or such successor or replacement law.

## WITHDRAWAL PROCEDURES

If any student fails without legitimate excuse to participate in 72 consecutive school hours, they will be automatically withdrawn from the school in accordance with Ohio law.

To initiate a voluntary withdrawal process from Pathfinder Career Academy, the Student's Guardian must request, complete, and sign an Intent to Withdrawal Form obtained from the School and submit it to the School at [studentrecords@pathfinderOH.org](mailto:studentrecords@pathfinderOH.org). This signed form gives official notice of the intent to withdraw.

Except as prohibited by law, the Student's grades and credits will not be released until all outstanding fees or obligations are met, including the return of all textbooks, equipment, and other materials.

All computer hardware shall be returned.

It is against the policy of the Ohio Department of Education for a student to be simultaneously enrolled in Pathfinder Career Academy and another school district; therefore, the Parent is responsible for completing a withdrawal form before his/her student becomes enrolled in another school. It is critical that the Parent send Pathfinder Career Academy a written request for withdrawal as soon as the decision to withdraw a student has been made.

## ENGAGEMENT

In order for students in an online school to be successful, it is necessary for them to be continuously engaged in the education process. Regular completion of diagnostic assessments is essential for the promotion of student development and instrumental to the development and implementation of targeted instructional techniques. Moreover, regular live class participation and the submission of classroom

assessments allows instructional staff additional insight into student development and affords students another opportunity to ask questions and demonstrate academic growth.

Periodically, throughout the school year, the school implements iReady, or other diagnostic assessments to ascertain student ability and development and to target instruction. Students shall be given the opportunity to complete such assessments within a reasonable amount of time which is consistent with the purpose of administering the assessment. Students are required to complete all diagnostic assessments.

Pathfinder Career Academy assesses Student Engagement levels via a combination of the following:

- Completion of diagnostic assessments\*
- Course assignments and assessments
- Local assessments
- Attendance in live instructional sessions
- Participation in state-mandated testing\*

\*Participation in diagnostic assessments and state-mandated tests is non-negotiable and is weighted most heavily in the determination of student engagement level.

## DIAGNOSTIC ASSESSMENTS

Diagnostic Assessments are assessments aligned with the Ohio academic content standards and model curriculum designed to measure student comprehension of academic content and mastery of related skills for relevant subject areas.

- A. Any Student who transfers to the School if his/her former school did not administer each applicable diagnostic assessment to the Student in the current school year (the applicable assessment must be administered within thirty (30) days from the date of transfer); and
- B. Previously home-schooled Students enrolling at the School to determine their appropriate grade level placement.

## COURSE ASSIGNMENTS AND ASSESSMENTS

It is critical for student success to complete course assignments and assessments regularly so teachers can monitor progress and ensure growth and mastery of state standards. Within each course, students should complete all items on the plan for the day and should stay on track with assignment due dates as set by the teacher. Students who do not follow minimum expectations of course completion will be referred to the engagement intervention protocol.

## LOCAL ASSESSMENTS

Periodically throughout the school year, the school implements diagnostic/interim assessments, short-cycle assessments, and common mock assessments to determine student current levels of mastery and development and to target instruction. Students shall be given the opportunity to complete such assessments within a reasonable amount of time which is consistent with the purpose of administering the assessment. These timelines for completion will be communicated as each assessment is announced. Students are expected to complete all assessments given. Students who do not follow minimum expectations will be referred to the engagement intervention protocol.

## LIVE INSTRUCTIONAL SESSIONS

The curriculum at Pathfinder Career Academy is designed to provide flexibility to its students and allow them the opportunity to earn credit and complete assignments in their own time. However, students that attend and participate in live class sessions on a regular basis are typically more successful than students who do not. Students are provided a clear schedule for live opportunities in the core subjects of Math, English, Science, and Social Studies. Although live instructional sessions are recorded and made available to students for review on their own time, students are encouraged to attend live sessions as they are provided in real-time so that they can benefit from live discourse and collaborative work with students and teachers.

The School requires that per calendar month, students attend 50% of live instructional opportunities as outlined in the student's schedule. Students who do not meet minimum live instructional attendance expectations at the end of each month will be referred to our engagement intervention protocol.

## STATE-MANDATED TESTING

Any student who fails, without a legitimate excuse, to participate in state-mandated testing shall be expelled for a period of 80 school days. If there are fewer than 80 days remaining in the school year, the expulsion shall extend into the following school year. Parents and students are notified in advance of the schedule and location of required testing. Although the School undertakes to make testing facilities easily accessible to parents/students, it is the parent/student's obligation to provide transportation to testing facilities, and a failure to attend required testing will not be excused for transportation reasons except in extreme circumstances.

## FOLLOW THROUGH AND EFFECT OF EXPULSION

Ohio law requires the principal to follow through with expulsion proceedings when a student has committed an act warranting expulsion under the school's policies, even if the student withdraws from school prior to the hearing on the decision to impose the expulsion. Pathfinder Career Academy is required to provide notice of the reasons for and the duration of any expulsion to the next school that such a student seeks to enroll in. When a student is expelled from school pursuant to this policy, the school shall cease to provide learning opportunities to the student, and the student shall be considered withdrawn as of the effective date of the expulsion.

