

Book	Policy Manual
Section	43.1 Policies for the Board
Title	Revised DEFINITIONS
Code	po0100
Status	
Adopted	January 28, 2004
Last Revised	November 15, 2016

Revised Bylaw - Vol. 43, No. 1

0100 - DEFINITIONS

Whenever the following items are used in these bylaws, policies, and administrative guidelines, they shall have the meaning set forth below:

Administrative Guideline

A statement, based on policy, usually written, which outlines and/or describes the means by which a policy should be implemented and which provides for the management cycle of planning, action, and assessment or evaluation.

Agreement

A collectively negotiated contract with a recognized bargaining unit.

Apps and Services

Apps and services ("apps/services") are software (i.e., computer programs and applications) that support the interaction of personal communication devices (as defined in Bylaw 0100, below) or technology resources (as defined by Bylaw 0100, below) or information resources (as defined by Bylaw 0100, below) over a network, or client-server applications in which the user interface runs in a web browser. Apps and services are used to communicate/transfer information/data that allow students to perform actions/tasks that assist them in attaining educational achievement goals/objectives, enable staff to monitor and assess their students' progress, and allow staff to perform other tasks related to their employment. Apps and services also are used to facilitate communication to, from, and among and between staff, students, and parents, Board members and/or other stakeholders and members of the community.

Board

The Board of Education.

Bylaw

Rule of the Board for its own governance.

Classified Employee

An employee who provides support to the District's program and whose position does not require a professional license.

Compulsory School Age

A child between six (6) and eighteen (18) years of age or a child under six (6) years of age who has been enrolled in kindergarten unless at any time the child's parent or guardian, at the parent's or guardian's discretion and in consultation with the child's teacher and principal, formally withdraws the child from kindergarten.

District

The School District.

Due Process

The safeguards to which a person is entitled in order to protect their rights.

Educational Service Center Superintendent [LOCAL]

The Superintendent of Schools for the Clark County Educational Service Center Schools.

Full Board

Authorized number of voting members entitled to govern the District.

Information Resources

The Board defines Information Resources to include any data/information in electronic, audio-visual, or physical form, or any hardware or software that makes possible the storage and use of data/information. This definition includes, but is not limited to, electronic mail, voice mail, social media, text messages, databases, CD-ROMs/DVDs, websites, motion picture film, recorded magnetic media, photographs, digitized information, or microfilm. This also includes any equipment, computer facilities, or online services used in accessing, storing, transmitting, or retrieving electronic communications.

May

This word is used when an action by the Board or its designee is permitted but not required.

Meeting

Any prearranged discussion of the Board's public business by a majority of Board members.

Parent

The natural, adoptive, or surrogate parents or the party designated by the courts as the legal guardian or custodian of a student. Both parents will be considered to have equal rights unless a court of law decrees otherwise. When a student is the subject of a power of attorney or caretaker authorization affidavit executed by the student's grandparent(s), the term parents shall also refer to the grandparent designated as the attorney-in-fact under the power of attorney or the grandparent who executed the affidavit.

Although the grandparent shall have rights and responsibilities with regard to the care, physical custody, and control of the student, including the ability to enroll the student in school, to obtain from the District educational or behavioral information about the student, consent to all school-related matters, and consent to medical, psychological, or dental treatment for the student, the power of attorney does not convey legal custody of the grandchild to the grandparent and does not affect the rights of the parent, guardian, or custodian of the student in any future proceeding concerning the custody of the student or allocation of parental rights and responsibilities for the care of the student.

Likewise, although the grandparent shall have rights and responsibilities with regard to the care, physical custody, and control of the student, including the ability to enroll the student in school, to discuss with the District the student's educational progress, consent to all school-related matters, and consent to medical, psychological, or dental treatment for the student, the caretaker authorization affidavit does not convey legal custody of the grandchild to the grandparent and does not affect the rights of the student's parents, guardian or custodian regarding the care, physical custody, and control of the child.

Personal Communication Devices

Personal communication devices ("PCDs") are electronic communication devices powered by batteries or electricity that are capable of receiving, transmitting, or receiving and transmitting communication between individuals or groups that are not issued by the District for the purpose of instruction. Examples of PCDs include computers, laptops, tablets, e-readers, cellular telephones, cellular/mobile phones, smartphones, gaming devices, smartwatches and other wearable technology, and (–) telephone paging devices (e.g., beepers or pagers), (–) and/or other web-enabled devices used to communicate of any type. R.C. 3313.753

Policy

A general, written statement by the Board of Education which defines its expectations or position on a particular matter and authorizes appropriate action that must or may be taken to establish and/or maintain those expectations.

President

The ~~President~~ chief executive officer of the Board of Education. (See Bylaw ~~0152 - Officers~~ 0173 — Board Officers)

Principal

The educational leader and head administrator of one (1) or more District schools. In policy and administrative guidelines, implies delegation of designated responsibilities to appropriate members of the principal's staff.

Professional Staff Member

An employee who implements or supervises one (1) or more aspects of the District's program and whose position requires a professional credential from the Ohio State Board of Education, Division of Teacher Education and Licensing.

Relative

The mother, father, sister, brother, spouse, parent of spouse, child, grandparents, grandchild, or dependent in the immediate household as defined in the negotiated, collectively-bargained agreement.

Secretary

~~The chief clerk of the Board of Education.~~

Shall

This word is used when an action by the Board or its designee is required. (The word "will" or "must" signifies a required action.)

Social Media

Social media are online platforms where users engage one another and/or share information and ideas through text, video, or pictures. Social media consists of any form of online publication or presence that allows interactive communication including, but not limited to, text messaging, instant messaging, websites, web logs ("blogs"), wikis, online forums (e.g., chat rooms), virtual worlds, and social networks. Examples of social media include, but are not limited to, Facebook, Facebook Messenger, Google Hangouts, Twitter, LinkedIn, YouTube, Flickr, Instagram, Pinterest, Snapchat, Skype, and Facetime. Social media does not include sending or receiving e-mail through the use of District-issued e-mail accounts. Apps and services shall not be considered social media unless they are listed on the District's website as District-approved social media platforms/sites.

Student

A person who is officially enrolled in a school or program of the District.

Superintendent

The chief executive officer of the School District. In policy, implies delegation of responsibilities to appropriate staff members.

Technology Resources

The Board defines Technology Resources to include computers, laptops, tablets, e-readers, cellular/mobile telephones, smartphones, web-enabled devices, video and/or audio recording equipment, SLR and DSLR cameras, projectors, software and operating systems that work on any device, copy machines, printers and scanners, information storage devices (including mobile/portable storage devices such as external hard drives, CDs/DVDs, USB thumb drives and memory chips), the computer network, Internet connection, and online educational services and apps.

Textbook

This word is used to describe the learning material duly adopted and required as standard work for the study of a particular subject. It may be bound and printed with a hard or soft cover, or it may be electronic, e.g., computer software, interactive videodisc, magnetic media, CD ROM, computer courseware, online service, electronic medium, or other means of conveying information.

Treasurer

The chief fiscal officer of the District.

Vice-President

The Vice-President of the Board of Education. (See Bylaw **0152 - Officers**~~0173 — Board Officers~~)

Voting

A vote at a meeting of the Board of Education. The law requires that Board members must be physically present in order to have their vote officially recorded in the Board minutes. R.C. 3313.18, 3313.20

Citations to Ohio Statute are noted as R.C. (Revised Code). Citations to Rules of the State Board of Education are noted as A.C. (Administrative Code). Citations to the Federal Register are noted as FR, to the Code of Federal Regulations as C.F.R., and to the United States Code as U.S.C.

Revised 9/14/04

R.C. 3109.52, 3109.65

R.C. 3313.18, 3313.20, 3313.64, 3313.753

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Legal

R.C. 3109.52, 3109.65

R.C. 3313.18, 3313.20, 3313.64, 3313.753

Book	Policy Manual
Section	43.1 Policies for the Board
Title	Vol. 43, No. 1 - October 2024 Revised OATH
Code	po0142.1
Status	
Adopted	January 28, 2004

Revised Bylaw - Vol. 43, No. 1

0142.1 - OATH

Each member of the Board shall, before entering ~~the~~ his/her duties of office, take an oath to support the Constitution of the United States and the Constitution of the State of Ohio and to ~~perform~~-faithfully ~~and impartially perform~~ the duties of ~~the~~ his/her office.

[x] The oath of office shall be administered to new members by the Treasurer or a member of the Board.

[Cross References:

po0151

po0152]

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Legal	R.C. 3313.10
Cross References	po0151 - ORGANIZATIONAL MEETING po0152 - OFFICERS

Book	Policy Manual
Section	43.1 Policies for the Board
Title	OFFICERS
Code	po0152
Status	
Adopted	January 28, 2004

Revised Bylaw - Vol. 43, No. 1

0152 - OFFICERS

The Board of Education shall elect, from among its members, a President and Vice-President. Such election shall occur at the annual organization meeting. (See Bylaw 0151 - Organizational Meeting)

A. The President of the Board shall:

1. preside at all public meetings of the Board; (See Bylaw 0163 - Presiding Officer)
2. call special meetings of the Board (R.C. 3313.16);
3. appoint all committees;
4. sign notes, minutes, conveyances, contracts, and other legal instruments for which the signature of the President is called (R.C. 3313.51, 3315.08);
5. assist in the preparation of the Board agenda.

B. The Vice-President shall assume and discharge the duties of the President in the event of absence, disability, or disqualification.

C. A committee chairperson shall call meetings of the committee, keep informed on developments in activities under the committee's jurisdiction, and report to the Board for the committee.

Board Officers shall be elected by a majority vote of all members. Any member of the Board may nominate either themselves or another member for office.

~~The organizational meeting shall be called to order by the President Pro Tem who shall act as presiding officer.~~

~~[] The oath of office shall be administered to new members by the Treasurer or a member of the Board. R.C. 3313.10~~

~~The Board shall then proceed to the election of a President~~

~~(-) who may then take the chair.~~

~~and a Vice President.~~

~~(-) The President shall then take the chair.~~

~~Elections of officers shall be by roll call majority vote of members physically present taken by the Treasurer.~~

~~Where no such majority exists on the first vote, a second vote shall be cast for the two (2) candidates who receive the greatest number of votes.~~

Officers shall serve for one (1) year and until their respective successors are elected and shall qualify: (R.C. 3313.14)

In the event that the office of President becomes vacant, the Vice-President shall succeed the President and the position of Vice-President shall be filled in the same manner as the election conducted at the organizational meeting.

[Cross References:

po0100

po0151

po0163

po0165]

R.C. 3313.14, 3313.16, 3313.51

R.C. 3315.08

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Legal R.C. 3313.14, 3313.16, 3313.51
R.C. 3315.08

Cross References po0100 - DEFINITIONS
po0151 - ORGANIZATIONAL MEETING
po0163 - PRESIDING OFFICER
po0165 - BOARD MEETINGS

Book	Policy Manual
Section	43.1 Policies for the Board
Title	COMMITTEES
Code	po0155
Status	
Adopted	January 28, 2004

0155 - **COMMITTEES**

Committees of Board members shall, when specifically charged to do so by the Board, conduct studies, make recommendations to the Board, and act in an advisory capacity, but shall not take action on behalf of the Board. Whenever a majority of a committee and/or sub-committee meets for any pre-arranged discussion of public business of that committee or sub-committee, it shall abide by the Sunshine Law (R.C. 121.22). The law requires that the committee or sub-committee give public notice of each meeting as well as prepare, file, and maintain minutes of the proceedings. Such minutes shall also be available for inspection by the public. A committee may meet in executive session in accordance with the provisions of Bylaw ~~0166~~**0167** - Executive Session.

Committees shall consist of no more than two (2) members.

Each Board committee shall be convened by a chairperson, who shall report for the committee.

The President shall appoint at the organizational meeting members of the Board to standing committees where they shall serve a term of one (1) year.

Ad hoc committees may be created and changed at any time by the President or a majority of the members present at any meeting at which the need for a committee becomes evident.

Members of ad hoc committees shall serve until the committee is discharged.

[Cross Reference:

po0167.2]

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Legal R.C. 3313.16

Book	Policy Manual
Section	43.1 Policies for the Board
Title	Technical Correction PRESIDING OFFICER
Code	po0163
Status	
Adopted	January 28, 2004

Technical Correction Bylaw - Vol. 43, No. 1

0163 - PRESIDING OFFICER

The President shall preside at all meetings of the Board. In the absence, disability, or disqualification of the President, the Vice-President shall act instead; if neither person is available, any member shall be designated by a plurality of those present to preside. The act of any person so designated shall be legal and binding.

[Cross Reference:
po0152]

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Cross References po0152 - OFFICERS

Book	Policy Manual
Section	43.1 Policies for the Board
Title	NOTICE OF MEETINGS
Code	po0164
Status	
Adopted	January 28, 2004
Last Revised	December 18, 2018

0164 - **NOTICE OF MEETINGS**

- A. A schedule of the time and place of all regular meetings shall be posted annually on the District website, ~~published in the official newspaper(s),~~ and posted at the at the District office.

The notice shall also contain the following statement: "Upon request to the Superintendent, the District shall make reasonable accommodation for a disabled person to be able to participate in this activity."

- B. Notice of the time, place, and purpose of each special meeting shall be given to the news media twenty-four (24) hours in advance of the meeting, except that when an emergency requires the immediate official action of the Board, the member(s) calling the meeting shall immediately notify the media requesting such notice of the time, place, and purpose of the meeting and shall post the notice on the District website.
- C. Notice of meetings at which any specific type of public business is to be discussed shall be sent to all persons requesting such notice, provided that such persons supply the Board with stamped, addressed envelopes for the purpose.
- D. The Treasurer shall notify all Board members of each Board meeting no later than two (2) days in advance of the meeting. Such notice shall include the time, place, and purpose of the meeting.
- E. Posting such meeting material to the District's website shall establish a reasonable method whereby any person may determine the time and place of all regularly scheduled meetings and the time, place, and purpose of all special meetings.

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Legal R.C. 3313.16

Book	Policy Manual
Section	43.1 Policies for the Board
Title	Rescind REGULAR MEETINGS
Code	po0165.1
Status	
Adopted	January 28, 2004
Last Revised	January 14, 2020

Rescind Bylaw - Vol. 43, No. 1

~~0165.1~~ REGULAR MEETINGS

~~Regular meetings of the Board shall be public and held at least once every two (2) months. The time of such meeting shall be fixed at the organization meeting. R.C. 121.22, 3313.15~~

- ~~A. It shall be the responsibility of the Superintendent, in cooperation with the Board President, to prepare an agenda of the items of business to come before the Board at each regular meeting.~~
- ~~B. The agenda of the regular monthly meeting or special meetings shall be accompanied by a report from the Superintendent on information relating to the District with such recommendations as s/he shall make.~~

~~Each agenda shall contain the following statement:~~

~~"This meeting is a meeting of the Board of Education in public for the purpose of conducting the School District's business and is not to be considered a public community meeting. There is a time for public participation during the meeting as indicated in agenda item ____."~~

- ~~C. The agenda for each regular meeting shall be mailed or delivered to each Board member so as to provide proper time for the member to study the agenda. Generally, the agenda should be mailed no later than ____ days prior to the meeting, or delivered so as to provide time for the study of the agenda by the member. The agenda for a special meeting shall be delivered at least twenty four (24) hours before the meeting, consistent with provisions calling for special meetings.~~
- ~~D. The Board shall transact business according to the agenda prepared by the Superintendent and submitted to all Board members in advance of the meeting. The order of business may be altered and items added at any regular meeting by a majority vote of the members present.~~

E. Consent Agenda

~~The Board shall use a consent agenda to keep routine matters within a reasonable time frame.~~

~~The following routine business items may be included in a single resolution for consideration by the Board.~~

- ~~1. minutes of prior meetings~~
- ~~2. bills for payment~~
- ~~3. hiring of personnel~~
- ~~4. resolutions that require annual adoption, such as bank signatories, association membership(s), etc.~~
- ~~5. resignations and leaves~~

6. _____

~~A member of the Board may request any item be removed from the consent resolution. No vote of the Board will be required to remove an item from the consent agenda. A single member's request shall cause it to be relocated as an action item eligible for discussion.~~

~~F. Rescheduled Regular Meeting~~

~~The agenda for a rescheduled regular meeting shall be the agenda that had been established for that regular meeting and the agenda may be modified pursuant to "regular meeting" procedures detailed in Bylaw 0165.1—Regular Meetings.~~

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Book	Policy Manual
Section	43.1 Policies for the Board
Title	Rescind SPECIAL MEETINGS
Code	po0165.2
Status	
Adopted	January 28, 2004
Last Revised	December 18, 2018

Rescind Bylaw - Vol. 43, No. 1

~~0165.2—SPECIAL MEETINGS~~

~~Special meetings of the Board shall be public. R.C. 121.22~~

- ~~A. Special meetings, which include emergency meetings, shall be called by the President or the Treasurer or by two (2) members of the Board by serving a written notice of the time and place of such meeting upon each Board member at least two (2) days in advance of the meeting. The notice shall be signed by the official or members calling the meeting. R.C. 3313.16~~
- ~~B. The agenda for a special meeting is limited to the purpose(s) set forth in the public notice that is provided at least twenty four (24) hours in advance of the meeting. At the special meeting, the Board may only discuss those issues set forth on the agenda, whether in open session or executive session.~~
- ~~C. () Emergency meetings are a subset of special meetings of the Board and may be called by the President, Treasurer, or by two (2) members of the Board. Notice of the time, place, and purpose(s) of an emergency meeting will be given immediately to Board members and to the news media that have requested notification. The agenda for an emergency meeting is confined to the announced purpose(s) of the meeting.~~

~~DRAFTING NOTE: Emergency meetings are not addressed in State law; however, case law suggests that public bodies may convene this type of special meeting when a situation requires immediate official action. If such action is not actually necessary, eg., where a Board has waited until the last minute to act on a matter that could have been addressed earlier, courts have and may well again invalidate the action as a violation of the Open Meeting law. As such, emergency meetings should be carefully considered and we recommend consultation with legal counsel prior to calling one.}~~

Book	Policy Manual
Section	43.1 Policies for the Board
Title	New BOARD MEETINGS
Code	po0165
Status	

New Bylaw - Vol. 43, No. 1

0165 - BOARD MEETINGS

Regular Meetings

Regular meetings of the Board of Education shall be public and held at least once every two (2) months. The time of such meetings shall be fixed at the organization meeting. R.C. 121.22, 3313.15

Special Meetings

Special meetings of the Board shall be public. R.C. 121.22

- A. Special meetings, which include emergency meetings, shall be called by the President or the Treasurer or by two (2) members of the Board by serving a written notice of the time and place of such meeting upon each Board member at least two (2) days in advance of the meeting. The notice shall be signed by the official or members calling the meeting. R.C. 3313.16
- B. The agenda for a special meeting is limited to the purpose(s) set forth in the public notice that is provided at least twenty-four (24) hours in advance of the meeting. At the special meeting, the Board may only discuss those issues set forth on the agenda, whether in open session or executive session.

Emergency Meetings

Emergency meetings are a subset of special meetings of the Board and may be called by the President, Treasurer, or by two (2) members of the Board. Notice of the time, place, and purpose(s) of an emergency meeting will be given immediately to Board members and to the news media that have requested notification. The agenda for an emergency meeting is confined to the announced purpose(s) of the meeting.

[DRAFTING NOTE: Emergency meetings are not addressed in State law; however, case law suggests that public bodies may convene this type of special meeting when a situation requires immediate official action. If such action is not actually necessary, eg., where a Board has waited until the last minute to act on a matter that could have been addressed earlier, courts have and may well again invalidate the action as a violation of the Open Meeting law. As such, emergency meetings should be carefully considered and we recommend consultation with legal counsel prior to calling one.]

**[Cross Reference:
po0166]**

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Cross References po0166 - AGENDAS

Book	Policy Manual
Section	43.1 Policies for the Board
Title	New AGENDAS
Code	po0166
Status	
Adopted	January 28, 2004
Last Revised	December 18, 2018

New Bylaw - Vol. 43, No. 1

0166 - AGENDAS

Agenda

- A. It shall be the responsibility of the Superintendent, in cooperation with the Board President, to prepare an agenda of the items of business to come before the Board of Education at each regular meeting.
- B. The agenda of the regular monthly meeting or special meetings may include a report from the Superintendent on information relating to the District with such recommendations the Superintendent shall make.
- C. Each agenda shall contain the following statement:

"This meeting is a meeting of the Board of Education in public for the purpose of conducting the School District's business and is not to be considered a public community meeting. Public participation is governed by Board Bylaw 0169.1 - Public Participation at Board Meetings."
- D. The agenda for each regular meeting shall be provided to each Board member in advance within a reasonable period of time. Generally, the agenda should be provided no later than two (2) days prior to the meeting. The agenda for a special meeting shall be provided at least twenty-four (24) hours before the meeting.
- E. The Board shall transact business according to the agenda. The agenda may be modified in accordance with the Board's adopted parliamentary procedures at any regular meeting.

Consent Agenda

[DRAFTING NOTE: Use of consent agenda should be limited to routine items. This is an often litigated area of the Open Meetings Act. It is advised that you consult with legal counsel with specific questions about use of consent agendas.]

The Board may use a consent agenda to efficiently address routine matters. Items on the consent agenda will be reviewed during the meeting prior to action being taken.

Items on the consent agenda shall be limited to routine matters. The following routine business items may be included in a single resolution for consideration by the Board:

- A. minutes of prior meetings
- B. Treasurer's Report
- C. hiring of personnel
- D. resolutions that require annual adoption, such as bank signatories, association membership(s), etc.

E. resignations and leaves

F. instructional consent items (i.e. field trips, etc.)

A member of the Board may request any item be removed from the consent resolution. No vote of the Board will be required to remove an item from the consent agenda. A single member's request shall cause it to be relocated as an action item eligible for discussion.

Rescheduled Regular Meeting Agenda

The agenda for a rescheduled regular meeting shall be the agenda that had been established for that regular meeting and the agenda may be modified pursuant to agenda procedures detailed in this policy.

[Cross References:

po0165

po0169.1

po0169.2]

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Cross References

po0165 - BOARD MEETINGS

po0169.1 - PUBLIC PARTICIPATION AT BOARD MEETINGS

po0169.2 - OPEN MEETINGS/SUNSHINE LAW

Book	Policy Manual
Section	43.1 Policies for the Board
Title	Renumbered EXECUTIVE SESSION
Code	po0167.2
Status	
Adopted	August 13, 2013

Renumbered Bylaw - Vol. 43, No. 1

0167.20166 - EXECUTIVE SESSION

The Board ~~and~~ its committees and subcommittees reserve the right to enter into executive session solely to discuss one (1) or more of the following issues that are exempted from public sessions:

- A. consideration of the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee; or official
- B. investigation of charges or complaints against a public employee, official, licensee, or student unless such employee, official, licensee, or student requests a public meeting; except that consideration of the discipline of a Board member for conduct related to the performance of ~~their~~ **his/her** duties or ~~their~~ **his/her** removal from office shall not be held in executive session
- C. consideration of the purchase of property for public purposes, or sale or other disposition of unneeded, obsolete, unfit-for-use property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest
- D. discussion with the Board's legal counsel; of disputes involving the Board that are the subject of pending or imminent court action
- E. preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of employment
- F. matters required to be confidential by Federal law or regulations or State statutes
- G. specialized details of security arrangements and emergency response protocols where disclosure might reveal information that could jeopardize the District's security
- H. consideration of confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance, or to negotiations with other political subdivisions respecting requests for economic development assistance, provided that both of the following conditions apply:
 - 1. the information is directly related to a request for economic development assistance that is to be provided or administered under one of the statutes referenced in R.C. 121.22(G)(8)(1), or that involves public infrastructure improvements or the extension of utility services that are directly related to an economic development project, and
 - 2. an unanimous quorum of the Board or its subcommittee determines, by a roll call vote, that the executive session is necessary to protect the interests of the applicant or the possible investment or expenditure of public funds to be made in connection with the economic development project

No official action may be taken in executive session. R.C. 121.22

Collective bargaining meetings between employers and employee organizations are private and not subject to R.C. 121.22.
R.C. 4117.21

Audit conferences conducted by the Auditor of State or independent certified public accountants with District officials concerning the District's audit are exempt from R.C. 121.22.

An executive session will be held only at a regular or special meeting. After the meeting is convened, any member may make a motion for an executive session and must state the purpose or purposes of the session by citing one (1) or more of the reasons set forth above. If the session is to discuss a personnel matter listed in paragraph A above, the particular subject for which the session has been called must be identified in the motion. The motion does not need to name the person. Upon receiving a second to the motion and a majority roll-call vote of those present and voting, the chairperson shall declare the Board in executive session.

In keeping with the confidential nature of executive sessions, no member of the Board, committee or subcommittee shall disclose the content of discussions that take place during such sessions.

All members of the Board, committee(s) or subcommittee(s) are entitled to attend executive sessions. The Board, committee or subcommittee may invite any other person to attend an executive session.

Revised 1/3/06

Revised 5/27/14

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Book	Policy Manual
Section	43.1 Policies for the Board
Title	Renumbered/Revised USE OF PERSONAL COMMUNICATION DEVICES
Code	po0167.7
Status	

Renumbered/Revised Bylaw - Vol. 43, No. 1

0167.70167.2 - USE OF PERSONAL COMMUNICATION DEVICES

When performing their duties as a Board of Education member, regardless of whether the Board member is they are using a personally owned or Board owned personal communication device devices ("PCD") (PCDs) (as defined by Bylaw 0100) or District technology resources (as defined by Bylaw 0100), a Board member's members use of PCDs or District technology resources PCDs shall be in accordance with the following policies and administrative guideline :

- A. Policy 7530.02 - Staff Use of Personal Communication Devices
- B. Policy 7540.04 - Staff Technology Acceptable Use and Safety
- C. AG 7540.04 - Staff Education-Technology Acceptable Use and Safety

For purposes of this Bylaw, PCDs shall be defined as set forth in the above identified policies.

[Cross References:

po0100

po7530.01

po7530.02

po7540.04

po7542]

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Cross References	po0100 - DEFINITIONS
	po7530.01 - TITLE WILL DEPEND ON CHOICE OF V1 OR V2
	po7540.04 - STAFF TECHNOLOGY ACCEPTABLE USE AND SAFETY
	po7542 - ACCESS TO DISTRICT TECHNOLOGY RESOURCES AND/OR INFORMATION RESOURCES FROM PERSONAL COMMUNICATION DEVICES

Book	Policy Manual
Section	43.1 Policies for the Board
Title	Rescind BOARD OFFICERS
Code	po0173
Status	
Adopted	January 28, 2004

Rescind Bylaw - Vol. 43, No. 1

~~0173~~ BOARD OFFICERS

~~A. The President of the Board of Education shall:~~

- ~~1. preside at all public meetings of the Board;~~
- ~~2. call special meetings of the Board; R.C. 3313.16~~
- ~~3. appoint all committees;~~
- ~~4. sign notes, minutes, conveyances, contracts, and other legal instruments for which the signature of the President is called; R.C. 3313.51, 3315.08~~
- ~~5. assist in the preparation of the Board agenda.~~

~~B. The Vice President shall assume and discharge the duties of the President in his/her absence, disability, or disqualification.~~

~~C. A committee chairperson shall call meetings of the committee, keep informed on developments in activities under the committee's jurisdiction, and report to the Board for the committee.~~

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Book	Policy Manual
Section	EDGAR for the Board
Title	Revised CONFLICT OF INTEREST
Code	po1130
Status	
Adopted	January 28, 2004
Last Revised	May 24, 2016
Prior Revised Dates	Revised 1/3/06 Revised 11/17/15

Revised Policy - Vol. 43, No. 1 - UGG/EDGAR Revisions

1130 - CONFLICT OF INTEREST

A. The proper performance of school business is dependent upon the maintenance of unquestionably high standards of honesty, integrity, impartiality, and professional conduct by the Board of Education's members, and the District's employees, officers, and agents. Further, such characteristics are essential to the Board's commitment to earn and keep the public's confidence in the School District. For these reasons, the Board adopts the following guidelines to assure that conflicts of interest do not occur. These guidelines apply to all District employees, officers, and agents, including members of the Board. These guidelines are not intended to be all inclusive, nor to substitute for good judgment on the part of all employees, officers, ~~agents, and Board members~~ and agents.

1. No employee, officer, ~~agent or Board member~~ or agent shall engage in or have a financial or other interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with his/her duties and responsibilities in the school system.
2. Employees, officers ~~agents, and Board members~~ and agents shall not engage in business, private practice of their profession, the rendering of services, or the sale of goods of any type where advantage is taken of any professional relationship they may have with any student, client, or parents of such students or clients in the course of their employment or professional relationship with the ~~School~~ District.

Included, by way of illustration rather than limitation are the following:

- a. the provision of any private lessons or services for a fee
 - b. the use, sale, or improper divulging of any privileged information about a student or client gained in the course of the employee's, officer's ~~agent's, or Board member's~~ or agent's employment or professional relationship with the District through ~~the employee's, officer's, agent's, or Board member's~~ his/her access to ~~School~~ District records
 - c. the referral of any student or client for lessons or services to any private business or professional practitioner if there is any expectation of reciprocal referrals, sharing of fees, or other remuneration for such referrals
 - d. the requirement of students or clients to purchase any private goods or services provided by an employee, ~~officer, agent, or Board member~~ officer or agent or any business or professional practitioner with whom any employee, ~~officer, agent, or Board member~~ officer or agent has a financial or other relationship, as a condition of receiving any grades, credits, promotions, approvals, or recommendations
3. Employees, ~~officers, agents, or Board members~~ officers and agents shall not make use of materials, equipment, or facilities of the School District in private practice. Examples would be the use of facilities before, during, or after regular business hours for service to private practice clients, or the checking out of

items from an instructional materials center for private practice.

- B. Exceptions to Part A of this policy shall be approved by the Superintendent **before** entering into any private relationship.
- C. **No employee, officer, agent, or Board member with a real or apparent conflict of interest may participate in the selection, award, or administration of a contract supported by the Federal award. A conflict of interest includes when the employee, officer, agent, or Board member, any member of their immediate family, their partner, or an organization that employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from an entity considered for a contract.** ~~Employees, officers and agents can not participate in the selection, award, or administration of a contract supported by a Federal grant/award if s/he has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer or agent, any member of his/her immediate family, his/her partner, or an organization which employs or is about to employ any of the parties described in this section, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.~~

An employee, officer, agent, and Board member of the District may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors. ~~Employees, officers and agents can not solicit or accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.~~

- D. ~~If to the extent that~~ the District has a parent, affiliate, or subsidiary organization that is not a State, local government, or Indian tribe, the ~~School~~-District may not conduct a procurement action involving the parent, affiliate, or subsidiary organization if the ~~School~~-District is unable, or appears to be unable, to be impartial. **In conducting a procurement action involving a related organization.**
- E. Employees, **officers, agents, and Board members** ~~officers and agents~~ must **promptly** disclose any potential conflict of interest which may lead to a violation of this policy to the ~~School~~-District. Upon discovery of any potential conflict of interest, the ~~School~~-District will **promptly** disclose, in writing, the potential conflict of interest to the appropriate Federal ~~awarding~~-agency or, if applicable, the pass-through entity.

The District will also **promptly disclose whenever, in connection with the Federal award (including any activities or subawards thereunder), it has credible evidence of the commission of a violation of Federal criminal law involving fraud, conflict of interest, bribery, or gratuity violations found in Title 18 of the United States Code or a violation of the civil False Claims Act (31 U.S.C. 3729-3733). The disclosure must be made in writing to the Federal agency, the agency's Office of Inspector General, and pass-through entity. The District is also required to report matters related to recipient integrity and performance in accordance with Appendix XII of 2 C.F.R. Part 200** ~~disclose, in a timely manner, all violations of Federal criminal law involving fraud, bribery or gratuity that affect a Federal award to the appropriate Federal awarding agency or, if applicable, the pass-through entity.~~

- F. Employees, **officers, agents, and Board members** ~~officers and agents~~ found to be in violation of this conflict of interest policy will be subject to disciplinary action **up to and including termination, as permitted by applicable Board policy** ~~and may also face criminal charges and/or risk loss of State-issued licenses/permits.~~

Revised 1/3/06

Revised 11/17/15

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Legal

R.C. Chapter 102, 2921.42, 2921.43

Ohio Ethics Commission Advisory Opinions No. 92-014 and 2001-03

2 C.F.R. 200.112, 200.113, 200.318

Book	Policy Manual
Section	Special Update - H.B. 214 - November 2024
Title	PROTECTIONS OF INDIVIDUAL BELIEFS, AFFILIATIONS, IDEALS, OR PRINCIPLES OF POLITICAL MOVEMENTS AND IDEOLOGY
Code	po2265
Status	

2265 - PROTECTIONS OF INDIVIDUAL BELIEFS, AFFILIATIONS, IDEALS, OR PRINCIPLES OF POLITICAL MOVEMENTS AND IDEOLOGY

The Board of Education is committed to establishing a school and work environment that supports the free exchange of ideas and allows employees and students to maintain their own beliefs, affiliations, ideals, political opinions, and ideology without fear of repercussion.

To that end, the Board will not solicit or require employees or job applicants to affirmatively ascribe to or express opinions about specific beliefs, affiliations, ideals, principles concerning political movements, or ideology. The Board shall not use statements of commitment to specific beliefs, affiliations, ideals, or principles concerning political movements or ideology as part of any evaluation criteria for employees or job applicants, or as a factor in determining an employee’s career advancement, assignment, or job benefits.

Likewise, the Board shall not solicit or require current or prospective students who seek enrollment in the District to affirmatively ascribe to specific beliefs, affiliations, ideals, or principles concerning political movement or ideology, nor will the District use any statements of commitment to specific beliefs, affiliations, ideals, or principles concerning political movements or ideology to evaluate the student’s academic performance.

The Board maintains its authority to take disciplinary and other types of action against employees and students who violate State and Federal laws, including anti-discrimination laws, in accordance with Board Policy, administrative guidelines, (X) the provisions of an adopted collective bargaining agreement, **[END OF OPTION]** and the student code of conduct where applicable.

Nothing in this policy is intended to modify or limit an educator’s academic freedom, or an educator’s ability to research or write publications about specific beliefs, affiliations, ideals, or principles concerning political movements, ideology, or social actions.

This policy shall not prohibit, limit, or restrict the Board’s authority to consider a job applicant’s scholarship, teaching, or subject matter expertise in the applicant’s given field of study, nor does it limit the Board’s authority to offer an established character education program.

The Board shall make all policies, District guidance, and training materials used for students and employees on all matters regarding specific beliefs, affiliations, ideals, or principles concerning political movements or ideology publicly available unless such documents or materials contain protected legal communications or guidance.

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Legal	R.C. 3313.207, .208, .209
	R.C. 3319.614
	R.C. 5104.0112

Book	Policy Manual
Section	EDGAR for the Board
Title	Revised CONFLICT OF INTEREST
Code	po3113
Status	
Adopted	January 3, 2006
Last Revised	May 24, 2016
Prior Revised Dates	Revised 11/17/15

Revised Policy - Vol. 43, No. 1 - UGG/EDGAR Revisions

3113 - CONFLICT OF INTEREST

A. The proper performance of school business is dependent upon the maintenance of unquestionably high standards of honesty, integrity, impartiality, and professional conduct by ~~the~~ Board of Education's members, and the District's employees, officers, and agents. Further, such characteristics are essential to the Board's commitment to earn and keep the public's confidence in the School District. For these reasons, the Board adopts the following guidelines to assure that conflicts of interest do not occur. These guidelines apply to all District employees, officers, and agents, including members of the Board. These guidelines are not intended to be all inclusive, nor to substitute for good judgment on the part of all employees, ~~officers, agents, and Board members~~ ~~officers and agents~~.

1. No employee, ~~officer, agents, or Board member~~ ~~officer or agent~~ shall engage in or have a financial or other interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with ~~his/her~~ duties and responsibilities in the school system.
2. Employees, ~~officers, agents, and Board members~~ ~~officers and agents~~ shall not engage in business, private practice of their profession, the rendering of services, or the sale of goods of any type where advantage is taken of any professional relationship they may have with any student, client, or parents of such students or clients in the course of their employment or professional relationship with the ~~School~~ District.

Included, by way of illustration rather than limitation are the following:

- a. the provision of any private lessons or services for a fee
 - b. the use, sale, or improper divulging of any privileged information about a student or client gained in the course of the employee's, ~~officer's, agent's, or Board member's~~ ~~officer's or agent's~~ employment or professional relationship with the District through ~~the employee's, officer's, agent's, or Board member's~~ ~~his/her~~ access to ~~School~~ District records
 - c. the referral of any student or client for lessons or services to any private business or professional practitioner if there is any expectation of reciprocal referrals, sharing of fees, or other remuneration for such referrals
 - d. the requirement of students or clients to purchase any private goods or services provided by an employee, ~~officer, agent, or Board member~~ ~~officer or agent~~ or any business or professional practitioner with whom any employee, ~~officer, agent, or Board member~~ ~~officer or agent~~ has a financial or other relationship, as a condition of receiving any grades, credits, promotions, approvals, or recommendations
3. Employees, ~~officers, agents, and Board members~~ ~~officers and agents~~ shall not make use of materials, equipment, or facilities of the School District in private practice. Examples would be the use of facilities before, during, or after regular business hours for service to private practice clients, or the checking out of

items from an instructional materials center for private practice.

- B. Exceptions to Part A of this policy shall be approved by the Superintendent **before** entering into any private relationship.
- C. **No employee, officer, agent, or Board member with a real or apparent conflict of interest may participate in the selection, award, or administration of a contract supported by the Federal award. A conflict of interest includes when the employee, officer, agent, or Board member, any member of their immediate family, their partner, or an organization that employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from an entity considered for a contract.** ~~Employees, officers and agents can not participate in the selection, award, or administration of a contract supported by a Federal grant/award if s/he has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer or agent, any member of his/her immediate family, his/her partner, or an organization which employs or is about to employ any of the parties described in this section, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.~~

An employee, officer, agent, and Board member of the District may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors. ~~Employees, officers and agents can not solicit or accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.~~

- D. ~~If to the extent that~~ the District has a parent, affiliate, or subsidiary organization that is not a State, local government, or Indian tribe, the ~~School~~-District may not conduct a procurement action involving the parent, affiliate, or subsidiary organization if the ~~School~~-District is unable, or appears to be unable, to be impartial **in conducting a procurement action involving a related organization.**
- E. Employees, **officers, agents, and Board members** ~~officers and agents~~ must **promptly** disclose any potential conflict of interest which may lead to a violation of this policy to the ~~School~~-District. Upon discovery of any potential conflict of interest, the ~~School~~-District will **promptly** disclose, in writing, the potential conflict of interest to the appropriate Federal ~~awarding~~-agency or, if applicable, the pass-through entity.

The District will also **promptly disclose whenever, in connection with the Federal award (including any activities or subawards thereunder), it has credible evidence of the commission of a violation of Federal criminal law involving fraud, conflict of interest, bribery, or gratuity violations found in Title 18 of the United States Code or a violation of the civil False Claims Act (31 U.S.C. 3729-3733). The disclosure must be made in writing to the Federal agency, the agency's Office of Inspector General, and pass-through entity. The District is also required to report matters related to recipient integrity and performance in accordance with Appendix XII of 2 C.F.R. Part 200** ~~disclose, in a timely manner, all violations of Federal criminal law involving fraud, bribery or gratuity that affect a Federal award to the appropriate Federal awarding agency or, if applicable, the pass-through entity.~~

- F. Employees, **officers, agents, and Board members** ~~officers and agents~~ found to be in violation of this conflict of interest policy will be subject to disciplinary action **up to and including termination, as permitted by applicable Board policy and may also face criminal charges and/or risk loss of State-issued licenses/permits.**

Revised 11/17/15

Legal

R.C. Chapter 102, 2921.42, 2921.43

Ohio Ethics Commission Advisory Opinions No. 92-014 and 2001-03

2 C.F.R. 200.112, 200.113, 200.318

Book	Policy Manual
Section	EDGAR for the Board
Title	Vol. 43, No. 1 - UGG EDGAR Revisions - October 2024 Revised CONFLICT OF INTEREST
Code	po4113
Status	
Adopted	January 3, 2006
Last Revised	May 24, 2016
Prior Revised Dates	Revised 11/17/15

Revised Policy - Vol. 43, No. 1 - UGG/EDGAR Revisions

4113 - CONFLICT OF INTEREST

A. The proper performance of school business is dependent upon the maintenance of unquestionably high standards of honesty, integrity, impartiality, and professional conduct by the Board of Education's members, and the District's employees, officers, and agents. Further, such characteristics are essential to the Board's commitment to earn and keep the public's confidence in the School District. For these reasons, the Board adopts the following guidelines to assure that conflicts of interest do not occur. These guidelines apply to all District employees, officers, and agents, including members of the Board. These guidelines are not intended to be all inclusive, nor to substitute for good judgment on the part of all employees, ~~officers, agents, and Board members~~ ~~officers and agents~~.

1. No employee, ~~officer, agents, or Board member~~ ~~officer or agent~~ shall engage in or have a financial or other interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with ~~his/her~~ duties and responsibilities in the school system.
2. Employees, ~~officers, agents, and Board members~~ ~~officers and agents~~ shall not engage in business, private practice of their profession, the rendering of services, or the sale of goods of any type where advantage is taken of any professional relationship they may have with any student, client, or parents of such students or clients in the course of their employment or professional relationship with the ~~School~~ District.

Included, by way of illustration rather than limitation are the following:

- a. the provision of any private lessons or services for a fee
- b. the use, sale, or improper divulging of any privileged information about a student or client gained in the course of the employee's, ~~officer's, agent's, or Board member's~~ ~~officer's or agent's~~ employment or professional relationship with the District through ~~the employee's, officer's, agent's, or Board member's~~ ~~his/her~~ access to ~~School~~ District records
- c. the referral of any student or client for lessons or services to any private business or professional practitioner if there is any expectation of reciprocal referrals, sharing of fees, or other remuneration for such referrals
- d. the requirement of students or clients to purchase any private goods or services provided by an employee, ~~officer, agent, or Board member~~ ~~officer or agent~~ or any business or professional practitioner with whom any employee, ~~officer, agent, or Board member~~ ~~officer or agent~~ has a financial or other relationship, as a condition of receiving any grades, credits, promotions, approvals, or recommendations
3. Employees, ~~officers, agents, and Board members~~ ~~officers and agents~~ shall not make use of materials, equipment, or facilities of the School District in private practice. Examples would be the use of facilities before, during, or after regular business hours for service to private practice clients, or the checking out of

items from an instructional materials center for private practice.

- B. Exceptions to Part A of this policy shall be approved by the Superintendent **before** entering into any private relationship.
- C. **No employee, officer, agent, or Board member with a real or apparent conflict of interest may participate in the selection, award, or administration of a contract supported by the Federal award. A conflict of interest includes when the employee, officer, agent, or Board member, any member of their immediate family, their partner, or an organization that employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from an entity considered for a contract.** ~~Employees, officers and agents can not participate in the selection, award, or administration of a contract supported by a Federal grant/award if s/he has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer or agent, any member of his/her immediate family, his/her partner, or an organization which employs or is about to employ any of the parties described in this section, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.~~

An employee, officer, agent, and Board member of the District may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors. ~~Employees, officers and agents can not solicit or accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.~~

- D. ~~If to the extent that~~ the District has a parent, affiliate, or subsidiary organization that is not a State, local government, or Indian tribe, the ~~School~~-District may not conduct a procurement action involving the parent, affiliate, or subsidiary organization if the ~~School~~-District is unable, or appears to be unable, to be impartial **in conducting a procurement action involving a related organization.**
- E. Employees, **officers, agents, and Board members** ~~officers and agents~~ must **promptly** disclose any potential conflict of interest which may lead to a violation of this policy to the ~~School~~-District. Upon discovery of any potential conflict of interest, the ~~School~~-District will **promptly** disclose, in writing, the potential conflict of interest to the appropriate Federal ~~awarding~~-agency or, if applicable, the pass-through entity.

The District will also **promptly disclose whenever, in connection with the Federal award (including any activities or subawards thereunder), it has credible evidence of the commission of a violation of Federal criminal law involving fraud, conflict of interest, bribery, or gratuity violations found in Title 18 of the United States Code or a violation of the civil False Claims Act (31 U.S.C. 3729-3733). The disclosure must be made in writing to the Federal agency, the agency's Office of Inspector General, and pass-through entity. The District is also required to report matters related to recipient integrity and performance in accordance with Appendix XII of 2 C.F.R. Part 200** ~~disclose, in a timely manner, all violations of Federal criminal law involving fraud, bribery or gratuity that affect a Federal award to the appropriate Federal awarding agency or, if applicable, the pass through entity.~~

- F. Employees, **officers, agents, and Board members** ~~officers and agents~~ found to be in violation of this conflict of interest policy will be subject to disciplinary action **up to and including termination, as permitted by applicable Board policy and may also face criminal charges and/or risk loss of State-issued licenses/permits.**

Revised 11/17/15

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Legal

R.C. Chapter 102, 2921.42, 2921.43

Ohio Ethics Commission Advisory Opinions No. 92-014 and 2001-03

2 C.F.R. 200.112, 200.113, 200.318

Book	Policy Manual
Section	43.1 Policies for the Board
Title	EMPLOYMENT OF PERSONNEL FOR CO-CURRICULAR/EXTRA-CURRICULAR ACTIVITIES
Code	po4120.08
Status	
Adopted	November 13, 2007
Last Revised	December 12, 2023

4120.08 - **EMPLOYMENT OF PERSONNEL FOR CO-CURRICULAR/EXTRA-CURRICULAR ACTIVITIES**

The Board of Education may find it necessary to employ, on a part-time basis, coaches or activity sponsors who are not members of the professional staff. Such part-time employees may be members of the District's classified staff or individuals from the community or nearby areas.

The Board authorizes the Superintendent to recommend candidates for employment by the Board.

Each coach or activity sponsor shall hold a valid Pupil Activity Program Permit issued by the State Board of Education under R.C. 3319.303(A), have any other necessary qualifications, have been properly interviewed, and shall sign an employment contract which includes the conditions of employment, compensation arrangements, and contract termination procedures. Such qualifications shall include completion of a sudden cardiac arrest training course approved by the Department of Health, in accordance with R.C. 3319.303. The qualifications shall also include completion of a student mental health training course approved by the Department of Mental Health and Addiction Services. The mental health training course may be combined with or part of another training course. Such training must be completed each time the individual applies for or renews a Pupil Activity Program Permit.

No staff member employed in a position for which licensure or permit is required may be paid until evidence of such appropriate licensure or permit valid for the effective dates of such services has been received by the Superintendent and transmitted to the Treasurer.

Personnel must also pass a background check performed by the Bureau of Criminal Identification and Investigation and the Federal Bureau of Investigation **and be enrolled in the State's Rapback System as required by State law** (see Policy 4121).

The Board may renew the contract of any nonlicensed individual, currently employed by the Board for one (1) or more years, without first offering the position held by that individual to employees of the District who are licensed individuals or advertising the position as available to any qualified licensed individuals who are not currently employed by the Board unless otherwise prohibited by a collective bargaining agreement.

Revised 11/11/08
Revised 12/10/12
Revised 8/11/20

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Legal A.C. 3301-27-01, Ohio Ethics Commission Advisory Opinion 2008-01
R.C. 2909.34, 3313.53, 3319.291, 3319.303, 3319.39

Book	Policy Manual
Section	43.1 Policies for the Board
Title	Copy of CRIMINAL HISTORY RECORD CHECK
Code	po4121
Status	
Adopted	January 28, 2004
Last Revised	April 24, 2018

4121 - CRIMINAL HISTORY RECORD CHECK

In accordance with State law, the Board of Education requires a criminal background check including information from the Bureau of Criminal Identification and Investigation (BCII) and the Federal Bureau of Investigation (FBI) of each applicant the Superintendent recommends for employment on the District's non-teaching staff as well as for all current non-teaching employees on a periodic basis. These requirements apply to any non-teaching employee, including individuals employed by a private company under contract with the Board to provide essential school services in accordance with Policy 8142, and all substitutes and persons employed on a part- time basis such as coaches or activity supervisors.

Specific rules relating to employees engaged in the operation of a vehicle for student transportation (bus/van drivers) and non- teaching employees who are also licensed by the Ohio Department of Education (e.g. aides with a permit, paraprofessionals with a license, and those individuals who do not hold a valid educator's license but who are employed by the Board under a student activity permit) shall be implemented as prescribed by law and applicable administrative code.

A criminal background check is not required of any currently-employed staff member who is a candidate for another position in the District, unless otherwise required by law and/or this policy.

The Superintendent shall establish administrative guidelines that require an appropriate records check that complies with the law.

Any information and records obtained from such inquiries are not public records and shall be kept confidential and not released or disseminated.

Should it be necessary to employ a person to maintain continuity of the District's operations, prior to receipt of the criminal history record, the Superintendent may, except in the case of a bus driver, employ the person on a provisional basis until the report is received.

Enrollment in the State Rapback System

The Board will ensure that all employees and contractors whose work duties involve routine interaction with a child or who are regularly responsible for the care, custody, or control of a child are enrolled in the State Rapback System. Licensed employees are enrolled in Rapback by the State Board of Education's Office of Professional Conduct upon approval of their license. School bus and van drivers, and all other unlicensed employees and contractors who do not have a license or permit issued by the State Board of Education, are expected to complete the necessary steps to enroll in Rapback through the State Board as required by law. Employees and contractors may need to complete a new BCI background check upon initial enrollment in Rapback. Enrollment in Rapback is considered a mandatory condition of employment and is not optional. ~~[DRAFTING NOTE: House Bill 33 (effective July 4, 2023) mandated that all nonlicensed employees and contractors, including bus and van drivers, were required to be enrolled in Rapback. Senate Bill 168 (effective October 24, 2024) modified this requirement to only those unlicensed employees and contractors who the District determines will have routine interaction with a child or be responsible for the care, custody, or control of a child.]~~

~~e of a bus driver, employ the person on a provisional basis until the report is received.~~

Effect of Guilty Plea and/or Conviction of Enumerated Crimes – All Non-Teaching Employees

Non-teaching employees who are also licensed by the Ohio Department of Education (e.g., aides with a permit, paraprofessionals with a license, and those individuals who do not hold a valid educator's license but who are employed by the Board under a student activity permit) who engage in conduct unbecoming the teaching profession and/or who it is determined have pled guilty to or have been convicted of any offense enumerated under R.C. 3319.39(B)(1), including a judicial finding for intervention in lieu of conviction and/or participation in a pre-trial diversion program relating to any of the offenses listed therein, are subject to the mandatory reporting requirements set forth in Policy 8141, in addition to an action by the Board to terminate their employment. In addition, consistent with State law and Policy 4138, the Superintendent shall immediately suspend such licensed non-teaching employees from all duties that require the care, custody, or control of a child during any pending criminal action for which that licensed, non-teaching staff member has been arrested, summoned and/or indicted for any crimes set forth in R.C. 3319.31(C).

A comprehensive list of crimes which must result in a suspension are set forth in AG 4121.

All other non-teaching employees who are the subject of a criminal records check including applicants hired provisionally in advance of a completed criminal records check, as well as student transportation employees (bus/van drivers, preschool and special needs bus aides), and/or individuals employed by a private company under contract with the Board to provide essential school services in accordance with Policy 8142, who it is determined have pled guilty to or been convicted of any offense enumerated under R.C. 3319.39(B)(1), including a judicial finding for intervention in lieu of conviction and/or participation in a pre-trial diversion program relating to any of the offenses listed therein, shall not be hired or shall be released from employment, as applicable, unless such individual meets the rehabilitation standards adopted by the Ohio Department of Education under division (E) of that section at the time of the hiring and/or upon discovery of such plea or conviction by the Board.

In the case of employees hired by the Board to operate a vehicle used for student transportation (i.e., bus/van drivers), a guilty plea or conviction of a crime to any offense listed in R.C. 3319.31(C) or A.C. 3301-83-23(A)(6)(c) will serve as a bar to further employment with the Board and the rehabilitation standards will not apply.

Suspension From Duties Involving Care, Custody or Control of a Child for Arrest, Summons and/or Indictment for Certain Crimes

In accordance with State law and Policy 4138, the Superintendent (or Treasurer in the case of an employee whose duties are assigned by the Treasurer) shall immediately suspend any non-licensed, non-teaching employee from all duties that require the care, custody, or control of a child during any pending criminal action for which that staff member has been arrested, summoned and/or indicted for any crimes listed under R.C. 3319.39(B)(1).

A comprehensive list of the crimes which must result in a suspension of such non-licensed employees are set forth in AG 4121.

Revised 11/13/07

Revised 6/10/08

Revised 11/11/08

Revised 6/8/10

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Legal	R.C. 109.57, 109.572, 2950, 2953.32, 3319.39, 3301.541, 3319.291, 3319.31
	R.C. 3319.311, 3319.391, 3319.392, 3319.40, 3327.10
	A.C. 3301-83-06 (B)(10), 3301-83-06 (F)(2), 3301-83-06 (F)(5)
	A.C. 3301-83-10 (F), 3301-20-01, 3301-83-23, 4501-1-05

Book	Policy Manual
Section	43.1 Policies for the Board
Title	NEW STUDENT TRANSFERS
Code	po5131
Status	

Revised Policy - Vol. 43, No. 1

5131 - STUDENT TRANSFERS

The Board of Education recognizes the value to a student to participate in the interscholastic athletic program providing it does not interfere with ~~the student's~~ his/her academic program and ~~the student's~~ he meets all of the requirements of the Ohio High School Athletic Association.

[x] The Board, however, does not condone a student transferring to another district, while still residing in this District, for the express purpose of participating in the other district's athletic program, unless the athletic program is not offered by Tecumseh Local Schools.

~~The Superintendent may grant any home-educated student or any student enrolled in a qualifying school or a different school district, regardless of whether the Superintendent's district is the student's resident district, the opportunity to participate in interscholastic athletics at a school in the District, if the student was subject to any of the following by a school official, employee, or volunteer, or another student, from the district or school in which the student is enrolled or the district in which the student is participating in interscholastic athletics under R.C. 3313.537, 3313.5311, or 3313.5312:~~

- A. ~~harassment, intimidation, or bullying;~~
- B. ~~a qualifying offense for which the school official, employee, or volunteer, or another student, has been either of the following:~~
 - 1. ~~charged with, indicted for, convicted of, or pled guilty to committing;~~
 - 2. ~~alleged to be or is adjudicated a delinquent child for committing;~~
- C. ~~conduct by a school official, employee, or volunteer that violates the licensure code of professional conduct for Ohio educators developed by the state board of education;~~

~~The Superintendent will document the reason(s) for granting participation under this policy. To be eligible, a student who is enrolled in a nonpublic, community, or other public school must be of the appropriate age and grade level, as determined by the Superintendent, and must fulfill the same academic, nonacademic, and financial requirements as any other participant. Home-educated students will be subject to the same rules of participation and the same fees that are applied to any other participant. The District will not penalize or restrict eligibility to participate in District interscholastic athletics for students who cease to participate in interscholastic athletics elsewhere during the school year and begin to participate in District programs after being subject to bullying or any other types of offenses listed in this Policy.~~

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Book	Policy Manual
Section	43.1 Policies for the Board
Title	PERSONAL TECHNOLOGY DEVICE - USE
Code	po5136.02
Status	
Adopted	February 14, 2012

5136.02 - **PERSONAL TECHNOLOGY DEVICE - USE**

A. Rationale:

The Tecumseh Local School District is committed to the continual pursuit of a learning environment that will develop and promote 21st Century Learning Skills. Our students must have an appropriate knowledge and comfort level with these skills in order to compete with their contemporaries as they prepare for careers and occupations, many of which may not even exist today. Currently, there is an unprecedented amount of information available through Personal Technology Devices that our students already own and simply must be able to access at school. The information that was once contained in the volumes of an encyclopedia and that used to take up many shelves can now be carried in one's own pocket. However, there are three major differences because now, one can do much more in-depth research, carry the entire encyclopedia at once, and the data is always current. With the approval and supervision of the classroom teacher and staff, students may use their Personal Technology Devices to access the advantages that these devices will bring into their educational experience. The use of these Personal Technology Devices will allow for assignments to embrace a curricular emphasis of the Three R's: Rigor, Relevance, and Relationships, which will bring about improvements in the Fourth R: Results. By allowing students the ability to appropriately use their own Personal Technology Devices at school, we are hoping to increase the access all of our students will have to the technology they need to succeed.

Communications through the Tecumseh Local School District computer network, files, servers, Internet sites and history, or in email are considered public records. District network storage areas are subject to search and review in order to maintain system integrity and insure that users are accessing and utilizing the system responsibly. No communication or computer file should be considered secure or confidential, and users should have no expectation, either implied or explicit, that any type of files stored on district servers will be private.

1. Personal Technology Devices include, but are not limited to:

- a. Cell Phone and/or Smart Phone
- b. iPod or MP3 Player
- c. PDA (Personal Digital Assistant)
- d. Personal Media Player
- e. Laptops and Netbooks
- f. Tablets and/or iPad
- g. E-Reader (Nook, Kindle, etc.)
- h. Alternative and Appropriate Personal Technology Devices, etc.