## ENGAGEMENT INTERVENTION PROGRAM

The Student Success team provides timely coordination of support services identified to address the specific engagement needs of the student and family to promote positive academic outcomes. The student success team members will continuously monitor student progress to evaluate and adapt the support plan as needed. Participation is required to ensure student success.

## SUPPORT TIERS

### **Tier 1:** General school-wide prevention and programming

At Tier 1, the focus is on universal engagement through school-wide preventative measures and teacher support. Students and families are expected to adhere to school policies regarding attendance, engagement, assignment completion, and communication. Teachers implement interventions as needed, documenting any emerging student needs.



## **Tier 2: Student Support Needs Identified: Student Engagement Plan Implemented**

Engagement or course progress concerns require student and family to receive additional interventions, supports and progress monitoring through individual check ins and/or small group sessions. The assigned Success Coach collaborates with the student and family to address the identified issue and a Student Engagement Plan is developed and implemented.

- Intervention methods are identified with the student and Learning Coach.
- The Success Coach will facilitate the process, monitor progress, and provide regular, formal follow-up.

## **Tier 3: Continued Student Support Protocol: Action Plan & Accountability**

After several weeks of engagement at Tier 2, if the family fails to comply with the Student Engagement Plan, Tier 3 intervention is initiated. This involves reinforcing the engagement protocol and holding the family accountable for meeting the student's personal and educational needs. An intensive Student Engagement Plan will be implemented based on two or more of the following factors: academic performance, engagement, teacher referral, behavioral concerns, and/or credit deficiency.

- During this period, focus will remain on enhancing academic growth through identifying any barriers interfering with a student's education, setting specific goals, and creating an action plan to provide additional accountability. Students on this plan can expect to be in close and frequent contact with their Success Coach to form a partnership that serves to balance the weight of sustaining educational growth by working communally.

## **Tier 4: Administrative Action**

If all available resources and interventions are exhausted without success, and the student and family remain disengaged and not compliant, Tier 4 administrative review and action is warranted. Students at Tier 4 are referred to administration and are at risk of being disenrolled from the program.

## **WORK PERMITS FOR MINORS**

Ohio law requires that employed minors between 14 and 18 years of age obtain a work permit. A new work permit is required each time the place of employment changes. An 18-year old does not have to have a work permit even if they are still a student. Once a student graduates, or receives a GED, a work permit is no longer required regardless of age. Minors 14 and 15 years of age must attend a full school day and may only work three hours a day after school, 8 hours a day on Saturday and Sunday, but not more than 18 hours a week. Students who have had a truancy filing must provide a copy of a court order indicating that their truancy case was closed or dismissed.

1. Every minor fourteen (14) to eighteen (18) years of age must have a work permit, unless otherwise stated in Chapter 4109.

- a) The application for minor work permit form is a prerequisite for the minor work permit. It contains employer and job information, employer pledge and parental consent.
- b) The physician certificate or evidence of a physical exam on file with the school.
- c) The minor, parent, or even employer may print the form(s) from the web site.



**d)** The forms should be completed in their entirety by each party and signed. **The employer's tax ID number is mandatory.** Unsigned forms should not be accepted by the school. The physician certificate may or may not be needed depending on the minors health or athletic physical exam history.

**e)** The minor should return the completed form to the designated school personnel who will then issue the minor work permit based in part on the information contained on the pre-application.

2. The employer must return the working permit to the Superintendent of Schools within three (3) days after the termination of the minor.

3. Students must maintain good academic standing (at least a C average in all enrolled courses) and attendance in order to possess a valid work permit. If issues arise regarding the prior terms mentioned, the student will be in jeopardy of their work permit being revoked. A student will have 30 days to improve their academic standing/attendance. After 30 days and documented improvement, the work permit may be reissued.

4. If a parent or guardian has any concerns regarding this policy, a meeting can be requested by the parent/guardian to discuss specific questions and scenarios on a case-by-case basis.

## TECHNOLOGY AND ACCEPTABLE USE POLICY

The use of technology is a privilege and an important part of the Pathfinder Career Academy overall curriculum. Advances in telecommunications and other related technologies have fundamentally altered the ways in which information is accessed, communicated, and transferred in society. Such changes are driving the need for educators to adapt their means and methods of instruction, and the way they approach student learning, to harness and utilize the vast, diverse, and unique resources available on the Internet. Pathfinder Career Academy will offer each student a school provided computer. If the school provided computer is declined this policy also applies to privately-owned devices accessing the at Pathfinder Career Academy domain/network. Pathfinder Career Academy will not be liable for communication sent via personal devices. The Pathfinder Career Academy will provide a computer that meets the requirements of the educational program.. The Pathfinder Career Academy will, from time to time, make determinations on whether specific uses of technology are consistent with program policies for students and employees. Pathfinder Career Academy always reserves the right to monitor and log technology use, to monitor cloud storage utilization by users and examine specific network usage (as may be deemed necessary) for maintenance, safety or security of the technology resources or the safety of the user. It is the policy of The Pathfinder Career Academy to:

- Prevent users from accessing or transmitting access over its computer network to, or transmission of, inappropriate material via internet, electronic mail, or other forms of direct electronic communications.
- Prevent unauthorized access and other unlawful online activity and damage to program resources.
- Prevent unauthorized online disclosure, use or dissemination of personal identification information of minors; and
- Comply with the Children's Internet Protection Act [Publ. L. No. 106-554 and 47 USC 254(h)].
- Provide students with resources to help them make sound decisions regarding appropriate behavior and conduct on-line. We encourage you to study the International Society for Technology in Education Standards at: <https://www.iste.org/standards/for-students>

## ACCESS TO INAPPROPRIATE MATERIAL

To the extent practicable, technology protection measures are used to block or filter internet access to, or other forms of electronic communications containing, inappropriate information. Filtering and maintenance, or blocking, is applied to visual depictions of material deemed obscene, child pornography, or to any material deemed harmful to minors, as defined by the Children's Internet Protection Act (CIPA). The filter serves to block minors from accessing inappropriate matter on the internet and the worldwide web.

The installation of technology protection measures at the time of computer provisioning is mandatory and the internet filter will be set at a level determined by the School. Thereafter, it will be the guardian's responsibility to monitor computer usage for compliance with Pathfinder Career Academy policies and the Children's Internet Protection Act. The technology protection measures may be disabled only for bona fide research or other lawful purposes as approved by administration. Additionally, it shall be the responsibility of all members of Pathfinder Career Academy staff to supervise and monitor usage of the online computer network and access to the internet and ensure that the same is in accordance with this policy, including any e-mails, chat room discussions, electronic communications, and webcam usage.

By using the filter program, as well as staff monitoring student use, Pathfinder Career Academy is attempting to provide a safe and secure medium by which students can use the internet, world wide web, electronic mail, chat rooms and other forms of direct electronic communications. To the extent practicable, steps are taken to promote the safety and security of users of the Pathfinder Career Academy. Other inappropriate network usage Pathfinder Career Academy intends to eliminate includes:

- Unauthorized access, including so-called 'hacking', and other unlawful activities; and
- Unauthorized disclosure, use and dissemination of personal identification information regarding minors.

By signing the Parent/Student Handbook agreement form, the Parent and Student agree:

- To abide by all The Pathfinder Career Academy policies relating to the use of technology.
- To release all The Pathfinder Career Academy employees from all claims of any nature arising from the use or inability to use the technology.
- That the use of technology is a privilege; and
- That use of the technology will be monitored and there is no expectation of privacy whatsoever in any use of the technology.

The Parent/student further agrees and understands that the user may have his/her privileges revoked or other disciplinary actions taken against them for actions and/or misuse such as, but not limited to, the following.

- Altering system technology, including but not limited to, software or hardware.
- Placing unauthorized information, computer viruses or harmful programs on or through the computer system in either public or private files or messages.
- Obtaining, viewing, downloading, transmitting, disseminating, or otherwise gaining access to or disclosing materials Pathfinder Career Academy believes may be unlawful, obscene, pornographic, abusive, or otherwise objectionable.
- Using technology resources for commercial, political, or other unauthorized purposes since Pathfinder Career Academy technology resources are intended only for educational use.

- Intentionally seeking information on, obtaining copies of, or modifying files, other data or passwords belonging to other users.
- Disrupting technology through abuse of the technology including, but not limited to, hardware or software.
- Malicious uses of technology through hate mail, harassment, profanity, vulgar statements or discriminating remarks; Interfering with others' use of technology.
- Installation of software without consent of Pathfinder Career Academy.
- Allowing anyone else to use an account other than the account holder.
- Sending unsolicited mail messages, including the sending of "junk mail" or other advertising material to individuals who did not specifically request such material ("email spam").
- Creating or forwarding "chain letters" or other "pyramid schemes" of any type, whether or not the recipient wishes to receive such mailings.
- Malicious e-mail including, but not limited to, "mail bombing" (flooding a user or site with very large or numerous pieces of email).
- Unauthorized use, or forging, of mail header information.
- Using The Pathfinder Career Academy or a client account to collect replies to messages sent from another Pathfinder Career Academy account.
- Use of program owned hardware for commercial or for-profit purposes.
- Use of program owned hardware for product advertisement or political lobbying; and
- Other unlawful or inappropriate behavior.

The user also acknowledges and agrees that he/she is solely responsible for the use of his/her accounts, passwords and/or access privileges, and that misuse of such may result in appropriate disciplinary actions (including but not limited to suspension or expulsion), loss of access privileges, and/or appropriate legal action. The user must also know and further agrees that:

- Should the user transfer a file, shareware or software that infects the technology resources with a virus and causes damage, the user will be liable for any and all repair costs.
- The user will be liable to pay the cost or fee of any file, shareware or software transferred or downloaded, whether intentional or accidental.
- Should the user intentionally destroy information or equipment that causes damage to technology resources the user(s) will be liable for all costs; and
- Violation of this internet safety policy is also a violation of The Pathfinder Career Academy Code of Conduct and may result in any other scholastic disciplinary action, other than those specifically set forth above, including but not limited to suspension or expulsion.