NOTE: The use of any Personal Technology Device at school **MUST** be used to aid the educational and academic experience of the student. The direct control remains, at all times, with the staff member, and oversight will be provided by the building and/or district administration and technology coordinator.

2. Why Personal Technology Devices are Essential

- a. Using a Personal Technology Device allows students to easily access applications, information, and/or data.
- b. Students can access e-Books and resources without the need to carry excess weight around on their backs.
- c. Cloud-based computing allows students to have access to their information from any computer or technology device using services such as Google Docs, iCloud, etc.
- d. Allowing students to use Personal Technology Devices at school will lessen the strain on the limited number of computers or technology resources available through school.
- e. The prevalence of Personal Technology Devices has exploded in our society and we must meet the students on their "playground."

3. BYOD – Bring Your Own Device

- a. Any required technologies to complete in-school activities and assignments will be provided by the district. Therefore, **the Tecumseh Local School District and their employees do not assume any responsibility for damages, theft, or loss of student property including Personal Technology Devices.**
- b. It is the student's responsibility to protect the device from theft, damage, or loss if they choose to bring their Personal Technology Device either to school or a school event.
- c. Parents and/or guardians should be aware of any Personal Technology Devices that their child is taking to school. Some schools may require the device to be "registered" with the school prior to the student being allowed to bring their device to school.
- d. Personal Technology Device Registration Forms can be picked up in the Main Office of any Tecumseh Local School Building. Although Tecumseh Local maintains no assumption of financial responsibility, by maintaining a Personal Technology Device database, we would be better able to locate the owner of a device should it be found, solve issues of ownership when multiple people make a claim on a device, etc.
- e. We encourage parents and/or guardians to obtain insurance on Personal Technology Devices for theft and damage.

4. Availability of Student Access

- a. Access to the use of any Personal Technology Device is a privilege, not a right, which can be rescinded for any student who acts in an irresponsible manner as outlined in the Student Code of Conduct and District Policy.
- b. Parents and/or guardians of students, along with the school district, share in the responsibility for setting and conveying the standards that children should follow when using technology, media, and information sources. To that end, the Tecumseh Local School District supports and respects each family's right to decide whether or not to apply for access for their child.
- c. All students under the age of 18 must have a Network Parental Permission Form signed and returned to the building principal in order to have access, in any manner, to the district network.
- d. Students 18 years of age and older may sign their own forms.
- e. Each student shall be provided access to a copy of the Personal Technology Device Use Policy and the procedures and guidelines pertaining to the Tecumseh Local Schools computer network access. Additionally, copies shall be posted in conspicuous places in each building. Hardcopies of this policy will be made available to students and parents upon request.

5. Issues Associated with the Use of Personal Technology Devices at School

- a. The district's intent is to make network access available solely for the furtherance of the educational goals and objectives; however, students may find ways to access other inappropriate materials as well. The Board believes that the benefits from access to these informational resources and opportunities for collaboration far exceed the disadvantages for the student.
- b. Ultimately, students will be held responsible for their own choices of good behavior and conduct whether they are using a school-owned or a Personal Technology Device. The rules and regulations set forth in the Student Code of Conduct and District Policies shall apply and will be followed at Tecumseh Local School District.
- c. Communications through the Tecumseh Local School District computer network, files, servers, Internet sites and history, or in email are public records. District network storage areas are subject to search and review in order to maintain system integrity and insure that users are accessing and utilizing the system responsibly. No communication or computer file should be considered secure or confidential, and users should not expect that any type of files stored on district servers would be private.
- d. Any questions concerning the Personal Technology Device Use Policy or Network Access Policy should be directed to the Superintendent, Building Principal, Technology Coordinator, or designee. The procedures and guidelines may be subject to change without notice; however, the Tecumseh Local School District shall make every effort to communicate and explain all changes to students, parents/guardians, and staff in a timely manner.

6. Claim Your Device

- a. Based upon the discretion of the classroom teacher or staff, students can be required and compelled to "Claim Their Device." Under this portion of the policy, students must place any and all Personal Technology Devices that are in their possession either on the desk or at an alternative location.
- b. This can be done during situations such as testing, presentations, etc., so that the teacher or staff member can visually verify that the device is not being used to cheat, gain an unfair advantage, or record any images.
- c. Any Personal Technology Device that is discovered to be in the student's possession while it should have been "claimed" will be assumed to have been used for inappropriate purposes, including cheating, recording images, etc. Depending on the situation, this could rise to "Reasonable Suspicion" and mandate a search of the device by the building or district level administrator.

B. Appropriate Usage of Technology for Students Within the School Setting:

1. The ability for student usage of Personal Technology Devices remains, at all times, under the direct control of each classroom teacher, staff member, and/or administrator.
2. All Personal Technology Devices **MUST** be turned off, not merely placed in the silent mode, and stored out of sight during the school day unless the classroom teacher or staff member has expressly permitted their use. Permitted usage during classroom instructional time is at the discretion of the individual faculty member when the usage is to support learning and/or teaching activities only. The use of Personal Technology Devices either between classes or during lunch is strictly forbidden unless the building and/or district administrator expressly grants permission to the student.
3. Students may only use their Personal Technology Devices on school premises before or after-school, as long as the usage does not violate any portion of the Student Personal Technology-Use Policy. During these times, students should use the soundless features (voicemail, texting, vibration alerts, etc.) to keep noise and disruptions to a minimum.
4. At no time should a Personal Technology Device be used in a place or manner that causes a disruption to the normal routine and function of the school. If a disruption becomes evident and a student doesn't comply with any lawful request of a staff member, the student may face additional consequences as outlined in the Disciplinary Actions portion of this policy.
5. If prior permission is granted, Personal Technology Devices could be used to access books and resources such as a dictionary, encyclopedia, etc., and/or academically-based apps for either curricular research or remedial practice. It is the responsibility of the student to communicate with the staff in order to gain prior permission and avoid any miscommunication issues.

6. Students are encouraged to use their Personal Technology Devices in order to access apps or email in order to communicate any illegal or inappropriate behavior with the school administration. Tecumseh Local Schools will always make every effort to protect the identity of any confidential informant.
7. Students who have a proposal on using a Personal Technology Device for an academically based and appropriate method must get consent from the staff member in charge prior to actually using the device. Although creativity among the students is encouraged, the final decision of appropriateness will rest with the classroom teacher, staff, and/or administration.
8. If, in the course of operating either a Personal Technology Device or a school-owned computer or technology device, a student inadvertently accesses messages, files and/or other information that is inappropriate or that is related to or is in support of illegal activities, the student should report the violation to an appropriate individual: superintendent, principal, teacher, technology coordinator, or other appropriate staff member.
9. If any inappropriate or obscene image, video, file, or communication that would convey a threat, harassment, intimidation, etc. is sent to a student by another student, staff member, or individual inside or outside of the school, please bring the Personal Technology Device or a "hard-copy" of that communication to an administrator or parent. Do not send or forward the "offending" communication, so as not to subject yourself to criminal charges such as "pandering" or inducing a panic.

C. Inappropriate Usage of Technology for Students within the School Setting:

Students should be advised that the term "Within the School Setting" refers to any area in which Tecumseh Local School District has a legal authority to be in direct control. Primarily, this would include any physical building and/or grounds that are owned and/or maintained by the school district. Furthermore, "Within the School Setting" includes areas such as, but not limited to: school parking lot, school bus, bus stops and the surrounding area during pick-up and drop-off times, athletic fields, gymnasiums, etc., either at-home or away events, where Tecumseh Local School sponsored teams are participating. Students are considered "Within the School Setting" during any time and location where students are representing the Tecumseh Local School District such as, but not limited to: field trips, academic competitions, school sponsored events, or continuation of relationships that were primarily formed due to school interaction, such as student-to-student or student-to-teacher relationships. Students are prohibited and should refrain from:

1. Using any Personal Technology Device to make or receive calls, send or receive electronic messages (text, email, etc.), post to a blog or social networking sites, or use any other applications while in school.
2. Exceptions will be made only if a staff member expressly grants permission to the student.
3. Students needing to contact a parent/guardian due to an illness or an early release slip during the school day must come to the clinic or main office in order to be granted permission. The intent of the school is not to deny any student the ability to contact their parent/guardian; the objective of the school is to be kept informed of situations in the building and to aid in accessing the nature of the illness or reason for leaving early.
4. Parents/Guardians who need to contact their student during the school day should call the main office in which their student attends. General messages will be sent to the student either during lunch or another convenient time. Urgent messages will, of course, be sent immediately to the student. If convenient, the parent/guardian may wish to leave a voice mail or text message on their student's mobile phone that could be accessed by the student at the end of the school day when they are permitted to turn it back on.
5. In the event that a catastrophic message needs to be delivered to a student, please do not contact the student directly at school with a text or voice message. Instead, the parent/guardian is requested to speak directly with a counselor, school psychologist, administrator, or other designee in order to determine how the student should be notified, what, if any, information should be disclosed, and what the expectations are for the student.
6. Recording and/or distributing any audio, video, or photographs.
7. Prior to using any Personal Technology Device for this purpose, students must be expressly granted permission before the event from a building or district-level administrator. Students do not possess the necessary statement of consent required in the recording and dissemination of student and staff images.

8. Prior to using any school-owned technology device for this purpose, students must be expressly granted permission before the event from a teacher or building staff personnel.
9. Students are absolutely and unequivocally denied the ability to use any Personal Technology Device or school-owned technology device capable of recording inside a restroom, locker room, dressing room, or any other area that students might be completely or partially unclothed. There are no exceptions.
10. Students are absolutely and unequivocally denied the ability to use any Personal Technology Device or school-owned technology device to record any inappropriate activity or behavior such as fights or students intentionally engaging in the breaking of school and/or district rules and policies.
11. Students are absolutely and unequivocally denied the ability to post any inappropriate school activity or behavior to Internet-based sites, including, but not limited to: YouTube, metacafe, Snapfish, Flickr, Photobucket, Facebook, MySpace, Google+, etc.
12. Using Personal Technology Devices to access, send, or display obscene, offensive, vulgar, or inappropriate language, messages, pictures or video, as determined by the building and/or district administration.
13. Using Personal Technology Devices to encourage use of or aid in the distribution of drugs, alcohol, tobacco, or promotion of unethical activities prohibited by law or Board policy.
14. Using Personal Technology Devices to bully, harass, insult, threaten, demean, or attack any individual student, staff member, or third-party individual.
 - a. It is considered a criminal offense to use a Personal Technology Device for the purposes of menacing, harassing, or offending others.
 - b. Be aware that the origination can almost always be traced back and established to the offending device during a criminal investigation.
 - c. "Cyberbullying" of other students and/or staff is unacceptable and will not be tolerated. Appropriate sanctions will be taken, which may involve criminal charges.
15. Providing personally identifiable information or login accounts over any technology device or Internet website.
 - a. Students should not access information using another person's personal identification or information to log-on to a Personal Technology Device, program, or Internet-based website.
 - b. Students should not disclose confidential information about other students or staff members using any school owned or Personal Technology Device.
 - c. Students should protect their own identity by never revealing any private or confidential information about themselves to other people or third party entity over the Internet, particularly log-in passwords, home addresses, phone numbers, credit card numbers and/or social security numbers, unless they first consult a parent, guidance counselor, teacher, or an administrator.
16. Forwarding personal communications without the author's prior consent. If an inappropriate communication is sent to a student by another student, staff member, or individual inside or outside of the school, please bring the Personal Technology Device or a "hard- copy" of that communication to an administrator.
17. Vandalizing and/or theft to a district-owned or another student's Personal Technology Device, software, computer systems or computer networks.

NOTE: Tecumseh Local School District and their employees are not responsible for damages, theft, or loss of student property including Personal Technology Devices.

1. Violating copyrights laws, such as, but not limited to:
 - a. Copying/downloading web sites to create another web site;
 - b. Copying a set of hypertext links exactly from another web site;
 - c. Copying graphics, i.e., company logos, designs, animations; or

- d. Copying/downloading of any unauthorized program.
2. Using district and/or another individual's networks and resources in an inappropriate manner.
- a. Trespassing, copying, altering, deleting, or destruction on another's folders, work areas, storage areas or files.
 - b. Usage of Personal Technology Devices to cheat or gain an unfair advantage on assignments, assessments, or exams. Disciplinary action for this offense may be based on the Student Personal Technology-Use Policy and/or the Academic Integrity/Cheating Policy as deemed appropriate by the building administration.
 - c. Attempting to access the district's network servers without prior approval and authorization from the building and/or district administrator and the Technology Coordinator.
 - d. Attempting to by-pass network filtering software that the district has put into place to intentionally block specific Internet websites without prior approval and authorization from the building and/or district administrator and the Technology Coordinator.
 - e. Intentionally wasting district resources, such as network time, paper, ink and/or consumables.
 - f. Employing the network for commercial purposes and/or personal financial gains, such as running a business or buying and/or selling products via the Internet.
 - g. Engaging in practices that may threaten the network (e.g. uploading files that may introduce a virus, worm, or other harmful form of programming).
 - h. Participating in hacking activities or any form of unauthorized access to other computers, networks, or information systems.
3. Acting in a way that would constitute a violation of any law, Board policy or the Student Code of Conduct.

D. Inappropriate Usage of Technology for Students Outside of the School Setting:

Even though students may believe they are not under the direct control of school authorities after school hours, during weekends, or when they are not physically on school property, there are a few instances that the school has a responsibility and authority to act on behalf of the district, staff, and students. This authority is typically limited to a few main situations.

- 1. Students are subject to school authorities if any Personal Technology Device is used outside of the school setting to intimidate, bully, harass, insult, threat, demean, or attack any Tecumseh Local School District student and/or staff member.
- 2. Students are subject to school authorities if any attempt is made from an outside location using a Personal Technology Device in order to attempt to gain access to the district's networking capabilities or confidential and restricted data, either district, staff, or students.
- 3. Students are subject to school authorities if any attempt is made from an outside location using a Personal Technology Device in order to attempt, in any manner, to interfere or disrupt the lawful educational processes of the district.
- 4. Students who have signed a contract and are bound by the Extra- Curricular Code of Conduct may be subject to additional liabilities and penalties that remain in effect after the traditional school day is over. This contract is considered to be in effect 24 hours per day - 7 days per week – 365 days per year. Even though certain behavior may not be subject to school discipline per se, the student may face sanctions to their extra-curricular activities.

E. Discipline Based Upon Student Technology Usage Within the School Setting:

Disciplinary actions will be based upon the nature and/or severity of the infraction and the frequency of the code infraction. The progressive discipline of the Cell Phone, MP3 Player, and Other Electronic Device Policy will continue throughout the entire school year; furthermore, the denial of the Personal Technology Device privilege may overlap

from one academic year to another based on the severity of the infraction. Violation of the rules of this agreement, or the policy and guidelines established by the Tecumseh Local School Board MAY result in any one or more of the following sanctions:

General Infractions:

1. Any student must IMMEDIATELY turn over the Personal Technology Device to a staff member requesting the device. The student is prohibited from removing the battery, sim card, memory card, turning the device off, intentionally putting a "lock" onto the device, or otherwise making it inoperable prior to surrendering the device to the staff.
2. In the event that any Personal Technology Devices must be inspected by an administrator, the student will, whenever possible, be notified and allowed to be a witness to the examination of any data stored on the device, including, but not limited to: instant messages, email, texts, pictures, videos, files, history data, etc.
3. Although school administrators have a legal authority to search Personal Technology Devices at school, only those devices that are believed to have a legitimate "Reasonable Suspicion" will be subject to a search. Issues such as credible witness testimony, the location of an infraction, refusal to surrender the device, additional information, etc. will be used to determine "Reasonable Suspicion."
4. Confiscated devices should be transported to the Main Office as soon as is practical by the staff member. The device will be formally registered, locked, and stored in the office with the student's name on it.
5. Students may be issued a warning (verbal or written), a detention, placement into an Alternative Learning Center (ALC), or an assignment that may help the student better understand the potential impact of the violation. The discipline schedule will be determined and enforced at the building level, which will be based upon the student's age and ability and the nature of the infraction.

Severe and/or Repeated Infractions:

1. Denial of Use Privilege of any Personal Technology Device either during school or at any school activities.
2. Based upon the nature of the infraction, Peer Mediation, Court Mediation, etc. may be utilized to lessen the actual disciplinary action.
3. Additional disciplinary action including Out of School Suspension and Recommended Expulsion as determined at the building level to be kept in line with existing practices, subject to Tecumseh Local School Board policies and the Student Code of Conduct.
4. In the event that any conduct is determined to be criminal in nature and/or in violation of State and/or Federal Law, the administration will contact the appropriate law enforcement agencies regarding criminal prosecution. In the case of a criminal offense, the device will be subject to the discretion of the law enforcement officer involved and may be released to him/her with an evidence claim receipt.
5. A lack of criminal violation and/or prosecution does not prohibit the Tecumseh Local Schools from disciplinary actions taken in accordance with Board Policy and the Student Code of Conduct.

F. Discipline Based Upon Student Technology Usage Outside of the School Setting:

Whenever student behaviors and actions occur off of school grounds and/or not during the traditional school day that negatively affect the educational process inside the school building, students may find themselves facing disciplinary action. Any discipline will be based upon the nature and/or severity of the infraction and may require additional cooperation from the parent/guardian of the victim and/or perpetrator. Violation of the rules of this agreement or the policy and guidelines established by the Tecumseh Local School Board MAY result in any one or more of the following sanctions:

In-school sanctions may include any of the following:

1. Notification of the parent/guardian
2. Verbal and/or written warning
3. Peer mediation and/or referral to guidance counselor

4. Denial of privilege of any Personal Technology Device either during school or at any school activities
5. Administrative detentions
6. Alternative Learning Center (ALC) placement
7. Out-of-school suspension
8. Recommendation of expulsion (for extremely severe cases)

Out-of-school sanctions may include any of the following:

1. Contact of the victim's parents/guardians to inform them of the situation, if needed.
2. Referral to and/or charges filed with the Clark County Sheriff Department, Juvenile Detention Center, Prosecutor's Office, etc.
3. Financial retribution if damage or theft has occurred.

G. Denial of Personal Technology Device Use Privileges:

The Tecumseh Local School District reserves the right to ban any individual student or group of students from bringing Personal Technology Devices onto school property or to a school-related activity. A student shall be issued a written Denial of Personal Technology Device Form stating the reasons for and the duration of the denial; a copy of this form will be mailed to the home address. If a student fails to comply with the ban, he/she will be considered as Failure to Comply with a Directive, which may result in severe consequences.

Accessing and Monitoring School-Issued Devices and Accounts

While students have no right or expectation of privacy when using District technology resources, the District and third party technology providers that provide services through a contract with the District are prohibited by State law from electronically accessing or monitoring certain features on school-issued devices provided to students unless a legally permissible exception exists. School-issued devices are defined as any hardware, software, devices, or accounts that a School District provides to an individual student for that student's personal use. The prohibited features include location-tracking features of a school-issued device, audio or visual receiving, transmitting, or recording features of a school-issued device, and student interactions with a school-issued device including, but not limited to, keystrokes and web-browsing activity.

However, the District and third party providers are permitted to access and monitor student devices in the following circumstances:

The activity is limited to non-commercial educational purposes for instruction, technical support, or exam proctoring by School District employees, student teachers, staff contracted by a District, a vendor, or the Department of Education, and notice is provided in advance;

The activity is permitted under a judicial warrant;

The District or a technology provider is notified or becomes aware that the device is missing or stolen;

The activity is necessary to participate in Federal or State funding programs.

The activity is necessary to prevent or respond to a threat to life or safety, and the access is limited to that purpose;

Annually, the Board provides notice to parents and guardians of enrolled students that it generally monitors student devices in one (1) or more of the permitted circumstances. In the event that one (1) of the permissible circumstances listed above prompts access to a student's device, the District will notify parents in writing within seventy-two (72) hours of accessing the device. The notice will include an explanation of the circumstances which prompted the access, what features were accessed, and a description of the threat posed, if applicable. If the notice itself would cause a threat to life or safety, the District will provide the notice within seventy-two (72) hours after the threat has ceased.

Book	Policy Manual
Section	43.1 Policies for the Board
Title	Revised PERSONAL COMMUNICATION DEVICES
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Revised Policy - Vol. 43, No. 1

5136 - PERSONAL COMMUNICATION DEVICES

The Board of Education is committed to providing educational environments that support students fully engaging with classmates, teachers, and instruction. Use of personal communication devices ("PCDs") shall be limited during school hours and during school-related events and functions in accordance with this policy and the Student Code of Conduct.

Personal Communication Device ("PCD") is defined in Bylaw 0100 - Definitions. For purposes of this policy, "personal communication device" (PCD) includes computers, tablets (e.g., iPad-like devices), electronic readers ("e-readers"; e.g., Kindle-like devices), cell phones, smartphones (e.g., iPhones, Android devices, Windows Mobile devices, etc.), () telephone paging devices (e.g., beepers or pagers), [NOTE: END OF OPTION] and/or other web-enabled devices of any type.

Nothing in this policy prohibits a student from using a PCD for student learning or to monitor or address a health concern, in accordance with the student's individualized education program or Section 504 plan.

[DRAFTING NOTE: Choose optional exceptions below. If the District differentiates PCD use exceptions by grade level, adjust/duplicate this section as needed.]

Students are prohibited from using a PCD except:

- A. (x) when the teacher authorizes a student to use a PCD for educational purposes during instructional time; at the high school, only
- B. (x) when the Principal authorizes a student to use a PCD for educational purposes during instructional time; at the high school, only
- C. (x) during the student's lunch break; at the high school only
- D. (x) between classes; at the high school only
- E. (x) during school-related events and functions (e.g., after-school activities, extra-curricular activities); or
- F. (x) while riding in school vehicles (Distracting behavior that creates an unsafe environment shall not be tolerated and may result in the loss of use of the PCD while in a school vehicle.)

Students are prohibited from using PCDs in a manner that infringes on a person's reasonable expectation of privacy. This includes using PCDs in locations and circumstances where a student may be changing clothes or in any stage of undress, such as gymnasiums, locker rooms, shower facilities, and restrooms/bathrooms, () and swimming pools [END OF OPTION]. The Superintendent and building principals are authorized to determine other specific locations and situations where the use of a PCD is absolutely prohibited.

[DRAFTING NOTE: SELECT OPTION A OR OPTION B OR OPTION C OR OPTION D]

{ } [OPTION A]

~~While students may possess PCDs in school, on school property, during after school activities (e.g., extra-curricular activities) and at school related functions, they must be powered completely off (i.e., not just placed into vibrate or silent mode) and stored out of sight during school hours () during after school activities (e.g., extra-curricular activities), () and on school buses or other Board provided vehicles.~~

~~{END OF OPTION A}~~

~~{ } {OPTION B}~~

~~Students may use PCDs before and after school, () during their lunch break, () in between classes as long as they do not create a distraction, disruption or otherwise interfere with the educational environment, () during after school activities (e.g., extra-curricular activities), () or at school related functions. Use of PCDs, except those approved by a teacher or administrator, at any other time is prohibited and they must be powered completely off (i.e., not just placed into vibrate or silent mode) and stored out of sight.~~

~~{END OF OPTION B}~~

~~{ } {OPTION C}~~

~~{ } In order to avoid disruption of the educational environment and protect students' right of privacy, student use of PCDs is prohibited on school grounds during school hours, () at after school activities (e.g., extra-curricular activities), and on school buses or other Board provided vehicles.~~

~~{ } PCDs intended and actually used for instructional purposes (e.g., taking notes, recording classroom lectures, writing papers) will be permitted, as approved by the classroom teacher or the Principal. () However, the use of a PCD to engage in non-education related communications is expressly prohibited.~~

~~{END OF OPTION C}~~

~~{ } {OPTION D}~~

~~Students may not possess telephone paging devices (e.g., beepers or pagers) on school grounds, at school sponsored events, and on school buses or other Board provided vehicles. Students may not use PCDs, during the school day () while on school property, () or during after school activities (e.g. extra-curricular activities).~~

~~When use of PCDs is prohibited the devices must be powered completely off (i.e. not just placed in vibrate or silent mode) and stored out of sight.~~

~~{END OF OPTION D}~~

~~Students may not use PCDs on school property or at a school sponsored activity to access and/or view Internet web sites that are otherwise blocked to students at school.~~

~~{DRAFTING NOTE: IF SCHOOL VEHICLES WAS NOT SELECTED IN OPTION A, INCLUDE THE FOLLOWING:}~~

~~() Students may use PCDs while riding to and from school on a school bus or other Board provided vehicles () or on a school bus or Board provided vehicle during school sponsored activities, at the discretion of the bus driver, () classroom teacher, or () sponsor/advisor/coach. Distracting behavior that creates an unsafe environment will not be tolerated. {THIS LANGUAGE MAY ALSO BE USED IF OPTION B WAS SELECTED.}~~

~~During after school activities, PCDs shall be powered completely off (not just placed into vibrate or silent mode) and stored out of sight when directed by the administrator or sponsor.~~

~~Under certain circumstances, a student may keep his/her PCD "On" with prior approval from the Principal.~~

~~Except as authorized by a teacher, administrator or IEP team, or Section 504 plan, students are prohibited from using PCDs to capture, record, and/or transmit the words or sounds (i.e., audio) and/or images (i.e., pictures/video) of any student, staff member, or other person during school hours (x) on school property (x) or during school-related events and functions {END OF OPTIONS}. Using a PCD to capture, record, and/or transmit audio and/or pictures/video of an individual without proper consent is considered an invasion of privacy and is not permitted during the school day, including while off campus on a field trip, to capture, record and/or transmit the words or sounds (i.e., audio) and/or images (i.e., pictures/video) of any student, staff member or other person. Using a PCD to capture, record and/or transmit audio and/or pictures/video of an individual without proper consent is considered an invasion of privacy and is not permitted. () Students who violate this provision and/or use a PCD to violate the privacy rights of another person () shall () may have~~

their PCD confiscated and held until () the end of the school day () a parent/guardian picks it up, () and may be directed to delete the audio and/or picture/video file while the parent/guardian is present. If the violation involves potentially illegal activity, the confiscated PCD may be turned over to law enforcement.

~~{DRAFTING NOTE: SELECT OPTION #1 OR OPTION #2 OR OPTION #3}~~

~~{ } [OPTION #1]~~

The use of PCDs that contain built-in cameras (i.e., devices that take still or motion pictures, whether in a digital or other format) is prohibited in () classrooms, () gymnasiums, locker rooms, shower facilities, rest/bathrooms () and/or swimming pool:

~~{END OF OPTION #1}~~

~~{ } [OPTION #2]~~

The use of PCDs in () classrooms, () gymnasiums, locker rooms, shower facilities, rest/bathrooms and/or () swimming pool is prohibited:

~~{END OF OPTION #2}~~

~~{ } [OPTION #3]~~

PCDs, including but not limited to those with cameras, may not be activated or utilized at any time in any school situation where a reasonable expectation of personal privacy exists. These locations and circumstances include, but are not limited to, () classrooms, () gymnasiums, locker rooms, shower facilities, rest/bathrooms, and any other areas where students or others may change clothes or be in any stage or degree of disrobing or changing clothes. The Superintendent and Principal are authorized to determine other specific locations and situations where use of a PCD is absolutely prohibited:

~~{END OF OPTION #3}~~

~~Students shall have no expectation of confidentiality with respect to their use of PCDs on school premises/property.~~

Students may not use a PCD in any way that might reasonably create in the mind of another person an impression of being threatened, humiliated, harassed, embarrassed or intimidated. See Policy Board 5517.01 - Bullying and Other Forms of Aggressive Behavior. In particular, students are prohibited from using PCDs to: (1) transmit material that is threatening, obscene, disruptive, or sexually explicit or that can be construed as harassment or disparagement of others based upon their race, color, national origin, sex (including sexual orientation/transgender identity), disability, age, religion, ancestry, or political beliefs; and (2) engage in "sexting" - i.e., sending, receiving, sharing, viewing, or possessing pictures, text messages, e-mails or other materials of a sexual nature in electronic or any other form. Violation of these prohibitions shall result in disciplinary action. Furthermore, such actions will be reported to local law enforcement and child services as required by law.

Students ~~also~~ are ~~also~~ prohibited from using a PCD to capture, record, and/or transmit test information or any other information in a manner constituting fraud, theft, cheating, or academic dishonesty. Likewise, students are prohibited from using PCDs to receive such information.

Students may not use PCDs to access and/or view Internet websites that otherwise are blocked to students while in school, on school property, or at a school-sponsored activity.

When the use of PCDs is prohibited, all PCDs must be powered off completely (i.e., not just placed in vibrate or silent mode) and stored out of sight.