## SPECIFIC TERMS AND CONDITIONS FOR USING PROGRAM PROVIDED COMMUNICATION TOOLS

The Pathfinder Career Academy offers access to live web conferencing sessions, webcam, discussion boards, collaborative documents, IT Support live chat, and email to provide parents and students access to instruction and a forum in which to communicate. To protect all participants, all live web conference sessions and network e-mails are monitored and recorded. The Pathfinder Career Academy does not discourage criticism or healthy disagreements; however, Pathfinder Career Academy does expect each web conference session and e-mail participant to act civilly throughout such conversations and will not tolerate vulgarity, name-calling, or attacks upon other participants in any way. These expectations also apply to interactions with IT Support team members.

If, for any reason, The Pathfinder Career Academy does not believe that a Student/Parent or Guardian is acting in a manner that will enhance or support the mission of the School, it reserves the right to remove that person from the network (except for access to his/her teacher and course materials) in accordance with the penalty provisions provided below. Specifically, the School's in-home computers and internet connection should not be used for any of the following purposes and acting appropriately does not include:

- Making statements that are sexually explicit or grossly offensive, including blatant expression of bigotry, racism, hatred, or profanity.
- Indulging in abusive, defamatory, or harassing behavior; insults or personal attacks; threats of harm to anyone; promoting physical harm or injury to any group or individual.
- Promoting or providing information about illegal activities.
- Indulging in activities that infringe upon anyone else's copyright(s). Specifically, he/she cannot advocate illegal conduct or participate in illegal or fraudulent schemes.
- Using chat rooms to distribute unauthorized copies of copyrighted materials, including photographs, work, text, recordings, designs, or computer programs.
- Impersonating someone else or falsely representing oneself.
- Attempting to post or use computer programs that contain destructive features including, but not limited to viruses, worms, trojan horses, bot scripts, etc.
- Posting or transmitting unauthorized or unsolicited advertising, promotional materials, or any other forms of solicitation of other users; and
- Any other chat room behavior which, at the sole discretion of the Administrator, does not support the mission of the School.

While this is not a complete listing of every behavior that may be inappropriate, it gives some guidance regarding the types of actions and communications that are prohibited.

### INAPPROPRIATE TECHNOLOGY USE PENALTY SYSTEM

Violation of The Pathfinder Career Academy's Acceptable Use Policy may result in a warning, temporary, or permanent ban from the live web conferencing sessions, webcam, discussion boards, collaborative documents and or/email, depending on the severity of the infraction. The length of any temporary ban shall be at the sole discretion of the Administrator. Student access to content and instruction will not be impacted.

### SOCIAL MEDIA/COLLABORATIVE CONTENT TOOLS

Recognizing the benefits collaboration brings to education, The Pathfinder Career Academy may provide users with access to websites or tools that allow communication, collaboration, sharing and messaging among users. Users are expected to conduct themselves in an exemplary manner, using appropriate, safe and mindful language. Posts, chats, sharing and messaging may be monitored by staff. Users should be careful to never share personal information in an on-line forum.

Violation of The Pathfinder Career Academy's live web conference sessions, email, or webcam Policy may result in a warning, temporary, or permanent ban from the live web conferencing sessions, webcam, discussion boards, collaborative documents and or/email, depending on the severity of the infraction. The length of any temporary ban shall be at the sole discretion of the Administrator. Student access to content and instruction will not be impacted.

## STUDENT MISUSE

In addition to the penalties above, students who violate any Policy may be suspended or expelled in accordance with live web conferencing sessions, webcam, discussion boards, collaborative documents, and email Code of Conduct.

## LOST STOLEN OR DAMAGED DEVICES

Students are responsible for the device at all times. Any device that is misplaced or lost will attempt to be recovered. Students are ultimately responsible for any lost, stolen, or damaged devices. Guardians may be invoiced for any lost, stolen, or damaged device or associated components, unless theft has been determined.

## REPAIRING DEVICES

All repairs, inspections, and replacements of equipment MUST be made through IT Support. Do not attempt to remove or change the physical structure of the device, including the keys, screen, casing, etc. Doing so may result in guardians being responsible for the cost of repair or replacement.

## SCHOOL LOANED PROPERTY

- Computer and Charging Cord
- Special Education Assistive Technology

Each student enrolled in the School may receive one computer. If you choose to waive your right to a school provided computer, you will be asked to sign a Computer Waiver form at the time of enrollment. By signing this form, you indicate that you understand that the School is not in any way responsible for installing or maintaining any hardware, software, external connections or peripheral equipment associated with this computer. Furthermore, you indicate that you understand that if your equipment becomes inoperable there is a possibility that the School may not have a computer immediately available, in which case you accept the responsibility for finding a suitable or temporary solution until the school is able to furnish a computer.

## RETRIEVAL OF SCHOOL ISSUED COMPUTERS

Consistent with established educational policies enacted by School Boards throughout the United States, the School seeks to protect its property and usage interests through the following policies. Please note that as part of the handbook acknowledgement the Parent and/or student also consents that student computers may be activated with geolocation features to assist in the retrieval/recovery of school issued computers.

Tech Support representatives will contact a parent to commence computer recovery when any of the following occurs:

- A Parent's written notice of the intent to withdraw has been received.
- A student is withdrawn by the School for lack of engagement or non-attendance.
- A replacement is required due to a technical issue.
- A student graduates from the School; or
- A student is expelled.

Within thirty (30) days after four (4) corresponding authenticated attempts of recovery by an authorized School de-installer, written notification will be sent to the Parent/Guardian noting that the following actions may be taken:

- With the appropriate law enforcement agency, a police report will be filed in order to recover the computer, accessories and all other material and property from the Parent/Guardian.
- A credit complaint will be filed against the Parent to the three major credit reporting agencies: and
- Other legal action may be taken to secure the return of the School's property and materials, including civil and criminal actions.
- Additionally, failure to return the School's Property may result in a fine being placed against the student's account, and the School shall withhold all official student records until either the fine is paid, or the School's Property is returned.

### VOLUNTARY WITHDRAWAL

The textbooks, computers, software, hardware and other materials loaned to the parent and/or student are property of the School. No student and/or Parent have any right to the same except for usage in strict accordance with the School's educational model, Code of Conduct, rules, regulations, policies and procedures. Students and Parents are responsible for the textbooks, computers, software, hardware and other materials loaned to the parent and/or student within their possession from the moment of receipt until all items have been officially returned to the School. Parents must return the materials and property if their child or children are withdrawn from the program or expelled.

All students will be loaned various equipment, supplies and services from the School which have been determined to be necessary to ensure the functionality and connectivity of the educational program. Materials and property must be used solely in connection with the education services provided by the School.

### COMPLAINT PROCESS

The Pathfinder Career Academy is committed to fostering and achieving student/ family satisfaction. The Pathfinder Career Academy does not discriminate based on a protected class, including but not limited to race, color, national origin, age, religion, disability, or sex (including sexual stereotype nonconformity), in the programs or activities in which it operates or the employment therein or admission thereto. The school strictly adheres to all non-discrimination and anti-harassment laws and does not tolerate acts of harassment.

The following procedure ensures that student/family grievances are addressed fairly by the appropriate people in a timely manner. The Pathfinder Career Academy has designated several staff members as coordinators of non-discrimination and anti-harassment. The coordinators are responsible for monitoring and ensuring compliance with all non-discrimination and anti-harassing laws. The coordinators shall document all reports of discrimination or harassment and establish a protocol for recordkeeping.

Step 1: The student and parent(s), custodian(s), or legal guardian(s) should address in writing any concern or grievance to the Head of School. The Head of School will respond within ten (10) working days. If the concern or grievance is not resolved by the Head of School, the parent(s), custodian(s), or legal guardian(s) may request a meeting (via phone or in person) with the Head of School to discuss the concern or grievance. The meeting request must be in writing. The Head of School shall investigate and respond

within ten (10) working days. The Head of School contact information is in the school handbook and is listed in the Help section of the school's AMP learning system.

Step 2: If the family's concern is not resolved at the meeting with the Head of School, the family may file a complaint with the district superintendent.

## NON-DISCRIMINATION AND TITLE IX/SECTION 504 NOTICE

The School provides an equal opportunity for all students to learn regardless of race, color, creed, disability, religion, sex, ancestry, national origin, social or economic background, or other legally protected category. It is the intention of the School to comply with Title IX of the Education Amendments Act of 1972. All employees shall report to the Title IX coordinator at any time the employee has notice of sexual harassment, including allegations of sexual harassment.

The Title IX Grievance Procedure below is meant to provide for timely and equitable resolution of complaints. The School shall respond promptly to Title IX sexual harassment in a manner that is not deliberately indifferent. This means that the School's response will not be considered unreasonable in light of the known circumstances.

Any individual may report allegations of sex discrimination, including sexual harassment (victim or third-party), by any means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time by using the contact information listed for the Title IX Coordinator.

A School employee or School official receives notice of sexual harassment or allegations of sexual harassment, they shall immediately report it to the Title IX Coordinator.

## GRIEVANCE PROCESS FOR COMPLAINTS NOT ALLEGING SEXUAL HARASSMENT

### Level I

If a student or employee (the "grievant") believes there is a Title IX grievance, they may present the grievance to the Coordinator. The alleged grievance shall be investigated by the Title IX Coordinator, and they shall meet with the grievant and attempt to resolve the matter informally. The decision on the grievance shall be delivered orally to the grievant.

### Level II

If the grievant believes that the grievance has not been resolved appropriately, they may make a statement in writing of the alleged grievance to the Governing Authority of the School. This statement must be filed within ten (10) days of the date of the Title IX Coordinator's decision. The statement shall state the nature of the alleged grievance and the relief sought. If the grievant is a student, the Coordinator shall assist in the preparation of the statement and submission to the Governing Authority within the appropriate time frame.

The Board or its designee (1-3 members of the Board) shall make a decision on the grievance and shall give that decision in writing to the Title IX Coordinator and the grievant.