When the use of PCDs is permitted, all PCDs must be placed in silent mode and must be stored out of sight when directed by the administrator or sponsor.

Students shall have no expectation of confidentiality with respect to their use of PCDs while at school or on school property, including school buildings, other facilities, and school vehicles.

Possession of a PCD by a student **during school hours and during school-related events and functions** ~~at school during school hours () and/or during extra-curricular activities~~ is a privilege that may be forfeited by any student who fails to abide by the terms of this policy, or otherwise abuses this privilege.

Violations of this policy may result in the following disciplinary measures:

- A. ☒ Issue a verbal warning and require the student to store the PCD in accordance with this policy.
- B. ☒ Confiscate the PCD and store it securely in a staff-controlled locker, bin, or drawer for the duration of the class or period.
- C. ☒ Confiscate the student's PCD and store it in the facility's office for the remainder of the school-related event or school day.
- D. ☒ Confiscate the student's PCD in the facility's office to be picked up by the student's parent or guardian.
- E. ☒ Loss of privilege to bring a PCD to school for a designated length of time or on a permanent basis.
- F. ☒ In-school suspension.
- G. ☒ Out-of-school suspension.
- H. ☒ Expulsion.
- I.

If the violation involves an illegal activity (e.g. child pornography, sexting), the school official will also refer the matter to law enforcement or child services. The PCD will be confiscated and may be turned over to law enforcement if a violation involves potentially illegal activity.

School officials will not search or otherwise tamper with PCDs in District custody unless they reasonably suspect that the search is required to discover evidence of a violation of the law or other school rules. Any search will be conducted in accordance with Board Policy 5771 - Search and Seizure.

Violations of this policy may result in disciplinary action and/or confiscation of the PCD. The Principal will also refer the matter to law enforcement or child services if the violation involves an illegal activity (e.g., child pornography, sexting). Discipline will be imposed on an escalating scale ranging from a warning to an expulsion based on the number of previous violations and/or the nature of or circumstances surrounding a particular violation. If the PCD is confiscated, it will be released/returned to the student's parent/guardian after the student complies with any other disciplinary consequences that are imposed, unless the violation involves potentially illegal activity in which case the PCD may be turned over to law enforcement. A confiscated device will be marked in a removable manner with the student's name and held in a secure location in the building's central office until it is retrieved by the parent/guardian or turned over to law enforcement. School officials will not search or otherwise tamper with PCDs in District custody unless they reasonably suspect that the search is required to discover evidence of a violation of the law or other school rules. Any search will be conducted in accordance with Policy 5771—Search and Seizure. If multiple offenses occur, a student may lose his/her privilege to bring a PCD to school for a designated length of time or on a permanent basis.

A person who discovers a student using a PCD, recording device, or other device with one- or two-way audio communication technology in violation of this policy is required to report the violation to the Principal or Superintendent.

Students are personally and solely responsible for the care and security of their PCDs. The Board assumes no responsibility for theft, loss, or damage to, or misuse or unauthorized use of, PCDs brought onto its property.

Parents/Guardians are advised that the best way to get in touch with their child during the school day is by calling the school office.

Students may use school phones to contact parents/guardians during the school day.

This policy shall be posted prominently on the District's website and in a central location in each school building and made publicly available upon request.

Revised 7/14/09

[Cross References:

po0100

po5517.01

po5771

po7540.031

R.C. 3313.753

ODEW Ohio's Cell Phones in Schools Model Policy

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R.C. 3313.753

ODEW Ohio's Cell Phones in Schools Model Policy

Cross References

po0100 - DEFINITIONS

po5517.01 - BULLYING AND OTHER FORMS OF AGGRESSIVE BEHAVIOR

po5771 - SEARCH AND SEIZURE

po7540.03 - STUDENT TECHNOLOGY ACCEPTABLE USE AND SAFETY

Book	Policy Manual
Section	43.1 Policies for the Board
Title	ATTENDANCE
Code	po5200
Status	
Adopted	January 28, 2004
Last Revised	December 14, 2021

5200 - **ATTENDANCE**

The educational program offered by this District is predicated upon the presence of the student and requires continuity of instruction and classroom participation. Attendance shall be required of all students enrolled in the schools during the days and hours that the school is in session or during the attendance sessions to which s/he has been assigned.

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

In accordance with statute, the Superintendent shall require, from the parent of each student of compulsory school age or from an adult student who has been absent from school or from class for any reason, a statement of the cause for such absence. The Board of Education reserves the right to verify such statements and to investigate the cause of each single absence or prolonged absence. The Board considers the following factors to be reasonable excuses for time missed at school:

- A. personal illness (a written physician's statement verifying the illness may be required)
 - B. appointment with a health care provider
 - C. illness in the family necessitating the presence of the child
 - D. quarantine of the home
 - E. death in the family
 - F. necessary work at home due to absence or incapacity of parent(s)/guardian(s)
 - G. ~~religious expression days, up to three (3) of which may, after approval by the principal in accordance with this policy, permit the student to be absent without any academic penalty.~~ ~~observation or celebration of a bona-fide religious holiday~~
 - H. out-of-state travel (up to a maximum twenty-four (24) hours per school year that the student's school is open for instruction) to participate in a District-approved enrichment or extracurricular activity
- Any classroom assignment missed due to the absence shall be completed by the student.
- If the student will be absent for twenty-four (24) or more consecutive hours that the student's school is open for instruction, a classroom teacher shall accompany the student during the travel period to provide the student with instructional assistance.
- I. such good cause as may be acceptable to the Superintendent
 - J. medically necessary leave for a pregnant student in accordance with Policy 5751

K. service as a precinct officer at a primary, special or general election in accordance with the program set forth in Policy 5725

L. college visitation

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

N. absences due to a student being homeless

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

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

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

Contacting the Parent/Guardian of an Absent Student

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

Excessive Absences

When a student of compulsory school age is absent from school with a combined nonmedical excused absences in excess of thirty-eight (38) or more hours in one (1) school month, or sixty-five (65) or more hours in a school year, that student is considered "excessively absent" from school. Religious expression days that have been approved by the Principal in accordance with this policy will not be considered for the purpose of determining whether a student is excessively absent. The District or school shall notify the child's parent or guardian of the child's absences, in writing, within seven (7) school days after the date of the absence that triggered the notice requirement. At the same time written notice is given, any appropriate intervention action listed herein may be taken.

A student may have an excused absence for medical reasons, such as personal illness or medical visit, subject to the following rules. A student may have up to (x) ten (10) (five per semester) medically excused absences without a doctor's note, but with a phone call from a parent/guardian. This policy will be extended beyond ten (10) five (5) per semester days if the student or someone in the student's family is in quarantine due to a recognized pandemic/epidemic (e.g., COVID-19) or experiencing symptoms of the pandemic/epidemic. A medical excuse for personal illness will be accepted in the form of a doctor's note within five (5) school days of the absence or parent call-in on the day of the absence due to illness or doctor's visit.

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

~~A medically excused absence occurs any time a student is out of school due to illness or medical visit (physician, dentist, mental health, etc.). A medical excuse for personal illness will be accepted in the form of doctor's note within five (5) school days of the absence or parent call in on the day of the absence due to illness or doctor's visit. A student may have up to ten (10) (five (5) per semester) medically excused absences without a doctor's note, but with a phone call from a parent/guardian. Medical excused absences will be accepted through this process for students participating both in person and remotely. This policy will be extended beyond ten (10) days if the student or someone in the student's family is in quarantine due to recognized pandemic/epidemic (e.g., COVID-19) or experiencing symptoms of the pandemic/epidemic.~~

Religious Expression Days

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

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

The District has adopted the following procedure for a student, parent, or guardian to notify the District of any grievance with regard to the implementation of this policy. A grievance must be submitted in writing to the Superintendent. The Superintendent will review the grievance and issue a written determination of whether the policy has been violated. The decision of the Superintendent is final and not subject to further appeal.

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

The policy will be placed in a prominent location on the District's website and will include the contact information for an individual who can provide further information about the policy. The District will also publish a non-exhaustive list of major religious holidays, festivals, and religious observations (x) as published by the State Superintendent for which an absence will not be unreasonably withheld or denied. ~~[END OF OPTION]. DRAFTING NOTE: Districts are required to publish a non-exhaustive list of religious holidays, festivals, and observances. At the beginning of the school year, the State Superintendent is required to provide each District with a non-exhaustive list of holidays and festivals for the next two (2) years. Each district must either adopt the State Superintendent's list or develop and adopt a list of its own.]~~ The list will be provided whenever the policy is posted, printed, or distributed, and will be accompanied by a statement that declares the list is non-exhaustive and may not be used to deny accommodations to a student for a holiday, festival, or observation that is not included in the list. Nothing in this policy, and no inclusion or exclusion of a religious holiday or festival on the list posted by a District, shall preclude a student from full and reasonable accommodations for any sincerely held religious beliefs and practices with regard to all examinations or other academic requirements and absences for reasons of faith or religious or spiritual belief system.

Habitually Truant

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

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

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

Absence Intervention Team

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

Within fourteen (14) school days after the assignment of a student to an absence intervention team, the team shall develop an intervention plan for that student in an effort to reduce or eliminate further absences. Each intervention plan shall vary based on the individual needs of the student, but the plan shall state that the attendance officer shall file a complaint not later than sixty-one (61) days after the date the plan was implemented, if the child has refused to participate in, or failed to make satisfactory progress on, the intervention plan. Within seven (7) school days after the development of the plan, reasonable efforts shall be made to provide the student's parent/guardian/custodian, with written notice of the plan.

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

The members of the absence intervention team shall be selected within seven (7) school days of the student meeting the habitually truant threshold. Within the same period of seven (7) school days, the Principal shall make at least three (3) meaningful, good faith attempts to secure the participation of the student's parent/guardian/custodian, guardian ad litem, or temporary custodian on that team. A good faith attempt to secure the participation of the parent shall include, but not be limited to, contacting (or attempting to contact) the parent by telephone, email, or regular mail. If the student's parent responds to any of those attempts, but is unable to participate for any reason, the Principal shall inform the parent of the parent's right to appear by designee. If seven (7) school days elapse and the student's parent/guardian/custodian, guardian ad litem, or temporary custodian fails to respond to the attempts to secure participation, the attendance officer shall investigate whether the failure to respond triggers mandatory abuse or neglect reporting to the public children services agency. At the same time, the absence intervention team shall continue to develop an intervention plan for the child notwithstanding the absence of the child's parent/guardian/custodian, guardian ad litem, or temporary custodian.

Intervention Strategies

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

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

In the event that a student becomes habitually truant within twenty-one (21) school days prior to the last day of instruction of a school year, the Principal may, in his/her discretion, assign a school official to work with the child's parent/guardian/custodian, guardian ad litem, or temporary custodian to develop an absence intervention plan during the summer.

The absence intervention process shall commence upon the first day of instruction of the next school year.

Reporting Requirements

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

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

If the student, at any time during the implementation phase of the absence intervention plan or other intervention strategies, is absent without legitimate excuse for thirty (30) or more consecutive hours or forty-two (42) or more hours in one (1) school month, the attendance officer shall file a complaint in juvenile court against that student, unless the absence intervention team has determined that the student has made substantial progress on the absence intervention plan.

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

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

Whenever any student of compulsory school age has sixty (60) consecutive hours in a single month or a total of ninety (90) hours of unexcused absence from school during the school year, s/he will be considered habitually absent under R.C. 3321.13(b)(2). The Board authorizes the Superintendent to inform the student and his/her parents, guardian, or custodian of the record of absences without legitimate excuse as well as the District's intent to notify the Registrar of Motor Vehicles, if appropriate, and the Judge of the Juvenile Court of the student's unexcused absences and habitually absent status.

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

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

- A. when a notice that a student has been absent with or without legitimate excuse for thirty-eight (38) or more hours in one (1) school month, or sixty-five (65) or more hours in a school year is submitted to a parent/guardian/or custodian;
- B. when a child of compulsory school age has been absent without legitimate excuse from the public school the child is supposed to attend for thirty (30) or more consecutive hours, forty-two (42) or more hours in one (1) school month, or seventy-two (72) or more hours in a school year;
- C. when a child of compulsory school age who has been adjudicated an unruly child for being a habitual truant violates the court order regarding that adjudication;
- D. when an absence intervention plan has been implemented for a child under this policy.

This policy was developed after consultation with the judge of the juvenile court of Clark County, with the parents, guardians, or other persons having care of the students attending school in the district, and with appropriate State and local agencies.

Tracking Remote Attendance

Consistent with the District's remote learning plan (e.g. Blended Learning, On-Line Learning, etc.), the District will provide a variety of instruction models, including both teacher-led remote learning and self-directed remote learning.

Student attendance in teacher-led remote learning (synchronous web-based instruction) shall be tracked in the same manner as hourly, in-person instruction. Teachers shall determine hourly attendance by evidence of student login and logoff data.

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

- A. temporary internet outage for individual students or households;
- B. unexpected technical difficulties for individual students or households, such as password resets or software upgrades occurring during a teacher-led remote learning lesson;
- C. computer/device malfunction;
- D. malfunction of a District-owned device for which the District is providing technical assistance, repair, or replacement.

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

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

Revised 6/7/07

Revised 2/24/10

Revised 5/10/11

Revised 5/24/16

Revised 4/25/17

Revised 12/12/17

Revised 3/17/20

Revised 11/17/20

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Legal

R.C. 2151.011, 3313.668, 3317.034, 3321.01 et seq., 3321.13(B)(2), 3321.19, 3321.191

R.C. 3321.22, 3321.38, 3323.041

A.C. 3301-35-03(G), 3301-47-01, 3301-69-02

Book	Policy Manual
Section	43.1 Policies for the Board
Title	Revised STUDENT CONDUCT
Code	po5500
Status	
Adopted	January 28, 2004
Last Revised	January 3, 2006

Revised Policy - Vol. 43, No. 1

5500 - STUDENT CONDUCT

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

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

- A. allows teachers to communicate effectively with all students in the class;
- B. allows all students in the class the opportunity to learn;
- C. has consequences that are fair, and developmentally appropriate;
- D. considers the student and the circumstances of the situation; and
- E. enforces the ~~Student~~ student Code of Conduct/Student Discipline Code accordingly.

Academic Honesty

The Board values honesty and expects integrity in the District's students. Violating academic honesty expectations erodes the trust between teachers and students as well as compromises the academic standing of other students. So that each student learns the skills being taught and is judged solely on their own merits, the Board prohibits any student from presenting someone else's work as their own, using artificial intelligence platforms in place of one's own work, providing unauthorized assistance to another student, and cheating in any manner.

All school work submitted for the purpose of meeting course requirements must be the individual student's original work or the original work of a group of students for group projects. It is prohibited for any student to unfairly advance their own academic performance or that of any other student. Likewise, no student may intentionally limit or impede the academic performance or intellectual pursuits of other students.

Academic dishonesty includes, but is not limited to:

- A. plagiarism (of ideas, work, research, speech, art, music, etc.);
- B. forgery of another's work;
- C. presenting the results that are the product of an artificial intelligence ("AI") platform as one's own where the use of AI was not specifically allowed by the teacher as part of the assignment;

- D. downloading or copying information from other sources and presenting it as one's own;
- E. using language translation work of someone else or using technology when the expectation is doing one's own translation;
- F. copying another person's work;
- G. allowing another person to copy one's own work;
- H. stealing another person's work;
- I. doing another person's work for them;
- J. distributing copies of one's work for use by others;
- K. distributing copies of someone else's work for use by others for academic gain or advantage;
- L. intentionally accessing another's work for the purpose of presenting it as one's own for academic gain or advantage;
- M. distributing or receiving answers to assignments, quizzes, tests, assessments, etc.;
- N. distributing or receiving questions from quizzes, tests, assessments, etc.;
- O. () _____;
- _____;
- P. () _____.

[OPTIONAL LANGUAGE - ARTIFICIAL INTELLIGENCE]

x] Use of Artificial Intelligence Tools For School Work

To ensure the integrity of the educational process and to promote fair and equal opportunities for all students, except as outlined below, the use of Artificial Intelligence ("AI") tools is strictly prohibited for the completion of school work. The use of AI/NLP tools, without the express permission/consent of a teacher, undermines the learning and problem-solving skills that are essential to academic success and that the staff is tasked to develop in each student. Students are encouraged to develop their own knowledge, skills, and understanding of course material rather than relying solely on AI tools and they should ask their teachers when they have questions and/or need assistance. Unauthorized use of AI tools is considered a form of plagiarism and any student found using these tools without permission or in a prohibited manner will be disciplined in accordance with the Student Code of Conduct. (x) (See Policy 7540.09 - Artificial Intelligence ("AI")) **[END OF OPTION]**

Notwithstanding the preceding, students can use AI tools in the school setting if they receive prior permission/consent from their teacher, so long as they use the AI tools in an ethical and responsible manner. Teachers have the discretion to authorize students to use AI tools for the following uses:

- A. Research assistance: AI tools can be used to help students quickly and efficiently identify background information, including locating relevant information and sources for their school projects and assignments, suggesting research questions, providing opposing viewpoints, identifying unseen aspects, and suggesting other perspectives.
- B. Data Analysis: AI tools can be used to help students with pattern identification and to analyze, understand, and interpret large amounts of data, such as text documents or social media posts. This can be particularly useful for research projects or data analysis assignments – e.g., scientific experiments and marketing research.
- C. Language translation: AI tools can be used to translate texts or documents into different languages, which can be helpful for students who are learning a new language or for students who are studying texts written in a different language. AI tools can also remove abstract language from a text, adjust text complexity, and provide background information about a culture to help a student understand texts.
- D. Writing assistance: AI tools can provide grammar and spelling corrections, as well as suggest alternative word choices and sentence structure, to help students improve their writing skills.
- E. Accessibility: AI tools can be used to help students with disabilities access and understand written materials. For example, text-to-speech software can help students with specific learning disabilities or visual impairments to read texts, and AI-powered translation tools can help students with hearing impairments understand spoken language (e.g., create transcripts or provide closed-captioning for spoken material).

When AI tools are used responsibly and effectively, they can help to supplement, not replace, traditional learning methods. If a student has any questions about whether they are permitted to use AI tools for a specific class assignment, they should ask their teacher.

In accordance with their teacher's direction, students are required to cite/identify work generated/created with the use of AI tools and explain/demonstrate how the AI tools were used in the creation of the work.

[END OF OPTIONAL LANGUAGE - AI]

Staff and Administration have the responsibility for monitoring students' work for compliance with this policy.

Students who violate this policy are subject to disciplinary consequences.

Parents shall be contacted as soon as practicable to report any alleged acts of academic dishonesty by their child.

Repeated violations of this policy will result in additional disciplinary consequences in accordance with the Student Code of Conduct.

Student and/or parent appeals of disciplinary consequences resulting from violation of this policy may be made based on the appeals process documented in the student handbook.

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

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

[Cross References:

po7540.03

po7540.04

po7540.09]

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Legal R.C. 3313.20, 3313.534, 3313.66, 3313.661

Cross References po7540.03 - STUDENT TECHNOLOGY ACCEPTABLE USE AND SAFETY
po7540.04 - STAFF TECHNOLOGY ACCEPTABLE USE AND SAFETY
po7540.09 - ARTIFICIAL INTELLIGENCE ("AI")

Book	Policy Manual
Section	43.1 Policies for the Board
Title	Revised STUDENT/PARENT RIGHTS
Code	po5780
Status	
Adopted	January 28, 2004

Revised Policy - Vol. 43, No. 1

5780 - STUDENT/PARENT RIGHTS

The Board of Education recognizes that students possess not only the right to an education but many of the rights of citizenship as well.

In providing students the opportunity for an education to which they are entitled, the Board shall attempt to offer nurture, counsel, and custodial care appropriate to their age and maturity. At the same time, the Board recognizes that no student may be deprived of the basic right to equal access to the educational program, and **the student's** his/her constitutional right to due process and free expression and association as appropriate for the school environment.

Attendant to the rights afforded to each student, however, are certain responsibilities, which include respect for the rights of others, obedience to properly constituted school authority, and compliance with the guidelines and rules of the District.

The Board realizes that as students differ in age and maturity, so they differ in ability to handle both the rights of citizens and the concomitant responsibilities. The exercise of each right shall be granted, therefore, with due regard for the degree of responsibility possessed by the student and the student's need for the continuing guidance and control of those responsible for **the student's** his/her education.

Since a student who has reached the age of majority possesses the full rights of an adult, **the students** he may authorize those school matters previously handled by **the student's** his/her parents, but **the students** he also assumes the responsibility for **their** his/her performance in school, attendance, and compliance with school rules.

Parents also have rights in the school system to know about their student's educational experience. Specific rights are listed in topic areas of these policies.

Parent Right to Inspect Instructional Materials

In addition, parents have the right to inspect any instructional materials used as part of the educational curriculum for their student. Instructional materials means instructional content, regardless of format, that is provided to the student, including printed or representational materials, audio-visual materials, and materials available in electronic or digital formats (such as materials accessible through the Internet). Instructional material does not include academic tests or academic assessments.

The Superintendent shall, in consultation with parents, develop a procedure addressing the right of parents as described herein and procedures to assure timely response to parental requests to review instructional material. The procedure shall also address reasonable notification to parents and students of their rights to review these materials. See AG 9130A and Form 9130 F3.

Right to Inspect Technology Provider Contract

The District shall provide parents and students with an opportunity to inspect a complete copy of each technology provider contract.

This policy shall not supercede any rights under the Family Education Rights and Privacy Act.

[Cross Reference:

po8310}

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Legal

R.C. 3109.01

20 U.S.C. 1232h

Cross References

po8310 - PUBLIC RECORDS

Book	Policy Manual
Section	EDGAR for the Board
Title	Revised GRANT FUNDS
Code	po6110
Status	
Adopted	January 28, 2004
Last Revised	March 22, 2022
Prior Revised Dates	Revised 8/13/13 Revised 5/24/16

Revised Policy - Vol. 43, No. 1 - UGG/EDGAR Revisions

6110 - GRANT FUNDS

It is the objective of the Board of Education to provide equal educational opportunities for all District students. Government agencies, as well as foundations, businesses, and individuals, periodically offer both human and material resources to the District that ~~benefit~~ **benefits students and the educational program**. Therefore, it is the intent of the Board to consider grant proposals and applications for their potential to enhance the educational opportunities, the educational environment, and the physical and mental growth for each student.

The Superintendent shall review new Federal education legislation and prepare proposals for programs ~~the Superintendent~~ **the Superintendent** s/he deems would be of aid to the students of this District. The Superintendent shall approve each such proposal prior to its submission, and the Board shall approve all grants resulting from such proposals.

The Board regards available Federal funds of aid to local school districts and communities as a public trust. It forbids the use of Federal monies for partisan political activities and for any use that would not be in accordance with Federal regulations and guidelines.

No Federal funds received by the District shall be used to:

- A. develop or distribute materials, or operate programs or courses of instruction directed at youths, that are designed to promote or encourage sexual activity, whether homosexual or heterosexual;
- B. distribute or aid in the distribution by any organization of legally obscene materials to minors on school grounds;
- C. provide sex education or HIV-prevention education in schools unless that instruction is ~~age appropriate~~ **age appropriate** and includes the health benefits of abstinence; or
- D. operate a program of contraceptive distribution in schools.

Grant Proposal Development

- A. All grant proposals must support at least one (1) District goal or priority.
- B. For projects where grant funds will not cover the entire cost of project implementation, additional fund sources must be identified, documented, and approved during the internal review process.

Grant Proposal Internal Review

- A. Each grant proposal shall be reviewed and approved by the Superintendent prior to submission to the funding source.

Mandatory Disclosures

The District must promptly disclose whenever they have credible evidence of a violation of Federal criminal law potentially affecting the Federal award including, but not limited to, any fraud, embezzlement, bribery, gratuity violations, identity theft, or sexual assault and exploitation, or a violation of the civil False Claims Act (2 C.F.R. 200.113) regarding the obligation to report credible information related to conduct prohibited by the Trafficking Victims Protection Act, 22 U.S.C. 7104c.

The disclosure must be made in writing to the Federal agency and the agency's Office of Inspector General, and to the pass-through entity.

Whistleblower Protections

An employee of the District may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing information to the appropriate agency or individual that the employee reasonably believes is evidence of gross mismanagement of a Federal contract or grant, a gross waste of Federal funds, an abuse of authority relating to a Federal contract or grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a Federal contract or grant. See Policy 1411/3211/4211 - Whistleblower Protection and Policy 8900 - Anti-Fraud.

Grant Administration

- A. The administration of grants will adhere to all applicable Federal, State, local, and grantor rules and regulations, including the terms and conditions of the Federal awards, as well as District policies and administrative guidelines.
- B. The Superintendent is responsible for the efficient and effective administration of grant awards through the application of sound management practices.
- C. The Superintendent is responsible for administering grant funds in a manner consistent with underlying agreements, applicable statutes, regulations and objectives, and the terms and conditions of the grant award.
- D. The District, in recognition of its unique combination of staff, facilities, and experience, shall employ internal controls, including the organizational and management strategies necessary to assure proper and efficient administration of grant awards.
- E. All Federal funds received by the District will be used in accordance with the applicable Federal law and regulations and the terms and conditions of the Federal award. The Superintendent shall require that each draw of Federal monies be aligned with the District's payment process (whether reimbursement, cash advance, or a combination). If funds are permitted to be drawn in advance, all draws will be as close as administratively feasible to the related program expenditures and that, when restricted, such monies are used to supplement programs and funding and not to supplant or replace existing programming or current funding.

Maintenance of Effort (MOE) and Maintenance of Equity (MOEquity) requirements of the Federal program will be met in accordance with the requirements of the specific funded program. The District shall maintain appropriate documentation and records to substantiate compliance or to justify allowable exceptions, exemptions, or waivers.

- F. The Superintendent is authorized to sign related documents for grant administration, including documents required for submittal of grant proposals.
- G. Employee positions established through the use of grant funding shall terminate if and when the related grant funding ceases.
- H. Program reports including but not limited to audits, site visits, and final reports shall be submitted to the Superintendent for review and distribution to the Board and other appropriate parties.

Financial Management

The financial management of grant funds shall be in compliance with all applicable Federal, State, local, and grantor rules, regulations, and assurances as well as District policies and administrative guidelines.

The District shall provide for the following:

- A. Identification of all Federal awards received and expended and the Federal programs under which they were received. Federal program and Federal award identification must include, as applicable, the Assistance Listings title and number, Federal award identification number, the year the Federal award was issued, and name of the Federal agency or pass-through entity. Identification, in District accounts, of all grant awards received and expended and the programs under which they were received. For Federal programs and awards, identification shall include the Catalog

of Federal Domestic Assistance ("CFDA") title and number, Federal award identification number and year, name of the Federal agency and name of the pass-through entity, as applicable.

- B. Accurate, current, and complete disclosure of the financial results of each Federal award or program in accordance with the reporting requirements of the grant.
- C. ~~Records that sufficiently identify the amount, source, and expenditure of Federal funds for Federal awards. These records must contain information necessary to identify Federal awards, authorizations, financial obligations, unobligated balances, as well as assets, expenditures, income, and interest. All records must be supported by source documentation. Records that identify adequately the source and application of funds provided for Federally-funded activities. These records must contain information pertaining to Federal awards, authorizations, obligations, unobligated balances, assets, expenditures, income and interest and be supported by source documentation.~~
- D. Effective control ~~over and accountability for all~~ ~~over, and accountability for, all~~ funds, property, and ~~other~~ assets. The District must adequately safeguard all assets and ~~ensure~~ ~~assure~~ that they are used solely for authorized purposes.

Further, the District must:

1. establish and maintain effective internal control over the Federal award that provides reasonable assurance that the District is managing the Federal award in compliance with ~~the U.S. Constitution,~~ Federal statutes, regulations, and the terms and conditions of the Federal award;
 2. comply with ~~the U.S. Constitution,~~ Federal statutes, regulations, and the terms and conditions of the Federal award;
 3. evaluate and monitor the District's compliance with statutes, regulations, and the terms and conditions of the Federal award; ~~and~~
 4. take prompt action when instances of noncompliance are identified ~~including noncompliance identified in audit findings;~~
 5. ~~take reasonable measures to safeguard protected personally identifiable information and other information the Federal awarding agency or pass-through entity designates as sensitive consistent with applicable Federal, State, local, and tribal laws regarding privacy and obligations of confidentiality.~~
- E. ~~Reasonable cybersecurity and other measures to safeguard information including protected personally identifiable information (PII) and other types of information. This also includes information the Federal awarding agency or pass-through entity designates as sensitive or other information the District considers sensitive and is consistent with applicable Federal, State, local, and tribal laws regarding privacy and obligations of confidentiality.~~ ~~Comparison of expenditures with budget amounts for each Federal award.~~
- F. ~~Actual expenditures or outlays must be compared with budgeted amounts for each Federal award.~~
- G. Recordkeeping and written procedures to the extent required by Federal, State, local, and grantor rules and regulations pertaining to the grant award and accountability; including, but not limited to, the following areas:
1. cash management ~~in accordance with 2 C.F.R. 200.305~~
 2. allowability ~~of costs in accordance with subpart E and the terms and conditions of the Federal award~~
 3. conflict of interest
 4. procurement
 5. equipment management
 6. conducting technical evaluations of proposals and selecting recipients
 7. compensation and fringe benefits
 8. travel
- H. Disclosure of any potential conflict of interest and all mandatory violation disclosures potentially affecting the Federal award/grant to the Federal awarding agency or pass-through agency in accordance with applicable Federal policy.