### Level III

If the grievant is not satisfied with the decision of the Governing Authority, they may appeal it to the Office of Civil Rights. A complaint should be filed in writing and sent to Office for Civil Rights, U.S. Department of Education, 600 Superior Avenue East, Suite 750, Cleveland, Ohio 44114-2611. Any such written complaint must be filed within one hundred eighty (180) days from the date of the alleged discrimination.

## GRIEVANCE PROCESS FOR COMPLAINTS OF SEXUAL HARASSMENT

### Definitions

For purposes of this grievance process,

*"Complainant"* means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

*"Formal complaint"* means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the School investigate the allegation of sexual harassment. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the School with which the formal complaint is filed. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information listed for the Title IX Coordinator.

*"Respondent"* means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

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

1. An employee of the School conditioning the provision of an aid, benefit, or service of the School on an individual's participation in unwelcome sexual conduct (quid pro quo \_sexual harassment);
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the School's education program or activity; or
3. "Sexual assault" as defined in 20 U.S.C. 1092(:f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

*"Supportive measures"* means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the School's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the School's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security, and monitoring of certain areas of the campus, and other similar measures. The School must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that



maintaining such confidentiality would not impair the ability of the School to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

The following have been designated to handle inquiries regarding non-discrimination policies and can advise parents on the specific civil rights grievance procedure.

Title IX Coordinator  
Pathfinder Career Academy  
Head of School  
Marinise Harris  
[mharris@PathfinderOH.org](mailto:mharris@PathfinderOH.org)

Section 504 Coordinator  
Pathfinder Career Academy  
Head of School  
Marinise Harris  
[mharris@PathfinderOH.org](mailto:mharris@PathfinderOH.org)

#### PRESUMPTION OF NO RESPONSIBILITY

Throughout this grievance procedure, there shall be a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process. In addition, the School shall not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

The School must comply with this grievance process before the imposition of any disciplinary sanctions, or other actions that are not supportive measures, against a respondent.

The investigation of the grievance shall include an objective evaluation of all relevant evidence - including both inculpatory and exculpatory evidence - and credibility determinations may not be based on a person's status as a complainant, respondent, or witness. The standard of evidence to be used to determine responsibility will be a clear and convincing evidence standard.

#### GOOD CAUSE DELAY

There may be a temporary delay of the grievance process or a limited extension of time- frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

#### Level I - Response to Report

Upon receiving a report of sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint. The School will maintain as confidential any supportive measures

provided before or after the filing of a formal complaint or where no formal complaint has been filed, to the extent that maintaining such confidentiality would not impair the ability of the School to provide the supportive measures.

#### Level II - Formal Complaint

Upon receipt of a formal complaint (or later as additional allegations become known), the School will provide the following written notice to the parties who are known:

- A. Notice of the School's grievance process that complies with this section, including any informal resolution process.
- B. Notice of the allegations of sexual harassment potentially constituting sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known. The written notice must include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process. The written notice must inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence. The written notice must also inform the parties of any provision in the School's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of an investigation, the School decides to investigate allegations about the complainant or respondent that are not included in the foregoing notice provided, the School must provide notice of the additional allegations to the parties whose identities are known.

The School may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

#### INVESTIGATION

The Title IX Coordinator or his/her designated investigator will investigate the allegations in a formal complaint. When investigating a formal complaint and throughout the grievance process, the Title IX Coordinator or his/her designated investigator must:

- A. Remain neutral and impartial during the investigative process, and must not have a conflict of interest for or against complainant(s) or respondent(s);
- B. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the School and not on the parties provided that the School cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the School obtains that party's voluntary, written consent to do so for a grievance process (if a party is not an "eligible student," as defined in 34 CFR 99.3, then the School must obtain the voluntary, written consent of a "parent," as defined in 34 CFR 99.3);
- C. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
- D. Not restrict the ability of either party to discuss the allegations under investigation or to gather

and present relevant evidence;

- E. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding; however, the School may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;
- F. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews, or other meetings, with sufficient time for the party to prepare to participate;
- G. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the School does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to completion of the investigative report, the School must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least ten (10) business days to submit a written response, which the investigator will consider prior to completion of the investigative report;
- H. Keep party and witness identities confidential except as permitted by law or the Family Educational Rights and Privacy Acts (FERPA); and
- I. Create an investigative report within thirty (30) business days of receipt of a formal complaint that fairly summarizes relevant evidence and, at least ten (10) business days prior to a time of determination regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

#### QUESTION AND ANSWER PERIOD

After the School has sent the investigative report to the parties, the Title IX Coordinator or his/her designated investigator shall submit the investigative report to the Regional Vice President as decision-maker to reach a determination regarding responsibility. The decision-maker cannot be the same person(s) as the Title IX Coordinator or the investigator(s).

Before reaching a determination regarding responsibility, the Regional Vice President must afford each party five (5) business days to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. However, questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The Regional Vice President must explain to the party proposing the questions any decision to exclude a question as not relevant.

## DISMISSAL

The School must investigate the allegations in a formal complaint. If the conduct alleged in the formal complaint would not constitute sexual harassment even if proved, did not occur in the School's education program or activity, or did not occur against a person in the United States, then the School must dismiss the formal complaint with regard to that conduct for purposes of sexual harassment under Title IX. However, such a dismissal does not preclude action under another provision of the School's code of conduct.

The School may also dismiss the formal complaint or any allegations therein, if at any time during the investigation: a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein; the respondent is no longer enrolled or employed by the School; or specific circumstances prevent the School from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon a dismissal, the School will promptly send written notice of the dismissal and reason(s) therefore simultaneously to the parties.

## DETERMINATION REGARDING RESPONSIBILITY

The Regional Vice President as decision-maker must issue a written determination regarding responsibility within fifteen (15) business days of the conclusion of the question and answer period.

The written determination must include:

- A. Identification of the allegations potentially constituting sexual harassment;
- B. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;
- C. Findings of fact supporting the determination;
- D. Conclusions regarding the application of the School's code of conduct to the facts;
- E. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the School imposes on the respondent, and whether remedies designed to restore or preserve equal access to the School's education program or activity will be provided by the School to the complainant; and
- F. The School's procedures and permissible bases for the complainant and respondent to appeal.

The School must provide the written determination to the parties simultaneously. The determination regarding responsibility becomes final either on the date that the School provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

If a determination of responsibility for sexual harassment has been made against a respondent, the School will provide remedies to a complainant. The Title IX Coordinator is responsible for effective implementation of any remedies. Possible remedies to the complainant that the School may implement include: counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures or individualized services offered as may be appropriate and reasonably available, without fee or charge to the complainant, that are designed

to restore or preserve equal access to the School's education program or activity, to protect the safety of the complainant or the School's educational environment, or to deter sexual harassment.

Possible disciplinary sanctions the School may implement following any determination of responsibility by the respondent may include: suspension, expulsion, reprimand, documenting the occurrence in the personnel file, referral to counseling, withholding of a promotion, demotion, reassignment, temporary suspension without pay, termination of employment, or any other disciplinary measures outlined in the School's code of conduct or Staff Handbook.

#### Level III-Appeal to Regional Vice President

Either the complainant or respondent, or their parent or guardian, may appeal from a determination regarding responsibility or from a dismissal of a formal complaint, or any allegations therein. Any such appeal shall be in the form of a written statement challenging the outcome and be received by the Title IX Coordinator within ten (10) business days of the determination.

The appeal may be on one or more of the following bases:

- A. Procedural irregularity that affected the outcome of the matter;
- B. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- C. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

The Title IX Coordinator shall give the written appeal to the Regional Vice President for decision.

Within three (3) business days of receipt, the Title IX Coordinator shall also provide notice to the other party in writing that the appeal was filed. The other party shall then be provided five (5) business days to submit a written statement in support of, or challenging, the outcome.

Within fifteen (15) business days after the time for the other party to submit a written statement has passed, the Regional Vice President shall issue a written decision describing the result of the appeal and the rationale for the result and provide the written decision simultaneously to both parties.

For all appeals, the School must ensure that the decision-maker(s) for the appeal: (i) not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent; (ii) receive training on the definition of sexual harassment, the scope of the School's education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias; (iii) receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant; and (iv) receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

#### OFFICE FOR CIVIL RIGHTS

If the student (or their parent or guardian) or employee is not satisfied with the grievance process determination, he or she may appeal it to the Office for Civil Rights.

A student (or their parent or guardian) or employee who believes there is a basis for a grievance related to Title IX may file a written complaint with the Office for Civil Rights,

U.S. Department of Education, 600 Superior Avenue East, Suite 750, Cleveland, Ohio 44114-2611. Any such written complaint must be filed within one hundred eighty (180) days from the date of the alleged discrimination or, if this grievance procedure is utilized, within sixty (60) days after the last act of the grievance process.

### INFORMAL RESOLUTION PROCESS

The School may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment.

Similarly, the School may not require the parties to participate in an informal resolution process and may not offer an informal resolution process unless a formal complaint is filed. However, at any time prior to reaching a determination regarding responsibility the School may facilitate an informal resolution process that does not involve a full investigation and adjudication, provided that the School:

- A. Provides to the parties a written notice disclosing: the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;
- B. Obtains the parties' voluntary, written consent to the informal resolution process; and
- C. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

Any such informal resolution process should not exceed ten (10) business days.

### EMERGENCY REMOVAL

Nothing in this grievance procedure precludes the School from removing a respondent from the School's education program or activity on an emergency basis, provided that the School undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. However, this provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

### ADMINISTRATIVE LEAVE

Nothing in this grievance procedure precludes the School from placing a non-student employee respondent on administrative leave during the pendency of a grievance process. However, this provision may not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.

## RECORDKEEPING

The School must maintain for a period of seven years records of:

- A. Each sexual harassment investigation including any determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the School's education program or activity;
- B. Any appeal and the result therefrom;
- C. Any informal resolution and the result therefrom; and
- D. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The School must make these training materials publicly available on its website, or if the School does not maintain a website the School must make these materials available upon request for inspection by the public.