I. Insurance coverage for real property and equipment, if applicable, equivalent to such property owned by the District.

Audit Requirements

A single or program-specific audit (2 C.F.R. 200.514, 2 C.F.R. 200.507) is required for any year if the District expends \$1,000,000 or more in Federal awards during the District's fiscal year. When Federal awards expended are less than \$1,000,000, the District may be exempt from Federal audit requirements (2 C.F.R. 200.501) for that year. However, in all instances, the District's records must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and the Government Accountability Office (GAO).

The District shall:

- A. arrange for the audit required in accordance with 2 C.F.R. 200.509 and make sure that the audit is properly performed and submitted in accordance with 2 C.F.R. 200.512;
- B. prepare financial statements including the schedule of expenditures of Federal awards in accordance with 2 C.F.R. 200.510;
- C. promptly follow up and take corrective action on audit findings, including preparing a summary schedule of prior audit findings and a corrective action plan (2 C.F.R. 200.511); and
- D. provide the auditor access to personnel, accounts, books, records, supporting documentation, and any other information needed for the auditor to perform the audit.

Certifications and Records Retention

Financial reports must include a certification, signed by an official who is authorized to legally bind the District. The certification should state:

"I certify to the best of my knowledge and belief that the information provided herein is true, complete, and accurate. I am aware that the provision of false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil, or administrative consequences including, but not limited to, violations of U.S. Code Title 18, Sections 2, 1001, 1343 and Title 31, Sections 3729-3730 and 3801-3812"

Each certification must be maintained pursuant to the requirements of 2 C.F.R. 200.334. The District shall retain all Federal award records for three (3) years from the date of submission of the final financial report or longer if required by the Board-adopted retention schedule.

Program Income

Program income means gross income earned by a grant recipient that is directly generated by a supported activity or earned as a result of the Federal award during the grant's period of performance.

It includes, but is not limited to, income from fees for services performed, the use or rental of real or personal property acquired under Federal awards, the sale of commodities or items fabricated under a Federal award, license fees and royalties on patents and copyrights, and principal and interest on loans made with Federal award funds. Interest earned on advances of Federal funds is not program income. Except as otherwise provided in Federal statutes, regulations, or the terms and conditions of the Federal award, program income does not include rebates, credits, discounts, and interest earned on any of them. Additionally, taxes, special assessments, levies, fines, and ~~similar other such~~ revenues raised by a recipient are not program income ~~unless the revenues are specifically identified in the Federal award or Federal awarding agency regulations as program income. Proceeds~~. Finally, proceeds from the sale of real property, equipment, or supplies are not program income. Finally, license fees and royalties for copyrighted material, patents, patent applications, trademarks, and inventions made under the Federal award subject to 37 C.F.R. Part 401 are not program income.

Unless ~~the District~~ has received prior approval to use a different method or the terms and conditions of the grant authorize a different method, the District uses the deduction method of accounting for program income. Under the deduction method, program income is deducted from total allowable costs to determine the net allowable costs. Program income will only be used for current costs unless the District is otherwise directed by the Federal ~~awarding~~ agency or pass-through entity.

Revised 8/13/13

Revised 5/24/16

2 C.F.R. 200.56, 200.71, 200.77, 200.80, 200.112, 200.113, 200.302, 200.307
2 C.F.R. 200.309, 200.310, 200.313, 200.318-.320, 200.332, 200.343(b)&(e), 200.501-511
20 U.S.C. 7906
31 U.S.C. 3729-3733
34 C.F.R. 75.707, 76.563, 76.565, 76.707
Compliance Supplement for Single Audits of State and Local Governments

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Legal 2 C.F.R. 200.56, 200.71, 200.77, 200.80, 200.112, 200.113, 200.302, 200.307
2 C.F.R. 200.309, 200.310, 200.313, 200.318-.320, 200.332, 200.343(b)&(e),
200.501-511
20 U.S.C. 7906
31 U.S.C. 3729-3733
34 C.F.R. 75.707, 76.563, 76.565, 76.707
Compliance Supplement for Single Audits of State and Local Governments

Book	Policy Manual
Section	EDGAR for the Board
Title	Revised INTERNAL CONTROLS
Code	po6111
Status	
Adopted	May 24, 2016

Revised Policy - Vol. 43, No. 1 - UGG/EDGAR Revisions

6111 - INTERNAL CONTROLS

The Superintendent shall establish **document** and maintain effective internal controls over Federal awards that provide reasonable assurance that the District is managing all awards in compliance with **the U.S. Constitution, applicable statutes, regulations, regulations** and the terms and conditions of the awards. The District will have a process that provides reasonable assurance regarding the achievement of the following objectives:

- A. effectiveness and efficiency of operations;
- B. reliability of reporting for internal and external use; **and**
- C. compliance with applicable laws and regulations;

These internal controls should comply with the guidance in "Standards for Internal Control in the Federal Government" issued by the Comptroller General of the United States or the "Internal Control-Integrated Framework" issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).

The internal controls must provide reasonable assurance that transactions are properly recorded and accounted for in order to permit the preparation of reliable financial statements and Federal reports; maintain accountability over assets; and demonstrate compliance with Federal statutes, regulations, and the terms and conditions of the Federal award. The internal controls must also provide reasonable assurance that these transactions are executed in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award that could have a direct and material effect on a Federal award, as well as any other Federal statutes and regulations that are identified in the Compliance Supplement. Finally, the District's internal controls must provide reasonable assurance that all Federal funds, property, and other assets are safeguarded against loss from unauthorized use or disposition.

The District shall:

- A. comply with **the U.S. Constitution,** Federal statutes, regulations, and the terms and conditions of the Federal **award** awards;
- B. evaluate and monitor its compliance with **the U.S. Constitution,** statutes, regulations, and the terms and conditions of the award;
- C. take prompt action when instances of noncompliance are identified ~~including noncompliance identified in audit findings;~~ and
- D. take reasonable **cybersecurity and other** measures to safeguard protected **information including protected "personally identifiable information" (PII) and other types of information. This also includes information the Federal agency or pass-through entity designates as sensitive or other information the District considers sensitive and is consistent with applicable Federal, State, local, and tribal laws regarding privacy and responsibility over confidentiality.** ~~"personally identifiable information" (PII) and other information the awarding agency or pass-through entity designated as sensitive or the District considers sensitive consistent with applicable Federal, State, local, and tribal laws and District policies regarding privacy and obligations of confidentiality.~~

PII is defined at 2 C.F.R. **200.1** ~~200.79~~ as "information that can be used to distinguish or trace an individual's

identity, either alone or when combined with other personal or identifying information that is linked or linkable to a specific individual."

However, the definition of PII is not attached anchored to any single category of information or technology. Rather, it requires a case-by-case assessment of the specific risk that an individual can be identified.

Suggested Resources:

- A. "Standards for Internal Control in the Federal Government" issued by the Comptroller General of the United States;
- B. "Internal Control Integrated Framework" (commonly referred to as the Green Book) issued by the Committee of Sponsoring Organizations of the Treadway Commission;
- C. "Compliance Supplement" issued by the U.S. Office of Management and Budget; and
- D. Internal control guidance issued by the U.S. Department of Education.

~~2 C.F.R. 200.61-61~~
2 C.F.R. 200.1-200.79
2 C.F.R. 200.303

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Legal	2 C.F.R. 200.1
	2 C.F.R. 200.303

Book	Policy Manual
Section	EDGAR for the Board
Title	Revised CASH MANAGEMENT OF GRANTS
Code	po6112
Status	
Adopted	May 24, 2016

Revised Policy - Vol. 43, No. 1 - UGG/EDGAR Revisions

6112 - CASH MANAGEMENT OF GRANTS

In order to provide reasonable assurance that all assets, including Federal, State, and local funds, are safeguarded against waste, loss, unauthorized use, or misappropriation, the Superintendent shall implement internal controls in the area of cash management.

The District's payment methods shall minimize the time elapsing between the transfer of funds from the ~~Federal agency~~ United States Treasury or the Ohio Department of Education & Workforce ("DEW") (~~ODE~~) (pass-through entity) and disbursement by the District, regardless of whether the payment is made by electronic fund transfer, or issuance or redemption of checks, warrants, or payment by other means.

The District shall use forms and procedures required by the grantor agency or pass-through entity to request payment. The District shall request grant fund payments in accordance with the provisions of the grant. Additionally, the District's financial management systems shall meet the standards for fund control and accountability as established by the awarding agency.

The Superintendent is authorized to submit ~~payment requests as often as necessary when electronic fund transfers are used or at least monthly when electronic transfers are not used. See~~ requests for advance payments and reimbursements at least monthly when electronic fund transfers are not used, and as often as deemed appropriate when electronic transfers are used, in accordance with the provisions of the Electronic Fund Transfer Act (15 U.S.C. 1693-1693r).

When the District uses a cash advance payment method, the following standards shall apply:

- A. The timing and amount of the advance payment requested ~~must~~ will be as close as is administratively feasible to the actual ~~disbursements by the District~~ disbursement for direct program or project costs and the proportionate share of any allowable indirect costs.
- B. The District shall make timely ~~payments~~ payment to contractors in accordance with contract provisions.
- C. ~~Whenever possible, advance payment requests by the District must be consolidated to cover anticipated cash needs for all Federal awards received by the recipient from the awarding Federal agency or DEW.~~
- D. ~~If to the extent~~ available, the District shall disburse funds available from program income (including repayments to a revolving fund), rebates, refunds, contract settlements, audit recoveries, and interest earned on ~~Federal~~ such funds before requesting additional cash payments. ~~[DRAFTING NOTE: It is generally recommended that the District request program income be added to their total award, but separating program income out and then noting how applicable credits are addressed.]~~
- E. The District shall account for the receipt, obligation, and expenditure of funds.
- F. Advance payments will be deposited and maintained in insured accounts whenever possible.
- G. Advance payments will be maintained in ~~interest-bearing~~ interest-bearing accounts unless the following apply:
 1. The District receives less than \$ ~~250,000~~ 120,000 in Federal ~~funding~~ awards per year.

2. The best ~~reasonably~~-available interest-bearing account would not ~~reasonably~~ be expected to earn interest in excess of \$500 per year on Federal cash balances.
 3. The depository would require an average or minimum balance so high that it would not be feasible within the expected Federal and non-Federal cash resources.
 4. A foreign government or banking system prohibits or precludes ~~interest-bearing~~ interest-bearing accounts.
 5. ~~An interest-bearing account is not readily accessible (for example, due to public or political unrest in a foreign country).~~
- H. Pursuant to Federal law and regulations, the District may retain interest earned in an amount up to \$500 per year for administrative costs. Any additional interest earned on Federal ~~funds must be returned~~ ~~advance payments deposited in interest-bearing accounts must be remitted~~ annually to the Department of Health and Human Services Payment Management System ("PMS") through an electronic medium using either ~~the~~ Automated Clearing House ("ACH") network or a Fedwire Funds Service payment. ~~Remittances shall include pertinent information of the payee and nature of payment in the memo area (often referred to as "addenda records" by Financial Institutions) as that will assist in the timely posting of interest earned on Federal funds. Pertinent details include the Payee Account Number ("PAN") if the payment originated from PMS, or Agency information if the payment originated from Automated Standard Application for Payment ("ASAP"), National Science Foundation ("NSF") or another Federal agency payment system.~~
- I. ~~All interest in excess of \$500 per year must be returned to PMS regardless of whether the District was paid through PMS. Instructions for returning interest can be found at <https://pms.psc.gov/grant-recipients/returning-funds-interest.html>.~~
 - J. ~~All other Federal funds must be returned to the payment system of the Federal agency. Returns should follow the instructions provided by the Federal agency. All returns to PMS should follow the instructions provided at <https://pms.psc.gov/grant-recipients/returning-funds-interest.html>.~~

Book	Policy Manual
Section	EDGAR for the Board
Title	Revised COST PRINCIPLES - SPENDING FEDERAL FUNDS
Code	po6114
Status	
Adopted	May 24, 2016
Last Revised	March 22, 2022
Prior Revised Dates	Revised 1/5/21 Revised 12/14/21

Revised Policy - Vol. 43, No. 1 - UGG/EDGAR Revisions

6114 - COST PRINCIPLES - SPENDING FEDERAL FUNDS

The Superintendent is responsible for the efficient and effective administration of grant funds through the application of sound management practices. Such funds shall be administered in a manner consistent with all applicable Federal, State, and local laws, the associated agreements/assurances, program objectives, and the specific terms and conditions of the grant award.

Cost Principles

A cost is reasonable if it does not exceed an amount that a prudent person would incur under the circumstances prevailing when the decision was made to incur the cost. Except where otherwise authorized by statute, costs shall meet the following general criteria in order to be allowable under Federal awards:

- A. Be necessary and reasonable for proper and efficient performance and administration of the Federal award and be allocable thereto under these principles.

To determine whether a cost is reasonable, consideration shall be given to:

1. whether a cost is a type generally recognized as ordinary and necessary for the operation of the District or the proper and efficient performance of the Federal award;
2. the restraints or requirements imposed by such factors as sound business practices, arm's length bargaining, Federal, State, local, tribal, and other laws and regulations;
3. market prices for comparable costs, goods or services for the geographic area;
4. whether the individuals concerned acted with prudence in the circumstances considering their responsibilities to the District, its employees, its students or membership (if applicable), the public at large, and the Federal Government; and
5. the degree to which the cost represents a deviation from the Board of Education's established written policies and procedures for incurring costs, whether the cost represents any significant deviation from the established practices or Board of Education policy which may unjustifiably increase the expense.

While Federal regulations do not provide specific descriptions of what satisfies the necessary element beyond its inclusion in the reasonableness analysis above, whether a cost is necessary is determined based on the needs of the program. Specifically, the expenditure must be necessary to achieve an important program objective. A key aspect in determining whether a cost is necessary is whether the District can demonstrate that the cost addresses an existing need, and can prove it.

When determining whether a cost is necessary, consideration may be given to whether:

1. the cost is needed for the proper and efficient performance of the grant program;
2. the cost is identified in the approved budget or application;
3. there is an educational benefit associated with the cost;
4. the cost aligns with identified needs based on results and findings from a needs assessment;
5. the cost addresses program goals and objectives and is based on program data.

A cost is allocable to the Federal award if the ~~cost is goods or services involved are chargeable or~~ assignable to ~~that~~ the Federal award in accordance with the relative benefit received.

This standard is met if the cost:

1. is incurred specifically for the Federal award;
 2. benefits both the Federal award and other work of the District and can be distributed in proportions that may be approximated using reasonable methods; ~~or and~~
 3. is necessary to the overall operation of the District and is assignable ~~in part~~ to the Federal award in accordance with ~~these~~ cost principles ~~mentioned here~~.
- B. Conform to any limitations or exclusions set forth in the cost principles in ~~2 C.F.R.~~ Part 200 or in the terms and conditions of the Federal award, including prohibitions regarding costs incurred for telecommunications and video surveillance services or equipment ~~or as a substantial or essential component of any system or as critical technology as part of any system. Such prohibition also applies to funds generated as program income, indirect cost recoveries, or to satisfy cost share requirements.~~
- C. Be consistent with policies and procedures that apply uniformly to both Federally-financed and other activities of the District.
- D. Be accorded consistent treatment. A cost cannot be assigned to a Federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to a Federal award as an indirect cost under another award.
- E. Be determined in accordance with generally accepted accounting principles.
- F. Be representative of actual cost, net of all applicable credits, or offsets.
- The term applicable credits refers to those ~~transactions that offset or reduce direct or indirect costs receipts or reductions of expenditures that operate to offset or reduce expense items~~ allocable to the Federal award. Typical examples of such transactions are: purchase discounts; rebates or allowances; recoveries or indemnities on losses; ~~insurance refunds or rebates;~~ and adjustments of overpayments or erroneous charges. To the extent that such credits accruing to or received by the ~~District~~ State relate to the Federal award, they shall be credited to the Federal award, either as a cost reduction or a cash refund, as appropriate.
- G. Be not included as a match or cost-share ~~requirements of any other Federally-financed program in either the current or a prior period~~, unless the specific Federal program authorizes Federal costs to be treated as such.
- H. Be adequately documented:
1. in the case of personal services, the Superintendent shall implement a system for District personnel to account for time and efforts expended on grant-funded programs to ~~ensure~~ ~~ensure~~ that only permissible personnel expenses are allocated;
 2. in the case of other costs, all receipts and other invoice materials shall be retained, along with any documentation identifying the need and purpose for such expenditure if not otherwise clear.
- I. ~~Administrative closeout costs may be incurred until the due date of the final report(s). If incurred, these costs must be liquidated prior to the due date of the final report(s) and charged to the final budget period of the award unless otherwise specified by the Federal agency.~~

~~All other costs must be~~ incurred during the approved budget period. ~~At its discretion, the Federal agency is~~

authorized to waive prior written approvals to carry forward unobligated balances to subsequent budget periods.

The budget period means the time interval from the start date of a funded portion of an award to the end date of that funded portion during which recipients are authorized to incur financial obligations or carry out authorized work and expend the funds awarded, including any funds carried forward or other revisions pursuant to 2 C.F.R. 200.308 the law. Prior written approval from the Federal awarding agency or State pass-through entity may be required to carry forward unobligated balances to subsequent budget periods unless waived.

Selected Items of Cost

The District shall follow the rules for selected items of cost at 2 C.F.R. Part 200, Subpart E when charging these specific expenditures to a Federal grant. When applicable, District staff shall check costs against the selected items of cost requirements to ensure the cost is allowable. In addition, State, District, and program-specific rules, including the terms and conditions of the award, may deem a cost as unallowable and District personnel shall follow those rules as well.

The following rules of allowability must apply to equipment and other capital expenditures:

- A. Capital expenditures for general-purpose equipment, buildings, and land are allowable as direct charges, but only except with the prior written approval of the Federal awarding agency or pass-through entity.
- B. Capital expenditures for special purpose equipment are allowable as direct costs, provided that items with a unit cost of \$10,000 or more have the prior written approval of the Federal awarding agency or pass-through entity.
- C. Capital expenditures for improvements to land, buildings, or equipment that materially increase their value or useful life are allowable as a direct cost but only except with the prior written approval of the Federal awarding agency or pass-through entity.
- D. All Federally-funded contracts in excess of \$2,000 related to construction, alteration, repairs, painting, decorating, etc. must comply with Davis-Bacon prevailing wage requirements.
- E. Allowability of depreciation on buildings, capital improvements, and equipment shall be in accordance with 2 C.F.R. 200.436 and 2 C.F.R. 200.465.
- F. When approved as a direct cost by the Federal awarding agency or pass-through entity under Sections A-C, capital expenditures will be charged in the period in which the expenditure is incurred, or as otherwise determined appropriate and negotiated with the Federal awarding agency.
- G. The District may claim the unamortized portion of any equipment written off as a result of a change in capitalization levels by continuing to claim the otherwise allowable depreciation on the equipment, or by amortizing the amount to be written off over a period of years negotiated with the cognizant agency for indirect cost.
- H. If the District is instructed by the Federal awarding agency to otherwise dispose of or transfer the equipment, the costs of such disposal or transfer are allowable.
- I. Equipment and other capital expenditures are unallowable as indirect costs.

Statutory requirements may limit the allowability of costs. Any costs that exceed the maximum amount allowed by statute may not be charged to the Federal award. Only the amount allowable by statute may be charged to the Federal award.

Payments made for costs determined to be unallowable by the Federal agency, cognizant agency for indirect costs, or pass-through entity must be refunded (with interest) to the Federal Government.

Prior Written Approval

To avoid subsequent disallowance or dispute based on unreasonableness or nonallocability, the District may seek the prior written approval of the Federal agency (or, for indirect costs, the cognizant agency for indirect costs) before incurring the cost. The absence of prior written approval on any element of cost will not, in itself, affect the reasonableness or allocability of that cost unless prior approval is specifically required for allowability.

Cost Compliance

The Superintendent shall require that grant program funds are expended and are accounted for consistent with the requirements of the specific program and as identified in the grant application. Compliance monitoring includes accounting for direct or indirect costs and reporting them as permitted or required by each grant. Costs incurred for the same purpose in like circumstances shall be treated consistently as either direct or indirect costs, but may not be double charged or inconsistently charged as both.

Determining Whether a Cost is Direct or Indirect:

The association of costs with a Federal award (rather than the nature of the procurement transaction) determines whether costs are direct or indirect. Costs incurred for the same purpose in like circumstances must be treated consistently as direct or indirect.

- A. Direct costs are those costs that can be identified specifically with a particular final cost objective, such as a Federal award, or other internally or externally funded activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy.

These costs may include: salaries and fringe benefits of employees working directly on a grant-funded project; purchased services contracted for performance under the grant; travel of employees working directly on a grant-funded project; materials, supplies, and equipment purchased for use on a specific grant; program evaluation costs or other institutional service operations; and infrastructure costs directly attributable to the program (such as long-distance telephone calls specific to the program, etc.). Direct costs may also include capital expenditures if approved by the Federal awarding agency or pass-through entity, as well as capital expenditures for special purpose equipment with a unit cost of less than \$10,000~~5,000~~.

If a cost benefits two (2) or more projects or activities in proportions that can be determined without undue effort or cost, the cost must be allocated to the projects based on the proportional benefit.

- B. Indirect costs are those that have been incurred for a common or joint purpose benefitting more than one (1) cost objective, and not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved. Costs incurred for the same purpose in like circumstances shall be treated consistently as either direct or indirect costs.

These costs may include: general data processing, human resources, utility costs, maintenance, accounting, etc.

Federal education programs with supplement not supplant provisions must use a restricted indirect cost rate. In a restricted rate, indirect costs are limited to general management costs. General management costs do not include divisional administration that is limited to one (1) component of the District, the governing body of the District, compensation of the Superintendent, compensation of the chief executive officer of any component of the District, and operation of the immediate offices of these officers.

The salaries of administrative and clerical staff should normally be treated as indirect costs. Direct charging of these costs may be appropriate only if all of the following conditions are met:

1. Administrative or clerical services are integral to a project or activity.
2. Individuals involved can be specifically identified with the project or activity.
3. Such costs are explicitly included in the budget or have the prior written approval of the Federal awarding agency.
4. The costs are not also recovered as indirect costs.

Where a Federal program has a specific cap on the percentage of administrative costs that may be charged to a grant, that cap shall include all direct administrative charges as well as any recovered indirect charges.

Effort should be given to identify costs as direct costs whenever practical, but allocation of indirect costs may be used where not prohibited and where indirect cost allocation is approved ahead of time by the Ohio Department of Education and Workforce ("DEW")~~(ODE)~~ or the pass-through entity (Federal funds subject to 2 C.F.R. Part 200 pertaining to determining indirect cost allocation).

~~Equipment and other capital expenditures are unallowable as indirect costs.~~

Timely Obligation of Funds

Financial obligations are orders placed for property and services, contracts and subawards made, and similar transactions that require payment ~~under a Federal award that will result in expenditures by a recipient or subrecipient under a Federal award. This term is used when referencing a recipient's or subrecipient's use of funds under a Federal award.~~

The following list illustrates when funds are determined to be obligated under the U.S. Department of Education regulations:

If the obligation is for:

- A. Acquisition of property - on the date which the District makes a binding written commitment to acquire the property.
- B. Personal services by an employee of the District - when the services are performed.
- C. Personal services by a contractor who is not an employee of the District - on the date which the District makes a binding written commitment to obtain the services.
- D. Performance of work other than personal services - on the date when the District makes a binding written commitment to obtain the work.
- E. Public utility services - when the District receives the services.
- F. Travel - when the travel is taken.
- G. Rental of property - when the District uses the property.
- H. A pre-agreement cost that was properly approved by the Secretary under the cost principles in 2 C.F.R. Part 200, Subpart E - Cost Principles - on the first day of the project period.

Period of Performance

All financial obligations must occur during the period of performance. ~~Period of performance means the time interval between the start and end date of a Federal award, which may include one (1) or more budget periods. Identification of the period of performance shall be specific to the Federal award and consistent with 2 C.F.R. 200.211 and does not commit the Federal agency to fund the award beyond the currently approved budget period.~~ ~~Period of performance means the total estimated time interval between the start of an initial Federal award when the District is permitted to carry out the work authorized by the grant and the planned end date. The period of performance may include one (1) or more funded portions or budget periods. The period of performance is dictated by statute and will be indicated in the Grant Award Notification (GAN).~~ (GAN). As a general rule, State-administered Federal funds are available for obligation within the year that Congress appropriates the funds for. However, given the unique nature of educational institutions, for many Federal education grants, the period of performance is twenty-seven (27) months. This maximum period includes a fifteen (15) month period of initial availability, plus a twelve (12) month period for carryover. For direct grants, the period of performance is generally identified in the GAN. ~~Note, however, that certain Federal awards have specific requirements that restrict the use of funds beyond the initial period of performance.~~

In the case of a State-administered grant, financial obligations under a grant may not be made until the application is approved or is in substantially approvable form, whichever is later. In the case of a direct grant, a grantee may use grant funds only for obligations it makes during the grant period unless an agreement exists with the ~~awarding~~ agency or the pass-through entity (e.g., ~~DEWODE~~) to reimburse for pre-approval expenses.

If a Federal ~~awarding~~ agency or pass-through entity approves an extension, or if the District extends under C.F.R. 200.308(e)(2), the Period of Performance will be amended to end at the completion of the extension. If a termination occurs, the Period of Performance will be amended to end upon the effective date of termination. If a renewal is issued, a distinct Period of Performance will begin.

For both State-administered and direct grants, regardless of the period of availability, the District shall liquidate all financial obligations incurred under the award not later than ninety (90) ~~calendar~~ days after the ~~conclusion of the period of performance of the award (or an earlier date as agreed upon by DEW and the District)~~ end of the funding period unless an extension is authorized. Any funds not obligated within the period of performance or liquidated within the appropriate timeframe are said to lapse and shall be returned to the ~~awarding~~ agency. Consequently, the District shall closely monitor grant spending throughout the grant cycle.

Revised 1/5/21

Revised 12/14/21

Legal

2 C.F.R. 200.216, 200.344(b), 200.403-.407, 200.413(a)-(c), 200.430(a),
200.431(a), 200.439(b)(2)

2 C.F.R. 200.458

34 C.F.R. 76.707-.708(a), 75.703

Book	Policy Manual
Section	43.1 Policies for the Board
Title	Vol. 43, No. 1 - October 2024 Revised BUDGET PREPARATION
Code	po6220
Status	
Adopted	January 28, 2004

Revised Policy - Vol. 43, No. 1

6220 - BUDGET PREPARATION

The District's operation and educational plan is reflected in its budgets. Each year, the Board of Education will cause to have prepared and then review the General Fund as well as the other funds which comprise the tax budget.

The Board directs the Treasurer to present the tax budget to the Board prior to January 15th of each year. When presented to the Board for review and/or adoption, the tax budget shall indicate the information required by the State Auditor's Office.

With an affirmative vote of the majority of the County Budget Commission, including the County Auditor, the requirement that the Board adopt a tax budget may be waived. Therefore, the Board directs the Treasurer to prepare the tax budget in compliance with the requirements of the Clark County Auditor, the Ohio Revised Code, and the State Auditor's Office.

CASH BALANCE RESERVE

The Board supports good stewardship of taxpayer dollars. To that end, the Board is committed to operating the District with fiscally sound management practices. The Board directs the administration, teacher, and other school personnel in charge of making budgetary decisions and/or recommendations to responsibly manage operational costs while maintaining a high level of educational excellence within the District.

As part of its commitment to sound fiscal management, the Board affirms that tax levies shall be pursued and/or the District's finances otherwise managed to ensure a General Operating Fund unencumbered unreserved cash balance equivalent to at least sixty (60) days of operating expenditures. The Board directs the Treasurer/CFO to maintain such a cash reserve.