For each response to a report or formal complaint of sexual harassment in an education program or activity, the School must create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the School must document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the School's education program or activity. If the School does not provide a complainant alleging sexual harassment with supportive measures, then the School must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the School in the future from providing additional explanations or detailing additional measures taken.

## RETALIATION PROHIBITED

Neither the School, nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or this grievance procedure or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation or proceeding in this grievance procedure. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or this grievance procedure, constitutes retaliation.

The School must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

Complaints alleging retaliation may be filed according to the grievance procedures for sex discrimination complaints not alleging sexual harassment. The exercise of rights protected under the First Amendment does not constitute prohibited retaliation under this grievance procedure. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of this grievance procedure does not constitute prohibited retaliation under this grievance procedure, provided,



however, that a determination regarding responsibility alone is not sufficient to conclude that any party made a materially false statement in bad faith.

## PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA) NOTIFICATION

### DESCRIPTION OF INTENT

The school follows a philosophy of continuous improvement and honest, objective data analysis. This philosophy requires well-planned and sometimes independent research efforts to determine the effectiveness of the school's programs and strategies. From time to time, the school will collect and analyze student performance data and various measures of effectiveness. Families may also be asked to participate in surveys or focus groups. Such research shall always be undertaken ensuring student privacy is protected and in compliance with the PPRA. For example, the names of the student, parent, and family members will not be revealed, and results will only be reported in the aggregate or by sub-groupings of sufficient size so that anonymity of the participants is safeguarded.

### RIGHTS AFFORDED BY THE PPRA

The PPRA affords parents of minors' certain rights regarding the school's conduct of surveys, collection, and use of information for marketing purposes, and conduct of certain physical exams. These rights include the following:

The right to provide consent before students are required to submit to a survey that concerns one or more protected areas ("Protected Information Survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education. Protected areas include the following:

1. political affiliations or beliefs of the student or student's parent
2. mental or psychological problems of the student or student's family
3. sexual behavior or attitudes
4. illegal, antisocial, self-incriminating, or demeaning behavior
5. critical appraisals of others with whom respondents have close family relationships
6. legally recognized privileged relationships, such as with lawyers, doctors, or clergy
7. religious practices, affiliations, or beliefs of the student or parent/
8. income, other than as required by law to determine program eligibility

The right to receive notice and an opportunity to opt a student out of the following:

1. any other Protected Information Survey, regardless of funding
2. any nonemergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under state law
3. activities involving the collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others

The right to inspection, upon request and before administration or use, of the following:

1. Protected Information Surveys of students
2. instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes
3. instructional material used as part of the educational curriculum



## NOTIFICATION PROCEDURES

The school will work to develop and adopt policies regarding these rights in consultation with parent. The school will also work to protect student privacy in the administration of Protected Information Surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes.

The school will directly notify the parent of these policies annually in this PPRA Notice or after any substantive changes. The school will also directly notify by U.S. mail, e-mail, or other reasonably available method, the parents of students who are scheduled to participate in the specific activities or surveys described in this PPRA Notice and will provide an opportunity for the parent to opt students out of participation in the specific activity or survey. The school will make this notification to parents near the beginning of the school year if it has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, the parent will be provided reasonable notification of the planned activities and surveys covered by the PPRA and will be provided an opportunity to opt their students out of such activities and surveys. The parent will also be provided an opportunity to review any pertinent surveys.

The following is a list of the specific activities and surveys covered under this requirement:

- collection, disclosure, or use of personal information for marketing, sales, or other distribution
- administration of any Protected Information Survey funded in whole or in part by U.S. Department of Education
- any nonemergency, invasive physical examination, or screening as described above in the Rights Afforded by the PPRA

Where a student is scheduled to participate in these activities, the student will be notified as described above.

## REPORTING A VIOLATION

The parent/or student who believes his/her rights have been violated may file a complaint to the following:

Student Privacy Policy Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202

Inquiries concerning Title VI, Title IX, Section 504, and ADA may be referred to:

State Department of Education  
Office for Civil Rights Coordinator  
Contact Information TBD

OR

U.S. Department of Education  
Office for Civil Rights  
Lyndon Baines Johnson Department of Education Bldg

400 Maryland Avenue, SW  
Washington, DC 20202-1100

## DIRECTORY INFORMATION OPT-OUT

If you do NOT want the School to disclose directory information from your child's education records without your consent, you must notify us in writing within ten days of your receipt of this notice.

If the School has not designated directory information, no directory information will be released (see above).

Please do not make available my student's directory information without my prior written permission.

Student's Name: \_\_\_\_\_  
(Please PRINT)

Date: \_\_\_\_\_

Parent/Guardian Signature: \_\_\_\_\_

## FORMAL COMPLAINT OF SEXUAL HARASSMENT

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Name of the Individuals Involved in the Incident:

\_\_\_\_\_

Date and Location of the Alleged Incident: \_\_\_\_\_

Description of Conduct Constituting Sexual Harassment:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I acknowledge that the information I have provided is not false. Further, I acknowledge that if I knowingly make a false statement or submit false information, it will be in violation of the School's Bullying, Harassment, and Intimidation Policy.

Signature: \_\_\_\_\_ Date \_\_\_\_\_