Promptly upon receiving any indication that such cash balance may not be achieved within any year of the five (5) year forecast, the Treasurer/CFO shall report such a finding to the Board. Upon such notification by the Treasurer/CFO, the Superintendent and Treasurer/CFO will prepare and propose options that the Board may consider to forestall such an eventuality.

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Legal R.C. 5705.13, 5705.28(A)(1), 5705.281, 5705.29, 5705.30

Book	Policy Manual
Section	43.1 Policies for the Board
Title	PURCHASING AND BIDDING
Code	po6320
Status	
Adopted	January 28, 2004
Last Revised	October 22, 2019

6320 - PURCHASING AND BIDDING

Price Quotations for Items Not Required to be Competitively Bid

It is the policy of the Board of Education that the Superintendent/Designee seek at least two (2) price quotations, unless fewer quotations are available, on purchases of any supplies, materials, and/or equipment costing more than \$10,000, except in cases of emergency or when the materials purchased are of such a nature that price negotiations would not result in a savings to the District or when the item is subject to formal bid. Standardized purchasing procedures of the District (AG 6320A) shall be followed when purchasing on the basis of price quotations from vendors.

Limitations

All purchases that are within the amount contained in the fund of the appropriation and were originally contemplated in the budgeting process may be made upon authorization of the Superintendent and/or Treasurer.

The Treasurer is authorized to adjust appropriations within a fund in order to make necessary purchases and shall report such modifications at the following regular Board meeting.

Then and Now Certificate

If the Treasurer can certify that both at the time of the purchase and at the time of certification, sufficient funds were available or in the process of collection, to the credit of the respective fund, properly appropriated and free from previous encumbrance, the expenditure may be authorized. The Board may approve such payment within thirty (30) days from receipt of such certificate.

Amounts of less than \$3,000 may be paid by the Treasurer upon completion of the "then and now" certificate, provided that the expenditure is otherwise lawful.

The Superintendent is authorized to make emergency purchases, without prior adjustment, of those goods and/or services needed to keep the schools in operation. Such purchases shall be brought to the Board's attention at the next regular meeting.

"Blanket" Certificates

The Treasurer may issue "blanket" purchase orders (certificates) for a sum not exceeding an amount established by resolution of the Board against any specific line item account over a period of time, not to extend beyond the end of the fiscal year in which it is issued. Only one (1) "blanket" purchase order (certificate) may be outstanding at any one (1) particular time for any one (1) particular line item appropriation.

"Super Blanket" Certificates

The Treasurer may issue "super blanket" purchase orders (certificates) for any amount for expenditures and contracts from a specific line-item appropriation account in a specified fund for most professional services, fuel, oil, food items, and any other specific recurring and reasonably predictable operating expense. Such a purchase order (certificate) shall not extend beyond the fiscal year.

Contracts for Development and Improvement of Facilities

All contemplated contracts for professional design services such as from an architect or for construction management shall be in accordance with R.C. 9.33 - 9.335 and R.C. 153.65 - 153.71 as applicable, as well as any relevant provisions of the Ohio Administrative Code.

Competitive Bidding

When the Board determines to build, repair, enlarge, improve, or demolish a school building the cost of which will exceed the amount to be determined and published by the Ohio Director of Commerce [DRAFTING NOTE: The bidding threshold for 2024 is \$75,000, and automatically increases each year by 3% thereafter.] or for the purchase (or lease-purchase) of school buses, the Superintendent shall obtain competitive bids.

In accordance with statute, the Board may elect to forego the bidding for contracts in any of the following situations if:

- A. the Board elects and declares by resolution to participate in purchase contracts, in accordance with R.C. Chapter 125 and the terms and conditions prescribed by the Department of Administrative Services
- B. the Board determines and declares by resolution adopted by two thirds (2/3's) of its members that any item is available and can be acquired only from a single source
- C. the Board declares by resolution adopted by two-thirds (2/3's) of its members that the installation, modification, and/or remodeling subject to contracting is involved in an energy conservation measure undertaken through an installment payment contract under R.C. 3313.372 or pursuant to R.C. 133.06(G)
- D. the Board finds and determines that an urgent necessity exists (as defined by statute) with respect to a particular improvement'
- E. pursuant to R.C. 9.48, the Board participates in a joint purchasing program, operated by or through a national or State association of political subdivisions in which the Board is eligible for membership or through the Federal government or another political subdivision

The Superintendent shall verify that the specifications for any public improvement project for which bids are solicited do not require any bidder to:

- A. enter into agreements with labor organizations on said public improvement; or
- B. enter into an agreement that requires its employees to become members of or pay fees or dues to a labor organization as a condition of employment or continued employment.

Bidding shall be conducted in accordance with R.C. 3313.46 and related statutes.

Bids shall be sealed and shall be opened by the Treasurer in the presence of at least one (1) witness.

Soliciting of Bids

The Board, by resolution, may award a bid to the lowest responsible bidder. For a bidder to be deemed responsible, the Board may request evidence from the bidder concerning:

- A. the bidder's facilities;
- B. management skills;
- C. the ability to execute the contract properly;
- D. a signed affidavit affirming that neither the bidder nor any sub-contractor has entered into an agreement with any labor organization regarding the public improvement project;
- E. financial condition;
- F. the experience (type of product or service being purchased, etc.);
- G. the conduct and performance on previous contracts (with the District or other agencies).

Awarding of Bids

The Board shall approve all contracts resulting from competitive bids prior to being awarded. The Board reserves the right to reject any or all bids.

In situations in which the Board has resolved to award a bid to the lowest responsible bidder and the low bidder does not meet the considerations specified above, the Board shall so notify the bidder, in writing, by certified mail.

Purchase of School Buses and Certain Other Motor Vehicles

The Board shall use competitive bidding to enter into an agreement for the purchase or lease-purchase of a school bus unless an exception to bidding applies. The term "school bus" includes any vehicle designed to carry more than nine (9) passengers excluding the driver. Bids shall indicate that prior to delivery the bus must comply with all applicable State laws and regulations, including the Ohio Pupil Transportation Operation and Safety Rules. No bid bonds will be required unless requested by the Board during the competitive bidding process. The Board is not required to use competitive bidding to rent or lease a school bus as long as the agreement does not include a provision for purchase of the bus.

For the purchase of motor vehicles other than school buses, the Board will follow the adopted procedures to obtain price quotations prior to purchase when applicable. Standardized purchasing procedures of the District shall be followed when purchasing a motor vehicle other than a school bus.

Lease-Purchase Agreements

Lease-purchase agreements entered into by the Board shall be in accordance with R.C. 3313.375. Such agreements shall be a series of one-year renewable lease terms totaling not more than thirty (30) years, after which time ownership is transferred to the Board if all obligations of the Board under the agreement have been satisfied.

Purchases from the State

In accordance with State law (R.C. 4115.31 - 4115.35), the Superintendent shall, in accordance with rules of the State committee for the purchase of products and services provided by persons with severe disabilities, procure products or services at the fair market price established by the committee from a qualified nonprofit agency for persons with severe disabilities, if the product or service is on the procurement list and is available within the period required by the District, notwithstanding any law requiring the purchase of products and services on a competitive bid basis.

Quantity Purchases

In order to promote efficiency and economy in the operation of the District, the Board requires that the Superintendent/Designee periodically estimate requirements for standard items or classes of items and make quantity purchases to procure the lowest cost consistent with good quality.

Requirement

Before the Treasurer places a purchase order, s/he shall check as to whether the proposed purchase is subject to bid, whether sufficient funds exist in the budget, and whether the material might be available elsewhere in the District. All purchase orders shall be numbered consecutively.

In the interests of economy, fairness, and efficiency in its business dealings, the Board requires that items commonly used in the various schools or units thereof, be standardized whenever consistency with educational goals can be maintained.

Employees may be held personally responsible for anything purchased without a properly-signed purchase order or authorization.

The Board may acquire equipment as defined in law by lease, by installment payments, by entering into lease-purchase agreements, or by lease with an option to purchase, provided the contract sets forth the terms of such a purchase and the purchase complies with applicable law and Board policy.

Reverse Auctions

It is the policy of the Board to permit the use of a reverse auction to purchase services and supplies whenever it is determined that the reverse auction process will be advantageous to the District (e.g., result in a cost savings to the District). To that end, vendors may submit proposals when competing to sell services and/or supplies in an open environment via the Internet. While the reverse auction process may be used to purchase supplies such as equipment, materials, tangible assets and insurance, the process may not be used to purchase real property or interests in real

property. The process may also be used to purchase services such as the furnishing of labor, time, or effort by a person, provided such services do not involve the delivery of a specific end product other than a report, and are not being furnished in connection with an employment agreement or collective bargaining agreement and/or which are not subject to a competitive selection procedure required by law.

The Board will provide notice of the request for proposals and award contracts in accordance with the Superintendent's administrative guidelines.

Procurement - Federal Grants

The Superintendent shall maintain a procurement and contract administration system in accordance with the USDOE requirements (34 CFR 80.36) for the administration and management of Federal grants and Federally-funded programs. The District shall maintain a compliance system that requires contractors to perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. Except as otherwise noted, procurement transactions shall conform to the provisions of this policy and administrative guidelines (AG 6320). (See Policy 6325)

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Revised 11/14/06
Revised 6/7/07
Revised 11/13/07
Revised 6/8/10
Revised 5/10/11
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Revised 8/13/13
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Legal	R.C. 9.25, 9.30, 9.31, 9.311, 9.312, 9.314, 125.04, 153.02, 153.12, 153.54, 2909.33
	R.C. 3313.37, 3313.375, 3313.46, 3313.172, 3327.08, 4115.32 et. seq., 4116.02
	R.C. 4116.03, 4511.76, 5705.41, 5705.45
	A.C. 3301-83

Book	Policy Manual
Section	EDGAR for the Board
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Revised Policy - Vol. 43, No. 1 - UGG/EDGAR Revisions

6325 - PROCUREMENT - FEDERAL GRANTS/FUNDS

Procurement of all supplies, materials, equipment, and services paid for from Federal funds or District matching funds shall be made in accordance with all applicable Federal, State, and local statutes and/or regulations, the terms and conditions of the Federal grant, Board of Education policies, and administrative procedures.

The Superintendent shall have and use a procurement and contract administration system in accordance with the USDOE requirements (2 C.F.R. 200.317-.326), including affirmative steps for small businesses and minority businesses and women's business enterprises, veteran-owned businesses, and labor surplus area firms, for the administration and management of Federal grants and Federally-funded programs. The District shall maintain oversight that requires contractors to perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. Except as otherwise noted, procurement transactions shall conform to the provisions of the District's documented general purchasing Policy 6320 and AG 6320A.

When required by Federal program legislation, all Federally-funded contracts in excess of \$2,000 related to construction, alteration, repairs, painting, decorating, etc. must comply with Davis-Bacon prevailing wage requirements.

All District employees, officers, and agents who have purchasing authority shall abide by the standards of conduct covering conflicts of interest and governing the actions of its employees, officers, and agents engaged in the selection, award, and administration of contracts as established in Policy 1130, Policy 3113, and Policy 4113 - Conflict of Interest.

The District will avoid acquisition of unnecessary or duplicative items. ~~Consideration~~ Additionally, consideration shall be given to consolidating or breaking out procurements to obtain a more economical purchase and, where appropriate, an analysis shall be made of lease versus purchase alternatives and any other appropriate analysis to determine the most economical approach. ~~When appropriate, an analysis shall be made between leasing and purchasing property or equipment to determine the most economical approach.~~ These considerations are given as part of the process to determine the allowability of each purchase made with Federal funds.

To foster greater economy and efficiency, the District may enter into State and local intergovernmental agreements, where appropriate, for procurement or use of common or shared goods and services.

Competition

All procurement transactions ~~under the for the acquisition of property or services required under a Federal award paid for from Federal funds or District matching funds shall be conducted in a manner that provides encourages full and open competition and that is in accordance with 2 C.F.R. Part 200, good administrative practice, practice and sound business judgment. To ensure~~ In order to promote objective contractor performance and eliminate unfair competitive advantage, the District shall exclude any contractor that has developed or drafted specifications, requirements, statements of work, or invitations for ~~bids~~ bids, or requests for proposals from competition for such procurements.

~~Examples of situations that may restrict competition include, but are not limited to~~ Some of the situations considered to be restrictive of competition include, but are not limited to, the following:

- A. unreasonable requirements on firms in order for them to qualify to do business
- B. unnecessary experience and excessive bonding requirements
- C. noncompetitive pricing practices between firms or between affiliated companies
- D. noncompetitive contracts to consultants that are on retainer contracts
- E. organizational conflicts of interest
- F. specification of only a "brand name" product instead of allowing for an "or equal" product to be offered and describing the performance or other relevant requirements of the procurement
- G. any arbitrary action in the procurement process

~~Further, the District does not use statutorily or administratively imposed State, local, or tribal geographical preferences in the evaluation of bids or proposals unless 1) an applicable Federal statute expressly mandates or encourages a geographic preference; or 2) the District is contracting for architectural and engineering services, in which case geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.~~

To the extent that the District uses a pre-qualified list of persons, firms, or products to acquire goods and services that are subject to this policy, the pre-qualified list includes enough qualified sources as to ensure maximum open and free competition. The District allows vendors to apply for consideration to be placed on the list periodically.

The District shall require that all prequalified lists of persons, firms, or products which are used in **procurement transactions are current and include enough qualified sources to provide maximum open competition.** When establishing or amending prequalified lists, the District (or subrecipient) must consider objective factors that evaluate price and cost to maximize competition. ~~acquiring goods and services are current and include enough qualified sources to provide maximum open and free competition.~~ The District shall not preclude potential bidders from qualifying during the solicitation period.

~~To the extent consistent with established practices and legal requirements applicable to the recipient or subrecipient, this subpart does not prohibit recipients or subrecipients from developing written procedures for procurement transactions that incorporate a scoring mechanism that rewards bidders that commit to specific numbers and types of U.S. jobs, minimum compensation, benefits, on-the-job training for employees making work products or providing services on a contract, and other worker protections. This subpart also does not prohibit recipients and subrecipients from making inquiries of bidders about these subjects and 2 C.F.R. Revisions 2024: Unofficial Comparison Version assessing the responses. Any scoring mechanism must be consistent with the U.S. Constitution, applicable Federal statutes and regulations, and the terms and conditions of the Federal award.~~

Solicitation Language (Purchasing Procedures)

The District shall have written procurement procedures **(In accordance with 2 C.F.R 200.319(d))** that require that all solicitations made pursuant to this policy incorporate a clear and accurate description of the technical requirements for the **property, equipment, or service being procured** ~~material, product, or service to be procured.~~ Such description shall not, in competitive procurements, contain features that unduly restrict competition. The description may include a statement of the **property, equipment,** ~~qualitative nature of the material, product, or service to be procured.~~ **When necessary, the description must** and, when necessary, shall set forth those minimum essential characteristics and standards to which **the property, equipment, or service shall conform** ~~it shall conform if it is to satisfy its intended use.~~ Detailed product specifications should be avoided if at all possible.

When it is impractical or uneconomical to **clearly and accurately describe** ~~make a clear and accurate description of the~~ technical requirements, a "brand name or equivalent" description **of features to provide procurement requirements may be used.** The specific features of the named brand must be clearly stated and the District must identify any additional requirements which the offerors must fulfill and all other factors that will be used in evaluating bids or proposals. ~~may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which shall be met by offers shall be clearly stated and identify all requirements which the offerors shall fulfill and all other factors to be used in evaluating bids or proposals.~~

The Board will not approve any expenditure for an unauthorized purchase or contract.

Procurement Methods

The District shall have and use documented procedures, consistent with the standards described above, for the following methods of procurement:

A. Informal Procurement Methods

~~Informal procurement methods for small purchases expedite the completion of transactions, minimize administrative burdens, and reduce costs. Informal procurement methods may be used when the value of the procurement transaction for property or services under a Federal award does not exceed the simplified acquisition threshold or a lower threshold established by the State, formal procurement methods are not required. The District may use informal procurement methods to expedite the completion of its transactions and minimize the associated administrative burden and cost. The informal procurement methods used for procurement of property or services at or below the simplified acquisition threshold include:~~

1. Micro-Purchases

Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed \$10,000. To the maximum extent practicable, the District should distribute micro-purchases equitably among qualified suppliers.

Micro-purchases may be made without soliciting competitive quotations if the Superintendent considers the price to be reasonable based on research, experience, purchase history, or other relevant information, and ~~maintains documents to support its conclusion~~ documents are filed accordingly. The District shall maintain evidence of this reasonableness in the records of all purchases made by this method.

Unless otherwise defined by State or local law, Districts are responsible for determining and documenting an appropriate micro-purchase threshold ~~in accordance with 2 C.F.R. 200.320(a)(iv)~~ based on internal controls, an evaluation of the risk, and its documented procurement procedures. The micro-purchase threshold used by the District shall be authorized or not prohibited under State, local, or tribal laws or regulations.

~~An eligible District may self-certify a threshold of up to \$50,000 on an annual basis and must maintain documentation to be made available to the Federal agency or pass-through entity and auditors in accordance with 2 C.F.R. 200.334. A District which is qualified as a low risk auditee for the most recent audit (C.F.R. 200.520) may increase the micro purchase threshold up to \$50,000. An eligible District may self-certify the increased micro purchase threshold on an annual basis after completing the annual internal institutional risk assessment to identify, mitigate, and manage financial risks. The self-certification, in accordance with 2 C.F.R. 200.334, must include a justification, clear identification of the threshold, and supporting documentation of any of the following: the qualifications listed above.~~

- ~~a. a qualification as a low-risk auditee in accordance with the criteria in 2 C.F.R. 200.520;~~
- ~~b. an annual internal institutional risk assessment to identify, mitigate, and manage financial risks; or~~
- ~~c. for public institutions, a higher threshold is consistent with State law.~~

2. Small Purchases

Small purchases include the acquisition of property or services, the aggregate dollar amount of which is higher than the micro-purchase threshold but does not exceed the simplified acquisition threshold of \$250,000. Small purchase procedures require that price or rate quotations shall be obtained from two (2) qualified sources.

Districts are responsible for determining an appropriate simplified acquisition threshold based on internal controls, an evaluation of risk, and its documented procurement procedures which must not exceed the threshold established in the Federal Acquisition Regulations ("FAR") (FAR). When applicable, a lower simplified acquisition threshold used by the ~~District~~ non-Federal entity must be authorized or not prohibited under State, local, or tribal laws or regulations.

B. Formal Procurement Methods

When the value of the procurement for property or services under a Federal award exceeds the simplified acquisition threshold or a lower threshold established by the State, formal procurement methods are required. Formal procurement methods require following documented procedures. Formal procurement methods also require public advertising unless a non-competitive procurement method can be used in accordance with the standards on competition in 200.319 or non-competitive procurement. The formal methods of procurement are:

1. Sealed Bids

Sealed, competitive bids shall be obtained when the purchase of, and contract for, single items of supplies, materials, or equipment which amounts to more than \$250,000 and when the Board determines to build, repair, enlarge, improve, or demolish a school building/facility, the cost of which will exceed

~~\$50,000~~ the amount to be determined and published by the Ohio Director of Commerce [DRAFTING NOTE: the bidding threshold for 2024 is \$75,000, and automatically increases each year by 3% thereafter].

In order for sealed bidding to be feasible, the following conditions shall be present:

- a. a complete, adequate, and realistic specification or purchase description is available;
- b. two (2) or more responsible bidders have been identified as are willing and able to compete effectively for the business; and
- c. the procurement lends itself to a firm fixed-price contract and the selection of the successful bidder can be made principally based on the basis of price.

When sealed bids are used, the following requirements apply:

- a. Bids shall be solicited in accordance with the provisions of State law and Policy 6320. Bids shall be solicited from two (2) qualified suppliers, providing sufficient response time prior to the date set for the opening of bids. The invitation to bid shall be publicly advertised.
- b. The invitation for bids must define the items or services with specific information, including any required specifications, for the bidder to properly respond. ~~will include product/contract specifications and pertinent attachments and shall define the items and/or services required in order for the bidder to properly respond.~~
- c. All bids will be opened at the time and place prescribed in the invitation for bids; bids will be opened publicly.
- d. A firm fixed-price contract is awarded. ~~award will be made in writing to the lowest responsive bid and responsible bidder. When specified in the invitation for bids, where specified in bidding documents, factors such as discounts, transportation costs, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts must may only be used to determine the low bid when the District determines they are a valid factor based on prior experience indicates that such discounts are usually taken.~~
- e. The Board reserves the right to reject any or all bids but must document and provide a justification for all bids it rejects ~~for sound documented reason(s).~~

2. Proposals

Procurement by proposals is a method in which either a fixed-price or cost-reimbursement type contract is awarded. ~~This method is~~ Proposals are generally used when conditions are not appropriate for the use of sealed bids or in the case of a recognized exception to the sealed bid method. [DRAFTING NOTE: Drafting Note: Federal law does not require a competitive proposal unless the procurement is for over \$250,000. The State/District may set a lower threshold for sealed bids and competitive proposals. Ohio law requires sealed bids when the Board seeks to build, repair, enlarge, improve, or demolish a school building/facility if the cost will exceed the State competitive bidding threshold enumerated in R.C. 9.17 ~~\$50,000~~ (see Policy 6320).]

If this method is used, the following requirements apply:

- a. Requests for proposals require public notice and must ~~shall be publicized and~~ identify all evaluation factors and their relative importance. ~~To the maximum extent practicable, any proposals submitted in~~

~~response to the public notice must be considered.~~ Any response to the publicized requests for proposals shall be considered to the maximum extent practical.

- b. Proposals shall be solicited from two (2) sources.
- c. The District ~~must have written procedures~~ shall use its written method for conducting technical evaluations ~~and for making selections of the proposals received and for selecting recipients.~~
- d. Contracts ~~must~~ shall be awarded to the responsible offeror ~~firm~~ whose proposal is most advantageous to the ~~District considering price and other factors~~ program, with price and other factors considered.

The District may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby the competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where the price is not used as a selection factor, can only be used to procure in procurement of A/E professional services. The method cannot be used to purchase other types of services provided by A/E firms that are a potential source to perform the proposed effort.

3. Noncompetitive Procurement

Procurement by noncompetitive proposals ~~allows for solicitation of a proposal from only one (1) source and may be used only when one (1) or more of the following circumstances apply:~~

- a. ~~the aggregate amount of the procurement transaction does not exceed the micro-purchase threshold~~ micro purchases;
- b. ~~the procurement transaction can only be fulfilled by the item is available only from~~ a single source;
- c. the public exigency or emergency for the requirement will not permit a delay resulting from ~~providing public notice of publicizing~~ a competitive solicitation;
- d. ~~the District requests in writing to use a noncompetitive procurement method, and the Federal agency or pass-through entity provides written approval; or the Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the District~~
- e. after ~~soliciting several~~ solicitation of a number of sources, competition is determined to be inadequate;

4. Noncompetitive Purchases Through Educational Service Centers (ESCs)

Under State law, the Board may enter into a contract with an educational service center ("ESC") (ESC) that authorizes the ESC to make purchases for supplies, materials, equipment, and services or the delivery of services on the District's behalf. These contracts promote operational efficiency and cost savings, and further enhance the educational experience for our students. Purchases made through such contracts are exempt from competitive bidding.

The District may apply for approval from ~~the Department of Education and Workforce ("DEW")~~ ODE to use a noncompetitive purchasing method to procure personnel-based services from an ESC only when the following criteria are met:

- a. the ESC posts a list of all services it provides, including costs of these services, on its website;
- b. the ESC has been designated as "high performing" by the ~~DEW~~ Ohio Department of Education; and
- c. ~~DEW~~ ODE as the pass-through state entity has determined that the ESC was substantially in compliance with all audit rules and guidelines during the most recent audit conducted by the Auditor of State.

The Treasurer/CFO will submit an application and any required documentation to ~~DEW~~ ODE on the designated form requesting approval for use of a noncompetitive purchasing method for personnel services. Purchases will not be made until the application is approved. Notice of approval will be maintained by the Treasurer/CFO.

Domestic Preference for Procurement

~~The District should~~ As appropriate and to the extent consistent with law, the District shall, to the extent practicable and consistent with law under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States. Such requirements shall be included in all subawards, contracts, subawards including all contracts and purchase orders for work or products under the Federal award.

Procurement of Recovered Materials

The District must comply with Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended, 42 U.S.C. 6962. These requirements include:

- A. procuring only items designated in the guidelines of the Environmental Protection Agency ("EPA") at 40 C.F.R. part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000;
- B. procuring solid waste management services in a manner that maximizes energy and resource recovery; and
- C. establishing an affirmative procurement program for the procurement of recovered materials identified in the EPA guidelines.

The District should, to the greatest extent practicable and consistent with law, purchase, acquire, or use products and services that can be reused, refurbished, or recycled; contain recycled content, are biobased, or are energy and water efficient; and are sustainable.

This may include purchasing compostable items and other products and services that reduce the use of single-use plastic products.

Contract/Price Analysis

The District shall perform a cost or price analysis for every procurement transaction, including contract modifications, in excess of the Simplified Acquisition Threshold (currently \$250,000). The method and degree of analysis conducted depend on the facts surrounding the particular procurement transaction. For example, the District should consider potential workforce impacts in their analysis if the procurement transaction will displace public sector employees. However, as a starting point, the District must make independent estimates before receiving bids or proposals in connection with every procurement action in excess of \$250,000, including contract modifications.

A cost analysis generally means evaluating the separate cost elements that make up the total price, while a price analysis means evaluating the total price, without looking at the individual cost elements. The District must not use the "cost plus a percentage of cost" and "percentage of construction costs" methods of contracting.

Costs or prices based on estimated costs for contracts under the Federal award are allowable only to the extent that the costs incurred or cost estimates included in negotiated prices would be allowable for the District according to cost principle requirements. The method and degree of analysis are dependent on the facts surrounding the particular procurement situation; however, the District shall come to an independent estimate prior to receiving bids or proposals.

~~When performing a cost analysis, the District shall negotiate profit as a separate element of the price. To establish a fair and reasonable profit, consideration is given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.~~

Time and Materials Contracts

The District uses a time-and-materials type contract only 1) after a determination that no other contract is suitable, and 2) if the contract includes a ceiling price that the contractor exceeds at its own risk. A time-and-materials type contract means a contract whose cost to the District is the sum of the actual costs of materials and direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

~~Because~~ Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, the District sets a ceiling price for each contract that the contractor exceeds at its own risk. Further, the District shall assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

Suspension and Debarment

The District will award contracts only to responsible contractors ~~that possess~~ possessing the ability to perform successfully under the terms and conditions of the proposed ~~contract procurement~~. All purchasing decisions shall be made in the best interests of the District and shall seek to obtain the maximum value for each dollar expended. When making a purchasing decision, the District shall consider such factors as 1) contractor integrity; 2) ~~compliance with public policy~~; 3) ~~compliance~~; 4) ~~proper classification of employees~~; 5) record of past performance; and 6) ~~4~~ financial and technical resources.

~~The Superintendent shall have the authority to suspend or debar a person/corporation, for cause, from consideration or award of further contracts. The District is subject to and shall abide by the nonprocurement debarment and suspension regulations implementing Executive Orders 12549 and 12689, 2 C.F.R. Part 180.~~

~~Suspension is an action taken by the District that immediately prohibits a person from participating in covered transactions and transactions covered under the Federal Acquisition Regulation (48 C.F.R. Chapter 1) for a temporary period, pending completion of an agency investigation and any judicial or administrative proceedings that may ensue. A person so excluded is suspended. (2 C.F.R. Part 180 Subpart C)~~

~~Debarment is an action taken by the Superintendent to exclude a person from participating in covered transactions and transactions covered under the Federal Acquisition Regulation (48 C.F.R. Chapter 1). A person so excluded is debarred. (2 C.F.R. Part 180 Subpart H)~~

The District shall not subcontract with or award subgrants to any person or company that is debarred or suspended. For contracts over \$25,000, the District shall confirm that the vendor is not debarred or suspended by either checking the Federal government's System for Award Management, which maintains a list of such debarred or suspended vendors, at www.sam.gov; collecting a certification from the vendor; or adding a clause or condition to the covered transaction with that vendor. (2 C.F.R. Part 180 Subpart C)

Bid Protest

The District maintains the following protest procedures to handle and resolve disputes relating to procurements and, in all instances, discloses information regarding the protest to the ~~awarding~~ agency.

A bidder who wishes to file a bid protest shall file such notice and follow procedures prescribed by the Request For Proposals ("RFPs") ~~(RFPs)~~ or the individual bid specifications package for resolution. Bid protests shall be filed in writing with the Superintendent within seventy-two (72) hours of the opening of the bids in protest.

Within five (5) days of receipt of a protest, the Superintendent shall review the protest as submitted and render a decision regarding the merits of the protest and any impact on the acceptance and rejection of bids submitted. Notice of the filing of a bid protest shall be communicated to the Board and shall be so noted in any subsequent recommendation for the acceptance of bids and awarding of contracts.

Failure to file a notice of intent to protest or failure to file a formal written protest within the time prescribed shall constitute a waiver of proceedings.

Maintenance of Procurement Records

The District shall maintain records sufficient to detail the history of all procurements. These records will include, but are not necessarily limited to, the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price (including a cost or price analysis).

Records Retention

~~The District must retain all Federal award records for three (3) years from the date of submission of the final financial report, or as otherwise required pursuant to the Board-adopted records retention schedule, whichever is longer. For awards that are renewed quarterly or annually, the District must retain records for three (3) years from the date of submission of the quarterly or annual financial report, respectively, or as otherwise required pursuant to the Board-adopted records retention schedule, if longer. Records to be retained include, but are not limited to, financial records, supporting documentation, and statistical records. Other records retention requirements shall be in accordance with 2 C.F.R. 200.334 and the Board-adopted records retention schedule.~~

~~The District must collect, transmit, and store Federal award information in an open file, non-licensed, and machine-readable formats. The District may substitute electronic versions of original paper records through duplication or other forms of electronic conversion, provided that the procedures are subject to periodic quality control reviews. Quality control reviews must ensure that electronic conversion procedures provide safeguards against the alteration of records and assurance that records remain in a format that is readable by a computer system.~~

Revised 4/25/17
Revised 12/18/18
Revised 7/23/19
Revised 11/17/20
Revised 1/5/21
Revised 3/22/22

2 C.F.R. 200.317 - .326, Appendix II to Part 200
~~2 C.F.R. 200.334 - 200.336~~
2 C.F.R. 200.520
R.C. 3313.843 - 3313.846

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Legal	2 C.F.R. 200.317 - .326, Appendix II to Part 200
	2 C.F.R. 200.334 - 200.336
	2 C.F.R. 200.520
	R.C. 3313.843 - 3313.846

Book	Policy Manual
Section	43.1 Policies for the Board
Title	Vol. 43, No. 1 - October 2024 Revised VENDOR RELATIONS
Code	po6460
Status	
Adopted	January 28, 2004
Last Revised	December 10, 2012

Revised Policy - Vol. 43, No. 1

6460 - VENDOR RELATIONS

The Board of Education shall not enter ~~into~~ a contract knowingly with any supplier of goods or services to this District under which any Board member or officer, employee, or agent of this School District has any pecuniary or beneficial interest, direct or indirect, unless the person has not solicited the contract or participated in the negotiations leading up to the contract. This prohibition shall not prevent any person from receiving royalties upon the sale of any educational material of which ~~the person~~ ~~he~~ is the author and which has been properly approved for use in the schools of this District.

Board members and school personnel shall not accept any form of compensation from vendors that might influence their recommendations on the eventual purchase of equipment, supplies, or services. Furthermore, Board members and school personnel shall not accept any compensation from a vendor after a decision has been made to purchase equipment, supplies, or services from said vendor. In addition, Board members or school personnel who recommend purchases shall not enter into a contractual arrangement with a vendor seeking to do business with the District, or a vendor with whom the District is doing business, whereby an individual board member or member of the school staff receives compensation in any form for services rendered.

Such compensation includes, but is not limited to, cash, checks, stocks, or any other form of securities, and gifts such as televisions, microwave ovens, computers, discount certificates, travel vouchers, tickets, passes, and other such things of value. In the event that a Board member or member of the school staff receives such compensation, albeit unsolicited, from a vendor, the Board member or school staff member shall notify the Treasurer, in writing, that ~~the staff members~~ ~~he~~ received such compensation and shall thereafter promptly transmit said compensation to the Treasurer at ~~the staff member's~~ ~~his/her~~ earliest opportunity.

Employee accrual of personal frequent-flyer miles, hotel "bonus points", credit card "rewards", or any other reward under such affinity programs (including credit points or rewards directed to non-profit organizations) or other merchant "rewards" programs as a result of a District purchase is strictly prohibited.

Nothing herein shall prevent a school employee, who is not in a position to negotiate or authorize a contract with a vendor, from accepting a discount on goods purchased for personal use from a vendor with whom the Board does business (i.e., that has a contract with the Board) provided the vendor (a) extends the same discount to all of its customers and does not limit it to officials and employees of the District, (b) offers a uniform discount to all eligible school officials and employees, without limiting the offer to employees with official duties or responsibilities affecting the vendor's financial interest, and (c) does not offer the discount to school officials and employees in exchange for the performance of their public duties. Board members and/or school personnel who negotiate or authorize a vendor's contract are prohibited from accepting any discount offered by the vendor for ~~the Board member's or school personnel's~~ ~~his/her~~ personal use. Such individuals also shall not suggest that the vendor offer an employee discount as part of the public contract.

All sales persons, regardless of ~~the product~~, shall ~~make contact~~ ~~clear~~ with the Superintendent's office before contacting any teachers, students, or other personnel of the School District. Purchasing personnel shall not show any favoritism to any vendor. Each order shall be placed in accordance with ~~the~~ policies of the Board on the basis of quality, price, and delivery with past service ~~as~~ a factor if all other considerations are equal.

Requirements for Certain Technology Provider Contracts

Any person or entity who contracts with a School District to provide a school-issued device for student use and creates, receives, or maintains educational records pursuant or incidental to its contract with the District must meet certain requirements as outlined in State law. For the purpose of this policy, the term "school-issued device" includes hardware, software, devices, and accounts that the District or technology provider, at the direction of the District, provides to an individual student for their dedicated personal use.

As a condition of doing business with the District, technology providers who maintain educational records as part of their contract to provide school-issued devices are required to comply with Chapter 1347 of the Revised Code to the same extent that the District is with regard to the collection, use, and protection of the records. Upon discovering that any of the District's educational records are subject to a breach of security, a technology provider must promptly notify the District and provide all of the information that the District needs to notify individuals whose personal information has been compromised as required by R.C. 1347.12. All educational records created, received, maintained, or disseminated by a technology provider remain the sole property of the District. Unless renewal of the contract is reasonably anticipated, all educational records must be returned to the District or destroyed using industry-standard destruction protocols within ninety (90) days of the contract's expiration. Technology providers are prohibited from selling, sharing, or disseminating educational records unless part of a valid delegation or assignment of its contract, or unless State law otherwise authorizes such action. Technology providers may not use educational records for commercial purposes, including for marketing or advertising goods or services to students or parents. Technology providers may use educational records which have been stripped of all personally identifiable information for the purposes of improvement, maintenance, development, support, or diagnosis of its site, services, or operations.

All contracts between the District and technology providers must ensure that appropriate industry-recognized security measures are used to safeguard educational records. Contracts must also include provisions that technology providers will 1) only grant access to educational records to those employees and contractors who need access to fulfill their official duties; and 2) will take measures to restrict unauthorized access of educational records by employees and contractors.

By August 1st each school year, the District will provide parents and students with direct and timely notice by mail, electronic mail, or another method of direct communication of any contracts the District has with a provider of curriculum, testing, or assessment technology that affects a student's educational records. The notice will:

- A. identify each curriculum, testing, or assessment technology provider with access to educational records;
- B. identify the educational records affected by the curriculum, testing, or assessment provider contract;
- C. notify parents and students that they may request an opportunity to inspect a complete copy of any contract; and
- D. provide contact information for the school department or employee that a parent or student should direct any questions or concerns regarding any program or activity that allows curriculum, testing, or assessment technology provider access to a student's education records.

[DRAFTING NOTE: This notice is a new requirement adopted through Senate Bill 29 (135th General Assembly), which took effect October 24th, 2024. Since the bill's effective date did not occur until after August 1, 2024, it is reasonable to conclude that Districts are not required to send the notice for the 2024-2025 school year. However, all Districts should be prepared and ready to send the notice by August 1, 2025.]

Criminal Background Checks

In accordance with State law, Policy 4121, and Policy 8142, a criminal background check is required of any non-teaching employee, including individuals employed by a private company/vendor under contract with the Board to provide essential school services who will work within the District in a position which does not require a license issued by the State Board of Education, is not for the operation of a vehicle for student transportation, but does involve routine interaction with a child or regular responsibility for the care, custody, or control of a child.

Revised 11/14/06

Revised 6/10/08

Revised 11/11/08

Revised 5/10/11

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Legal

R.C. 2909.33, 3319.391, 3319.392

Auditor's Bulletin 2000-006

Ohio Ethics Commission Opinion No. 2011-08 (effective Nov. 3, 2011)

Book	Policy Manual
Section	EDGAR for the Board
Title	Revised TRAVEL PAYMENT & REIMBURSEMENT/RELOCATION COSTS
Code	po6550
Status	
Adopted	August 13, 2013
Last Revised	May 24, 2016

Revised Policy - Vol. 43, No. 1 - UGG/EDGAR Revisions

[DRAFTING NOTE: Travel charges must be consistent with the District's established written policies. The District must allow costs for "above and beyond regular dependent care" if consistent with established written policy for all travel.]

6550 - TRAVEL PAYMENT & REIMBURSEMENT/RELOCATION COSTS

Travel expenses incurred for official business travel on behalf of the Board of Education shall be limited to those expenses necessarily incurred by the employee in the performance of a public purpose authorized, in advance, in accordance with administrative guidelines. **Travel costs may include the transportation, lodging, subsistence, and related items incurred by employees who are in travel status on official business of the District.**

Payment and reimbursement rates for per diem meals, lodging, and mileage shall be approved by the Board annually. The Board shall establish mileage rates in accordance with the Federal IRS prescribed mileage rate.

Employees are expected to exercise the same care incurring travel expenses that a prudent person would exercise if traveling on personal business and expending personal funds. Unauthorized costs and additional expenses incurred for personal preference or convenience will not be reimbursed.

~~**[] The costs of identifying and providing locally available dependent care resources for conference participants are allowable, as needed.**~~

[x] Conference costs must be appropriate, necessary, and managed to minimize costs to the Federal award.

Travel payment and reimbursement provided from Federal funds must be authorized in advance and must be reasonable and consistent with the District's travel policy and administrative guidelines. For travel paid for with Federal funds, the travel authorization must include documentation that demonstrates ~~that~~ (1) the participation in the event by the individual traveling is necessary to the Federal award; and (2) the costs are reasonable and consistent with the District's travel policy.

All travel shall comply with the travel procedures and rates established in the administrative guidelines. All costs incurred with Federal funds must meet the cost allowability standards within Board Policy 6114.

To the extent that the District's policy does not establish the allowability of a particular type of travel cost, the rates and amounts established under 5 U.S.C. 5701-11 ("Travel and Subsistence Expenses; Mileage Allowances"), or by the Administrator of General Services, or by the President (or the President's designee) must apply to travel under Federal awards.

2 C.F.R. 200.464

2 C.F.R. 200.474

2 C.F.R. 200.475

Legal

2 C.F.R. 200.464

2 C.F.R. 200.474

2 C.F.R. 200.475

Book	Policy Manual
Section	EDGAR for the Board
Title	Revised DISPOSITION OF SURPLUS PROPERTY
Code	po7310
Status	
Adopted	January 28, 2004
Last Revised	May 24, 2016
Prior Revised Dates	Revised 1/3/06

Revised Policy - Vol. 43, No. 1 - UGG/EDGAR Revisions

7310 - DISPOSITION OF SURPLUS PROPERTY

The Board of Education requires the Superintendent to review the property of the District periodically and to dispose of that material and equipment which is no longer usable in accordance with the terms of this policy (see Policy 7300).

A. Instructional Material

The District shall review instructional materials (i.e. textbooks, library books, manuals, support materials, etc.) periodically to determine the relevance of such materials to the present world and current instructional programs. The following criteria will be used to review instructional materials for redistribution and possible disposal:

1. concepts or content that do not support the current goals of the curriculum
2. information that may not be current, or
3. worn beyond salvage

B. Equipment

For purposes of this policy, equipment shall mean tangible personal property (including information technology systems), a unit of furniture or furnishings, an instrument, a machine, an apparatus, or a set of articles which retains its shape and appearance with use, is nonexpendable, having a useful life of more than one (1) year, and a per-unit cost that equals or exceeds \$ 5,000 ~~— () to replace~~ (x) as a single unit [END OF OPTIONS] and does not lose its identity when incorporated into a more complex unit.

The District shall inspect the equipment used in the educational program periodically, to determine the condition and usability of such equipment in the current educational program. Should the equipment be deemed no longer serviceable or usable, the following criteria will be used to determine possible disposal:

1. repair parts for the equipment no longer readily available
2. repair records indicate equipment has no usable life remaining
3. obsolete and/or no longer contributing to the educational program
4. some potential for sale at a school auction ~~or~~
5. creates a safety or environmental hazard

C. Disposition

The Superintendent is authorized to dispose of obsolete instructional and other property by selling it to the highest

bidder, by donation to appropriate parties, or by proper waste removal in compliance with 2 C.F.R. 200.313(e) and 200.314.

When there is a residual inventory of unused supplies exceeding \$10,000 in aggregate value at the end of the period of performance and the supplies are not needed for any other Federal award, the District may retain or sell the unused supplies. Unused supplies means supplies that are in new condition, not having been used or opened before. The aggregate value of unused supplies consists of all supply types, not just like-item supplies. The Federal agency or pass-through entity may be entitled to compensation in an amount prescribed in 2 C.F.R. 200.314.

Disposal of surplus property purchased with Federal funds shall be disposed of in accordance with Federal guidelines.

When original or replacement equipment acquired under a Federal award is no longer needed for the original project or program or for other activities currently or previously supported by a Federal ~~awarding~~-agency, the District shall request disposition instructions from the Federal ~~awarding~~-agency if required by the terms and conditions of the Federal award. Disposition of the equipment will be made in accordance with disposition instructions of the Federal ~~awarding~~-agency.

Except as provided in § ~~200.313~~ 200.312 Federally-owned and exempt property, paragraph (b), or if the Federal awarding agency fails to provide requested disposition instructions within 120 days, items of equipment with a current ~~per unit~~ fair market value in excess of \$ ~~10,000~~ 5,000 (per unit) may be retained by the non-Federal entity or sold. The Federal ~~awarding~~-agency is entitled to an amount calculated by multiplying the current market value or proceeds from sale by the Federal ~~awarding~~-agency's percentage of participation in the cost of the original purchase. If the equipment is sold, the Federal ~~awarding~~-agency may permit the non-Federal entity to deduct and retain from the Federal share \$ ~~1,000~~ 500 or ten percent (10%) of the proceeds, whichever is less, to cover expenses associated with the selling and handling of the equipment for its selling and handling expenses.

The District may transfer title to the property to the Federal Government or to an eligible third party provided that, in such cases, the District shall be entitled to compensation for its attributable percentage of the current fair market value of the property.

When included in the terms and conditions of the Federal award, the Federal agency may permit the District to retain equipment, or authorize DEW to permit the District to retain equipment, with no further obligation to the Federal Government unless prohibited by Federal statute or regulation.

Revised 1/3/06

R.C. 3313.40;

~~R.C.~~ 3313.41

~~2 C.F.R. 200.312,~~

~~2 C.F.R. 200.313~~

~~2 C.F.R. 200.314~~

[Cross Reference: po7450]

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Legal

R.C. 3313.40

R.C. 3313.41

2 C.F.R. 200.313

2 C.F.R. 200.314

Cross References

po7450 - PROPERTY INVENTORY

Book	Policy Manual
Section	EDGAR for the Board
Title	Revised PROPERTY INVENTORY
Code	po7450
Status	
Adopted	January 28, 2004
Last Revised	March 20, 2018
Prior Revised Dates	Revised 5/24/16

Revised Policy - Vol. 43, No. 1 - UGG/EDGAR Revisions

7450 - **PROPERTY INVENTORY**

As steward of this District's property, the Board of Education recognizes that efficient management and full replacement upon loss requires accurate inventory and properly maintained property records.

The Board shall maintain a continuous inventory of all Board-owned equipment and supplies and the results reconciled with the property records at least once (☒) annually ~~() every _____ () years [specify number, Federal regulations require at least once every two (2) years] ()~~ at such intervals as will coincide with property insurance renewal ~~()~~ and G.A.A.P. reporting requirements ~~[END OF OPTIONS].~~

For purposes of this policy, ~~policy~~ equipment shall mean **tangible personal property (including information technology systems), a unit of furniture or furnishings, an instrument, a machine, an apparatus, or a set of articles which retains its shape and appearance with use, is nonexpendable, having a useful life of more than one (1) year and a per-unit cost that equals or exceeds costs at least \$5000 for reporting purposes and does not lose its identity when incorporated into a more complex unit.** When defining supplies for inventory purposes, no items will be counted whose total value is less than \$ ~~_____ 5,000 [ENTER AMOUNT].~~ Items with a \$500.00-\$4,999.00 value with a life of five (5) years or more should be tagged for insurance purposes. **[DRAFTING NOTE: The Federal regulation (2 C.F.R. 200.439) allows for a \$10,000 5,000 threshold. Capital expenditures with a unit cost of \$10,000 5,000 or more require prior written approval of the Federal awarding-agency or pass-through entity.]**

It shall be the duty of the Treasurer to ensure that inventories are recorded systematically and accurately and property records of equipment are updated and adjusted annually by reference to purchase orders and withdrawal reports.

Major items of equipment shall be subject to annual spot check inventory to determine loss, mislocation, or depreciation; any major loss shall be reported to the Board.

Property records of consumable supplies shall be maintained on a continuous inventory basis.

The Treasurer shall maintain a system of property records which shall show, as appropriate to the item recorded, ~~the:~~

- A. -description and identification **(serial number of other identification number);**
- B. year of purchase;
- C. ~~initial cost;~~
- D. ~~location;~~
- E. ~~condition and depreciation;~~
- F. evaluation in conformity with insurance requirements.

The District is responsible for maintaining and updating property records when there is a change in the status of the property.

Equipment acquired ~~in whole or in part~~ under a Federal award will vest upon acquisition to the District, subject to the following conditions:

- A. The equipment shall be used for the authorized purposes of the award project during the period of performance or until the equipment is no longer needed for the purposes of the project.
- B. ~~While the equipment is being used for the originally-authorized purpose, the District (or subrecipient) must not dispose of or encumber its title or other interests without the approval of the Federal agency or pass-through entity. The equipment shall not be encumbered without the approval of the Federal awarding agency or the pass-through entity.~~
- C. The equipment may only be used and disposed of in accordance with the provisions of the Federal ~~awarding agency~~ or the pass-through entity and Policy 7300 - ~~Disposition of Real Property/Personal Property~~ and Policy 7310 - ~~Disposition of Surplus Property~~; (x) and AG 7310 - ~~Disposal of Nonfixed-Asset Property~~ [END OF OPTION].
- D. ~~The District must use equipment for the project or program for which it was acquired and for as long as needed, whether or not the project or program continues to be supported by the Federal award. The District must not encumber the equipment without prior approval of the Federal agency or pass-through entity.~~
- E. ~~When no longer needed for the original project or program, the equipment may be used in other activities in the following order of priority:~~
 - 1. ~~activities under other Federal awards from the Federal agency that funded the original program or project; then~~
 - 2. ~~activities under Federal awards from other Federal agencies. These activities include consolidated equipment for information technology systems.~~
- F. ~~During the time that equipment is used on the project or program for which it was acquired, the District must also make the equipment available for use on other programs or projects supported by the Federal Government, provided that such use will not interfere with the purpose for which it was originally acquired. First preference for other use of the equipment must be given to other programs or projects supported by the Federal agency that financed the equipment. Second preference must be given to programs or projects under Federal awards from other Federal agencies. Use for non-Federally funded projects is also permissible, provided such use will not interfere with the purpose for which it was originally acquired. The District should consider charging user fees as appropriate. If the District does use equipment to earn program income, it must not charge a fee that is less than a private company would charge for similar services unless specifically authorized by Federal statute.~~
- G. ~~When acquiring replacement equipment, the District may either trade-in or sell the equipment and use the proceeds to offset the cost of the replacement equipment.~~
- H. Property records shall be maintained that include a description of the equipment, a serial number or other identification number, the source of funding for the equipment (including the ~~Federal Award Identification Number ("FAIN")~~ FAIN), title ~~holder~~ entity, acquisition date, cost of the ~~property~~ equipment, percentage of Federal ~~agency~~ contribution towards the original purchase, ~~participation in the project costs for the award under which the equipment was acquired,~~ the location, use, and condition of the ~~property~~ equipment, and ultimate disposition data, including date of disposal and sale price of the ~~property~~ equipment.
- I. A physical inventory of the property must be ~~conducted~~ taken and results reconciled with property records at least once every two (2) years.
- J. A control system shall be ~~in place~~ developed to provide adequate safeguards ~~for preventing~~ to prevent loss, damage, or theft of the property. Any such loss, damage, or theft ~~of the property must~~ shall be investigated. ~~The District must notify the Federal agency or pass-through entity of any loss, damage, or theft of equipment that will have an impact on the program.~~
- K. ~~Regular~~ Adequate maintenance procedures shall be implemented to keep the property in ~~proper working~~ good condition.
- L. Proper sales procedures shall be established to ensure the highest possible ~~return~~ return, in the event the District is authorized or required to sell the equipment/property.

M. When ~~original or replacement~~ equipment acquired under a Federal award is no longer needed for the original project/program or for activities currently or previously supported by a Federal ~~awarding agency, and except as otherwise provided by Federal statutes, regulations, or Federal awarding agency disposition instructions,~~ the District shall request disposition instructions from the Federal ~~awarding agency~~ **or the pass-through entity** if required by the terms and conditions of the Federal award. Disposition of the equipment shall be made in accordance with the provisions of 2 C.F.R. 200.313.

Revised 5/24/16

[Cross Reference: 7310]

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Legal 2 C.F.R. 200.313, 200.439(b)(2)

Cross References po7310 - DISPOSITION OF SURPLUS PROPERTY

Book	Policy Manual
Section	43.1 Policies for the Board
Title	Revised CELLULAR TELEPHONE ALLOWANCE
Code	po7530.01V1
Status	

Revised Policy - Vol. 43, No. 1

7530.01 - **CELLULAR TELEPHONE** ~~CELL-PHONE ALLOWANCE~~

Version # 1

Eligibility for ~~Cellular Telephone~~ Cell Phone Allowance

~~Personal communication devices ("PCDs") (as defined by Bylaw 0100) Mobile/cellular telephones, smartphones (e.g., BlackBerry, iPhone, Android devices, Windows Mobile devices, etc.), () telephone paging devices (e.g., beepers and pagers)) (collectively, "cell phones")~~ enable communication whenever a situation arises necessitating immediate contact, regardless of the person's location at the time. The Superintendent and the administrators who meet one or more of the following criteria are required as a condition of employment to personally own a **cellular telephone ("cell phone")** and obtain an appropriate service plan so that the cell phone is available for use for business-related communications:

- A. their jobs require them to spend a considerable amount of time outside of their assigned office or work area during regular work hours and have regular access to telephone and/or Internet/data connections while outside their office or assigned work area;
- B. their jobs require them to be accessible outside of scheduled or regular work hours or to be contacted and respond in the event of an emergency;
- C. their jobs consistently require timely and business critical two (2) way communication for which there is no reasonable alternative technology;

Administrators who are required to have a personally-owned cell phone as a condition of their employment shall receive a monthly cell phone allowance ("allowance"), up to an amount approved annually by the Board to reimburse them for the costs associated with maintaining and using the personally-owned cell phone for business purposes. Additionally, other staff members who believe that they meet the above-identified criteria may apply for an allowance.

Amount of the Allowance

The allowance shall consist of the following:

a monthly allowance of up to a specific dollar amount for cellular telephone service;

The allowance shall not reimburse the employee's dollar-for-dollar costs for the cellular telephone service, and shall not exceed the expenses the employee actually incurs in maintaining ~~the employee's~~ his/her personally-owned cell phone.

The allowance shall not serve as a substitute for a portion of the staff member's regular wages, and does not constitute an increase to base pay and will not be included in the calculation of percentage increases to base pay due to annual raises, job upgrades or benefits based on a percentage of salary, etc. The Board will pay only the Board-approved allowance even if actual monthly costs exceed the allowance. If the amount of the allowance needs to be changed because of documented business purposes, the employee should notify the Superintendent by submitting a new Cell Phone Allowance Request Form (Form 7530.01 F1).

If an employee is absent for more than thirty (30) days on either a paid or unpaid leave of absence, the allowance will be temporarily discontinued (i.e. it will be prorated during the period of absence) unless:

- A. the employee can demonstrate **the employee's** need for the cell phone for essential business communications during the period of absence, and/or
- B. the Superintendent approves the continuation of the allowance.

To be eligible to receive the allowance, the employee must maintain the type of cellular telephone coverage and wireless Internet/data plan that is reasonably related to **the employee's** job responsibilities. The employee must maintain an active cellular telephone service contract while the allowance is being provided.

The Superintendent should use knowledge of each employee's duties (e.g., the projected number of minutes of monthly business-related calls, and whether the employee requires wireless Internet/data service) and budget considerations to determine the amount of monthly allowance to recommend to the Board for each employee. In determining the amount of the allowance to recommend to the Board, the Superintendent may take into consideration the cost of the basic equipment, whether wireless Internet/data service is needed, and the cost of the employee's monthly cellular telephone service plan.

In order to continue to receive the allowance, administrators are required to answer all business-related calls **they receive** on **their** cell phone and promptly respond to any messages.

Allowance Is Not Considered Taxable Income

Provided the employee maintains and uses **his/her** personally-owned cell phone for business purposes as described herein, the allowance should not be considered additional income to the employee (i.e., the allowance will be treated as a non-payroll reimbursement of a business expense - similar to mileage reimbursements - and no payroll taxes will be withheld from the employee's paycheck for the amount of the allowance and the amount of the allowance will not be reported as wages on the employee's year-end W-2 statement). Additionally, staff members who receive an allowance are not required to submit a log documenting their business-related use of the cell phone; non-exempt employees, however, must comply with the timekeeping requirements set forth above. For determination of individual taxability, employees should check with their tax advisor.

Employee's Responsibilities

The employee is responsible for choosing **his/her** cell phone, the voice and/or wireless data plan, and the service provider. Since the cell phone is the employee's personal property, the cell phone may be used for personal calls (see below concerning the making of personal calls during work time) and be combined or enhanced with other personal plans (i.e., the employee may also, at **the employee's** own expense, add extra services or equipment features, as desired). The employee is responsible for paying all monthly service charges in full and on time. The Board does not accept any liability for claims, charges, or disputes between the service provider and the staff member. Because the employee is personally responsible for the cell phone, any replacement for loss or damage will be at the expense of the employee. Such replacement or repair must be completed promptly and the Superintendent must be notified if the employee will not be available by **the employee's** cell phone for a period of time.

Employees should contact the vendor/carrier through which they purchased their cell phone and their cellular telephone service (including wireless Internet/data service, if applicable) for support.

Employees may contact the District's IT Department/Support Staff for consultation on the type of equipment to purchase if they are obtaining wireless Internet/data service in order to enable e-mail and calendar support through the District's servers (e.g., through Microsoft Exchange, **Google Mail**, **Novell GroupWise**, etc.) and to obtain assistance in setting up their device to connect to the District's servers. The District's IT Department/Support Staff will assist employees who have wireless Internet/data service with e-mail and calendar functionality.

Changing or Ending a Cellular Telephone Service Contract Early

If prior to the end of a cellular telephone and/or wireless Internet/data service contract, a personal decision by the employee results in the need to end or change the contract, the employee will bear the costs of any fees associated with the change or cancellation.

If prior to the end of a cellular telephone and/or wireless Internet/data service contract, the employee's misconduct, or misuse of the cell phone, results in the need to end or change the contract, the employee will bear the costs of any fees associated with the change or cancellation.

If prior to the end of a cellular telephone and/or wireless Internet/data service contract, the Board determines to reduce or cancel (unrelated to employee misconduct) the employee's monthly allowance, the Board will bear the cost of any fees associated with the change or cancellation. For example, if the employee is reassigned and/or the employee's duties are changed, and the cell phone is no longer needed for business purposes, if the employee does not want to retain the current contract, changes or cancellation fees will be reimbursed by the Board.

When selecting the duration of the employee's cellular telephone and/or wireless Internet/data service contract, the employee should take into consideration the length of the employee's Board-approved employment contract and not select a duration of the service contract that exceeds the employment contract. If the employee is non-renewed or voluntarily resigns while the service contract is still in effect, the Board will not be responsible for any fees associated with the employee's decision to subsequently change or cancel the contract.

Once the allowance is given to the employee to purchase a device, the cell phone remains the employee's personal property. However, upon termination, nonrenewal or resignation, the Board will immediately discontinue the monthly allowance.

Safe and Appropriate Use of Cell Phones

Employee safety is a priority of the Board, and responsible use of cell phones, requires safe use. See Policy 7530.02 - Staff Use of Personal Communication Devices.

Employees may not use a cell phone in a way that might reasonably create in the mind of another person an impression of being threatened, humiliated, harassed, embarrassed or intimidated.

Duty to Maintain Confidentiality of Student Personally Identifiable Information - Public and Student Record Requirements

Employees are subject to all applicable policies and guidelines pertaining to protection of the security, integrity and availability of the data stored on their cell phones. See Policy 7530.02 - Staff Use of Personal Communication Devices.

Potential Disciplinary Action/Termination of the Cell Phone Allowance

Violation of this policy may constitute just cause for disciplinary action up to and including termination. Use of a cell phone in any manner contrary to local, State or Federal laws will constitute misuse, and will result in immediate termination of the allowance

Revised 7/14/09

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I.R.S. Notice 2011-72 (effective December 31, 2009)

R.C.Code 4511.204

Book	Policy Manual
Section	43.1 Policies for the Board
Title	Revised STUDENT TECHNOLOGY ACCEPTABLE USE AND SAFETY
Code	po7540.03
Status	
Adopted	January 28, 2004
Last Revised	August 8, 2023

Revised Policy - Vol. 43, No. 1

7540.03 - STUDENT TECHNOLOGY ACCEPTABLE USE AND SAFETY

Technology directly affects the ways in which information is accessed, communicated, and transferred in society. Educators are expected to continually adapt their means and methods of instruction and the way they approach student learning to incorporate the latest technologies. The Board of Education provides Information & Technology Resources (as defined in Bylaw 0100) (collectively, "District Information & Technology Resources") to support the educational and professional needs of its students and staff. With respect to students, District Information & Technology Resources afford them the opportunity to acquire the skills and knowledge to learn effectively and live productively in a digital world. The Board provides students with access to the Internet for educational purposes only and utilizes **apps and services (as defined by Bylaw 0100)** ~~online educational services/apps~~ to enhance the instruction delivered to its students. The District's computer network and Internet system do not serve as a public access service or a public forum and the Board imposes reasonable restrictions on its use consistent with its stated educational purpose.

The Board regulates the use of District Information & Technology Resources in a manner consistent with applicable local, State, and Federal laws, the District's educational mission, and articulated expectations of student conduct as delineated in the Student Code of Conduct. This policy and its related administrative guidelines and the Student Code of Conduct govern students' use of District Information & Technology Resources and students' personal communication devices ("**PCDS**") when they are connected to District Information & Technology Resources, including **apps/services** ~~online educational services/apps~~, regardless of whether such use takes place on or off school property (see Policy 5136).

Students are prohibited from using District Information & Technology Resources to engage in illegal conduct (e.g., libel, slander, vandalism, harassment, theft, plagiarism, inappropriate access, etc.) or conduct that violates this Policy and its related administrative guidelines and the Student Code of Conduct (e.g., making personal attacks or injurious comments, invading a person's privacy, etc.). Nothing herein, however, shall infringe on students' First Amendment rights. Because its Information & Technology Resources are not unlimited, the Board may institute restrictions aimed at preserving these resources, such as placing limits on use of bandwidth, storage space, and printers.

Students have no right or expectation to privacy when using District Information & Technology Resources (including, but not limited to, privacy in the content of their personal files, messages/e-mails, and records of their online activity).

While the Board uses various technologies to limit students using its Information & Technology Resources to only use/access **apps/services** ~~online educational services/apps~~ and **other** resources that have been pre-approved for the purpose of instruction, study, and research related to the curriculum, it is impossible to prevent students from accessing and/or coming in contact with online content that has not been pre-approved for use by students of certain ages. It is no longer possible for educators and community members to review and screen materials to assess their appropriateness for supporting and enriching the curriculum according to adopted guidelines and reasonable selection criteria (taking into account the varied instructional needs, learning styles, abilities, and developmental levels of the students who would be exposed to them) when significant portions of students' education take place online or through the use of **apps/services** ~~online educational services/apps~~.

Pursuant to Federal law, the Board implements technology protection measures that protect against (e.g., filter or block) access to visual displays/depictions/materials that are obscene, constitute child pornography, and/or are harmful to minors, as defined by the Children's Internet Protection Act (CIPA). At the discretion of the Board or the Superintendent, the technology protection measures may be configured to protect against access to other material considered inappropriate for

students to access. The Board also utilizes software and/or hardware to monitor the online activity of students to restrict access to child pornography and other material that is obscene, objectionable, inappropriate, and/or harmful to minors. The technology protection measures may not be disabled at any time that students may be using District Information & Technology Resources if such disabling will cease to protect against access to materials that are prohibited under CIPA. Any student who attempts to disable the technology protection measures will be disciplined.

The Superintendent or Technology Coordinator may temporarily or permanently unblock access to websites or ~~apps/services~~ online educational services/apps containing appropriate material if access to such sites has been mistakenly, improperly, or inadvertently blocked by the technology protection measures. The determination of whether material is appropriate or inappropriate shall be based on the content of the material and the intended use of the material, not on the protection actions of the technology protection measures.

Parents are advised that a determined user may be able to gain access to online content and/or ~~apps/services~~ services/apps that the Board has not authorized for educational purposes. In fact, it is impossible to guarantee students will not gain access through the Internet to content that they and/or their parents may find inappropriate, offensive, objectionable, or controversial. Parents of minors are responsible for setting and conveying the standards that their children should follow when using the Internet.

Principals are responsible for providing training so that students under their supervision are knowledgeable about this policy and its accompanying guidelines.

Pursuant to Federal law, students shall receive education about the following:

- A. safety and security while using e-mail, chat rooms, social media, and other forms of direct electronic communications;
- B. the dangers inherent with the online disclosure of personally identifiable information;
- C. the consequences of unauthorized access (e.g., "hacking", "harvesting", "digital piracy", "data mining", etc.), cyberbullying, and other unlawful or inappropriate activities by students online; and
- D. unauthorized disclosure, use, and dissemination of personally-identifiable information ("PII") regarding minors.

Staff members shall provide guidance and instruction to their students regarding the appropriate use of District Information & Technology Resources and online safety and security as specified above. Additionally, such training shall include, but not be limited to, education concerning appropriate online behavior including interacting with others on social media, including in chat rooms, and cyberbullying awareness and response. Furthermore, staff members will monitor ~~in accordance with Federal and State law~~, the online activities of students while they are at school.

Monitoring may include, but is not necessarily limited to, visual observations of online activities during class sessions or use of specific monitoring tools to review browser history and network, server, and computer logs. ~~The District will provide parents with appropriate notice – to the extent required by State law – when such monitoring takes place.~~

All students who use District Information & Technology Resources (and their parents if they are minors) are required to sign a written agreement to abide by the terms and conditions of this policy and its accompanying guidelines. See Form 7540.03 F1.

In order to keep District Information & Technology Resources operating in a safe, secure, efficient, effective, and beneficial manner to all users, students are required to comply with all District-established cybersecurity procedures. Principals are responsible for providing such training on a regular basis and measuring the effectiveness of the training.

Students will be assigned a District-provided school email account that they are required to ~~use~~utilize for all school-related electronic communications, including those to staff members, peers, individuals, and/or organizations outside the District with whom they are communicating for school-related projects and assignments. Further, as directed and authorized by their teachers, they shall use their school-assigned e-mail account when signing-up/registering for access to various ~~apps/services~~ online educational services/apps

Students are responsible for good behavior when using District Information & Technology Resources – i.e., behavior comparable to that expected of students when they are in physical classrooms and school buildings and at school-sponsored events. Because communications on the Internet are often public in nature, general school rules for behavior and communication apply. The Board does not approve any use of its Information & Technology Resources that is not authorized by or conducted strictly in compliance with this policy and its accompanying guidelines.

Students may only use District Information & Technology Resources to access or use social media if it is done for educational purposes in accordance with their teacher's approved plan for such use.

Use of Artificial Intelligence/Natural Language Processing Tools For School Work

To ensure the integrity of the educational process and to promote fair and equal opportunities for all students, except as outlined below, the use of Artificial Intelligence (AI) tools is strictly prohibited for the completion of school work. The use of AI tools, without the express permission/consent of a teacher, undermines the learning and problem-solving skills that are essential to academic success and that the staff is tasked to develop in each student. Students are encouraged to develop their own knowledge, skills, and understanding of course material rather than relying solely on AI tools and they should ask their teachers when they have questions and/or need assistance. Unauthorized use of AI tools is considered a form of plagiarism, and any student found using these tools without permission or in a prohibited manner will be disciplined in accordance with the Student Code of Conduct. (x) (See Policy 7540.09 - Artificial Intelligence ("AI")) [END OF OPTION]

Notwithstanding the preceding, students can use AI tools in the school setting if they receive prior permission/consent from their teacher, so long as they use the AI tools in an ethical and responsible manner. Teachers have the discretion to authorize students to use AI tools for the following uses:

- A. **Research assistance:** AI tools can be used to help students quickly and efficiently identify background information, including locating relevant information and sources for their school projects and assignments, suggesting research questions, providing opposing viewpoints, identifying blind spots, and suggesting other perspectives.
- B. **Data Analysis:** AI tools can be used to help students with pattern identification and to analyze, understand, and interpret large amounts of data, such as text documents or social media posts. This can be particularly useful for research projects or data analysis assignments – e.g., scientific experiments and marketing research.
- C. **Language translation:** AI tools can be used to translate texts or documents into different languages, which can be helpful for students who are learning a new language or for students who are studying texts written in a different language. AI tools can also remove abstract language from a text, adjust text complexity, and provide background information about a culture to help a student understand texts.
- D. **Writing assistance:** AI tools can provide feedback on a student's writing, including grammar and spelling corrections, as well as suggest alternative word choices and sentence structure, to help students improve their writing skills. Similarly, AI tools can offer suggestions to modify tone and voice, organize a student's thinking, identify bias, suggest additional topics, and ask questions to expand the student's thinking on a topic.
- E. **Accessibility:** AI tools can be used to help students with disabilities access and understand written materials. For example, text-to-speech software can help students with specific learning disabilities or visual impairments to read texts and AI-powered translation tools can help students with hearing impairments understand spoken language (e.g., create transcripts or provide closed-captioning for spoken material).

When AI tools are used responsibly and effectively, they can supplement, not replace, traditional learning methods. If a student has any questions about whether they are permitted to use AI tools for a specific class assignment, they should ask their teacher.

In accordance with their teacher's direction, students are required to cite/identify work generated/created with the use of AI tools and explain/demonstrate how the AI tools were used in the creation of the work.

Students are required to rely on their own knowledge, skills, and resources when completing school work. In order to ensure the integrity of the educational process and to promote fair and equal opportunities for all students, except as outlined below, the use of Artificial Intelligence (AI) and Natural Language Processing (NLP) tools (collectively, "AI/NLP tools") is strictly prohibited for the completion of school work. The use of AI/NLP tools, without the express permission/consent of a teacher, undermines the learning and problem-solving skills that are essential to academic success and that the staff is tasked to develop in each student. Students are encouraged to develop their own knowledge, skills, and understanding of course material rather than relying solely on AI/NLP tools and they should ask their teachers when they have questions and/or need assistance. Unauthorized use of AI/NLP tools is considered a form of plagiarism and any student found using these tools without permission or in a prohibited manner will be disciplined in accordance with the Student Code of Conduct.

Notwithstanding the preceding, students can use AI/NLP tools in the school setting if they receive prior permission/consent from their teacher, so long as they use the AI/NLP tools in an ethical and responsible manner. Teachers have the discretion to authorize students to use AI/NLP tools for the following uses:

- A. Research assistance: AI/NLP tools can be used to help students quickly and efficiently search for and find relevant information for their school projects and assignments.
- B. Data Analysis: AI/NLP tools can be used to help students to analyze, understand, and interpret large amounts of data, such as text documents or social media posts. This can be particularly useful for research projects or data analysis assignments—e.g., scientific experiments and marketing research.
- C. Language translation: AI/NLP tools can be used to translate texts or documents into different languages, which can be helpful for students who are learning a new language or for students who are studying texts written in a different language.
- D. Writing assistance: AI/NLP tools can provide grammar and spelling corrections, as well as suggest alternative word choices and sentence structure, to help students improve their writing skills.
- E. Accessibility: AI/NLP tools can be used to help students with disabilities access and understand written materials. For example, text-to-speech software can help students with specific learning disabilities or visual impairments to read texts and AI-powered translation tools can help students with hearing impairments understand spoken language.

As outlined above, under appropriate circumstances, AI/NLP tools can be effectively used as a supplement to and not a replacement for traditional learning methods. Consequently, with prior teacher permission/consent, students can use such resources to help them better understand and analyze information and/or access course materials. If a student has any questions about whether they are permitted to use AI/NLP tools for a specific class assignment, they should ask their teacher.

Users who disregard this policy and its accompanying guidelines may have their use privileges suspended or revoked and disciplinary action taken against them. Users are personally responsible and liable, both civilly and criminally, for uses of District Information & Technology Resources that are not authorized by this policy and its accompanying guidelines.

The Board designates the Superintendent and Technology Coordinator as the administrator(s) responsible for initiating, implementing, and enforcing this policy and its accompanying guidelines as they apply to students' use of District Information & Technology Resources.

Revised 5/8/12

Revised 10/28/14

Cross References:

po5500

po7540.04

po7540.091

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Legal

P.L. 106-554, Children's Internet Protection Act of 2000

18 U.S.C. 1460

18 U.S.C. 2246

18 U.S.C. 2256

20 U.S.C. 6777, 9134 (2003)

20 U.S.C. 6801 et seq., Part F, Elementary and Secondary Education Act of 1965, as amended (2003)

47 C.F.R. 54.500 - 54.523

47 U.S.C. 254(h), (1), Communications Act of 1934, as amended (2003)

Cross References

po5500 - STUDENT CONDUCT

po7540.04 - STAFF TECHNOLOGY ACCEPTABLE USE AND SAFETY

po7540.09 - ARTIFICIAL INTELLIGENCE ("AI")

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Last Revised	August 8, 2023

Revised Policy - Vol. 43, No. 1

7540.04 - STAFF TECHNOLOGY ACCEPTABLE USE AND SAFETY

Technology directly affects the ways in which information is accessed, communicated, and transferred in society. Educators are expected to continually adapt their means and methods of instruction and the way they approach student learning to incorporate the latest technologies. The Board of Education provides District Information & Technology Resources (as defined by Bylaw 0100) (collectively, "District Information & Technology Resources") to support the educational and professional needs of its staff and students. The Board provides staff with access to the Internet for educational purposes only and utilizes ~~apps and services (apps/services) (as defined by Bylaw 0100)~~ ~~online educational services/apps~~ to enhance the instruction delivered to its students and to facilitate the staff's work. The District's computer network and Internet system do not serve as a public access service or a public forum and the Board imposes reasonable restrictions on its use consistent with its stated educational purpose.

The Board regulates the use of District Information & Technology Resources by principles consistent with applicable local, State, and Federal laws, and the District's educational mission. This policy and its related administrative guidelines and any applicable employment contracts and collective bargaining agreements govern the staff's use of District Information & Technology Resources and personal communication devices when they are connected to the District's Information & Technology Resources, including ~~apps/services~~ ~~online educational services/apps~~, regardless of whether such use takes place on or off school property (see Policy 7530.02).

Staff members are prohibited from using District Information & Technology Resources to engage in illegal conduct (e.g., libel, slander, vandalism, harassment, theft, plagiarism, inappropriate access, etc.) or conduct that violates this Policy and its related administrative guidelines (e.g., making personal attacks and injurious comments, invading a person's privacy, etc.). Nothing herein, however, shall infringe on a staff member's First Amendment rights. Because District Information & Technology Resources are not unlimited, the Board may institute restrictions aimed at preserving these resources, such as placing limits on use of bandwidth, storage space, and printers.

Staff members have no right or expectation to privacy when using District Information & Technology Resources (including, but not limited to, privacy in the content of their personal files, messages/e-mails, and records of their online activity).

Staff members are expected to use District Information & Technology Resources to promote educational excellence in our schools by providing students with the opportunity to develop resource-sharing, innovation, and communication skills and tools that are essential to both life and work. The Board encourages the faculty to develop the appropriate skills necessary to effectively access, analyze, evaluate, and utilize these resources in enriching educational activities. The instructional use of the Internet and ~~apps/services~~ ~~online educational services/apps~~ will be guided by Board Policy 2520 - Selection of Instructional Materials and Equipment.

The Internet is a global information and communication network that brings incredible education and information resources to our students. Through the Internet, students and staff can access relevant information that will enhance their learning and the education process. Further, District Information & Technology Resources provide students and staff with the opportunity to communicate with people throughout the world. Access to such an incredible quantity and diversity of information and resources brings with it, however, certain unique challenges and responsibilities.

While the Board uses various technologies to limit the use of District Information & Technology Resources to only use/access ~~apps/services/online services/apps~~ and resources that have been pre-approved for the purpose of instruction, study, and research related to the curriculum, it is impossible to prevent users from accessing and/or coming in contact with online content that has not been pre-approved for use by students of certain ages. It is no longer possible for educators and community members to review and screen all materials to assess their appropriateness for supporting and enriching the curriculum according to adopted guidelines and reasonable selection criteria (taking into account the varied instructional needs, learning styles, abilities, and developmental levels of the students who would be exposed to them) when significant portions of students' education take place online or through the use of ~~apps/services/online educational services/apps~~.

Pursuant to Federal law, the Board has implemented technology protection measures that protect against (e.g., filter or block) access to visual displays/depictions/materials that are obscene, constitute child pornography, and/or are harmful to minors, as defined by the Children's Internet Protection Act (CIPA). At the discretion of the Board or Superintendent, the technology protection measures may also be configured to protect against access to other material considered inappropriate for students to access. The Board also utilizes software and/or hardware to monitor online activity of staff members to restrict access to child pornography and other material that is obscene, objectionable, inappropriate, and/or harmful to minors. The technology protection measures may not be disabled at any time that students may be using District Information & Technology Resources if such disabling will cease to protect against access to materials that are prohibited under CIPA. Any staff member who attempts to disable the technology protection measures without express written consent of an appropriate administrator will be disciplined, up to and including termination.

The Superintendent or Technology Coordinator may temporarily or permanently unblock access to websites or ~~apps/services/online educational services/apps~~ containing appropriate material if access to such sites has been mistakenly, improperly, or inadvertently blocked by the technology protection measures. The determination of whether material is appropriate or inappropriate shall be based on the content of the material and the intended use of the material, not on the protection actions of the technology protection measures. The Superintendent or Technology Coordinator may also disable the technology protection measures to enable access for bona fide research or other lawful purposes.

Principals are responsible for providing training so that staff under their supervision are knowledgeable about this policy and its accompanying guidelines.

Staff members will participate in professional development programs in accordance with the provisions of law and this policy. Training shall include:

- A. the safety and security of students while using e-mail, chat rooms, social media, and other forms of direct electronic communications;
- B. the inherent danger of students disclosing personally identifiable information online;
- C. the consequences of unauthorized access (e.g., "hacking", "harvesting", "digital piracy", "data mining", etc.), cyberbullying, and other unlawful or inappropriate activities by students or staff online; and
- D. unauthorized disclosure, use, and dissemination of personally-identifiable information ~~("PII")~~ regarding minors.

Staff members shall provide guidance and instruction to their students regarding the appropriate use of District Information & Technology Resources and online safety and security as specified above. Additionally, such training shall include, but not be limited to, education concerning appropriate online behavior including interacting with others on social media, including in chat rooms, and cyberbullying awareness and response. Further, staff members shall monitor students' online activities while the students are at school.

Monitoring may include, but is not necessarily limited to, visual observations of online activities during class sessions or use of specific monitoring tools to review browser history and network, server, and computer logs. ~~The District will provide parents with appropriate notice – to the extent required by State law – when such monitoring takes place.~~

The disclosure of personally identifiable information about students online is prohibited.

All staff members who use District Information & Technology Resources are required to sign a written agreement to abide by the terms and conditions of this policy and its accompanying guidelines. See Form 7540.04 F1.

In order to keep District Information & Technology Resources operating in a safe, secure, efficient, effective, and beneficial manner to all users, staff members are required to comply with all District-established cybersecurity procedures () including, but not limited to, the use of multi-factored authentication (MFA), for which they have been trained. Principals are responsible for providing such training on a regular basis and measuring the effectiveness of the training.

Staff will be assigned a District-provided school e-mail address that they are required to use for all school-related electronic communications, including those to students, parents and other constituents, fellow staff members, and vendors or individuals seeking to do business with the District.

With prior approval from the Superintendent or Technology Coordinator, staff may direct students who have been issued school-assigned e-mail accounts to use those accounts when signing-up/registering for access to various ~~apps/services/online educational services/apps~~, that the students will utilize for educational purposes under the teacher's supervision.

Staff members are responsible for good behavior when using District Information & Technology Resources - i.e., behavior comparable to that expected when they are in physical classrooms and school buildings and at school-sponsored events. Because communications on the Internet are often public in nature, general rules for professional behavior and communication apply. The Board does not approve any use of District Information & Technology Resources that is not authorized by or conducted strictly in compliance with this policy and its accompanying guideline .

Staff members may only use District Information & Technology Resources to access or use social media if it is done for educational or business-related purposes.

An employee's personal or private use of social media may have unintended consequences. While the Board respects its employees' First Amendment rights, those rights do not include permission to post inflammatory comments that could compromise the District's mission, undermine staff relationships, or cause a substantial disruption to the school environment. This warning includes staff members' online conduct that occurs off school property including from the employee's personal communication device. Postings to social media should be done in a manner sensitive to the staff member's professional responsibilities.

Use of Artificial Intelligence/Natural Language Processing Tools

Staff are permitted to use Artificial Intelligence (~~"AI"~~) and Natural Language Processing (NLP) tools (collectively, ~~"AI/NLP tools"~~) to accomplish their job responsibilities so long as the use is ethical, responsible, and does not violate any provisions of this policy – e.g., it does not infringe on students' or staff members' privacy rights, violate their duty to maintain confidentiality related to ~~PII personally identifiable information~~, etc.).

To ensure the integrity of the educational process and to promote fair and equal opportunities for all students, except as outlined below, the use of Artificial Intelligence (AI) tools is strictly prohibited for the completion of school work. The use of AI tools, without the express permission/consent of a teacher, undermines the learning and problem-solving skills that are essential to academic success and that the staff is tasked to develop in each student. Students are encouraged to develop their own knowledge, skills, and understanding of course material rather than relying solely on AI tools and they should ask their teachers when they have questions and/or need assistance. Unauthorized use of AI tools is considered a form of plagiarism, and any student found using these tools without permission or in a prohibited manner will be disciplined in accordance with the Student Code of Conduct. (x) (See Policy 7540.09 - Artificial Intelligence ("AI")) [END OF OPTION]

Notwithstanding the preceding, students can use AI tools in the school setting if they receive prior permission/consent from their teacher, so long as they use the AI tools in an ethical and responsible manner. Teachers have the discretion to authorize students to use AI tools for the following uses:

- A. **Research assistance:** AI tools can be used to help students quickly and efficiently identify background information, including locating relevant information and sources for their school projects and assignments, suggesting research questions, providing opposing viewpoints, identifying blind spots, and suggesting other perspectives.
- B. **Data Analysis:** AI tools can be used to help students with pattern identification and to analyze, understand, and interpret large amounts of data, such as text documents or social media posts. This can be particularly useful for research projects or data analysis assignments – e.g., scientific experiments and marketing research.
- C. **Language translation:** AI tools can be used to translate texts or documents into different languages, which can be helpful for students who are learning a new language or for students who are studying texts written in a different language. AI tools can also remove abstract language from a text, adjust text complexity, and provide background information about a culture to help a student understand texts.
- D. **Writing assistance:** AI tools can provide feedback on a student's writing, including grammar and spelling corrections, as well as suggest alternative word choices and sentence structure, to help students improve their writing skills. Similarly, AI tools can offer suggestions to modify tone and voice, organize a student's thinking, identify bias, suggest additional topics, and ask questions to expand the student's thinking on a topic.

- E. Accessibility: AI tools can be used to help students with disabilities access and understand written materials. For example, text-to-speech software can help students with specific learning disabilities or visual impairments to read texts and AI-powered translation tools can help students with hearing impairments understand spoken language (e.g., create transcripts or provide closed-captioning for spoken material).

When AI tools are used responsibly and effectively, they can supplement, not replace, traditional learning methods. If a student has any questions about whether they are permitted to use AI tools for a specific class assignment, they should ask their teacher.

In accordance with their teacher's direction, students are required to cite/identify work generated/created with the use of AI tools and explain/demonstrate how the AI tools were used in the creation of the work.

With respect to students, it is the Board's policy that they are required to rely on their own knowledge, skills, and resources when completing school work. In order to ensure the integrity of the educational process and to promote fair and equal opportunities for all students, except as outlined below, students are prohibited from using AI/NLP tools to complete school work. The use of AI/NLP tools without the express permission/consent of a teacher is considered to undermine the learning and problem-solving skills that are essential to students' academic success and that the staff is tasked to develop in each student. Consequently, students are encouraged to develop their own knowledge, skills, and understanding of course material rather than relying solely on AI/NLP tools, and they are expected to ask their teachers when they have questions and/or need assistance. Students' unauthorized use of AI/NLP tools is considered a form of plagiarism and any student found using such tools without permission or in a prohibited manner will be disciplined in accordance with the Student Code of Conduct.

Notwithstanding the preceding, students are allowed to use AI/NLP tools in the school setting if they receive prior permission/consent from their teacher, so long as they use the AI/NLP tools in an ethical and responsible manner. Teachers have the discretion to authorize students to use AI/NLP tools for the following uses:

- A. Research assistance: AI/NLP tools can be used to help students quickly and efficiently search for and find relevant information for their school projects and assignments.
- B. Data Analysis: AI/NLP tools can be used to help students to analyze, understand, and interpret large amounts of data, such as text documents or social media posts. This can be particularly useful for research projects or data analysis assignments — e.g., scientific experiments and marketing research.
- C. Language translation: AI/NLP tools can be used to translate texts or documents into different languages, which can be helpful for students who are learning a new language or for students who are studying texts written in a different language.
- D. Writing assistance: AI/NLP tools can provide grammar and spelling corrections, as well as suggest alternative word choices and sentence structure, to help students improve their writing skills.
- E. Accessibility: AI/NLP tools can be used to help students with disabilities access and understand written materials. For example, text-to-speech software can help students with specific learning disabilities or visual impairments to read texts, and AI-powered translation tools can help students with hearing impairments understand spoken language.

As outlined above, under appropriate circumstances, AI/NLP tools can be effectively used as a supplement to and not a replacement for traditional learning methods. Consequently, with prior teacher permission/consent, students can use AI/NLP tools to help them better understand and analyze information and/or access course materials. If a student has any questions about whether they are permitted to use AI/NLP tools for a specific class assignment, they should ask their teacher.

Users who disregard this policy and its accompanying guidelines may have their use privileges suspended or revoked, and disciplinary action taken against them. Users are personally responsible and liable, both civilly and criminally, for uses of District Information & Technology Resources that are not authorized by this policy and its accompanying guidelines.

The Board designates the Superintendent and Technology Coordinator as the administrator(s) responsible for initiating, implementing, and enforcing this policy and its accompanying guidelines as they apply to staff members' use of District Information & Technology Resources.

In addition, Federal and State confidentiality laws forbid schools and their employees from using or disclosing student education records without parental consent. See Policy 8330. Education records include a wide variety of information; posting ~~PII personally identifiable information~~ about students is not permitted. Staff members who violate State and Federal confidentiality and/or privacy laws related to the disclosure of student or employee ~~PII personally identifiable information~~ may be disciplined.

Staff members retain rights of communication for collective bargaining purposes and union organizational activities.

Revised 10/28/14

[Cross References:
po5500
po7540.03
po7540.09]

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Legal	P.L. 106-554, Children's Internet Protection Act of 2000 18 U.S.C. 1460 18 U.S.C. 2246 18 U.S.C. 2256 20 U.S.C. 6777, 9134 (2003) 20 U.S.C. 6801 et seq., Part F, Elementary and Secondary Education Act of 1965, as amended 47 C.F.R. 54.500 - 54.523 47 U.S.C. 254(h), (1), Communications Act of 1934, as amended (2003)
Cross References	po5500 - STUDENT CONDUCT po7540.03 - STUDENT TECHNOLOGY ACCEPTABLE USE AND SAFETY po7540.09 - ARTIFICIAL INTELLIGENCE ("AI")

Book	Policy Manual
Section	43.1 Policies for the Board
Title	Vol. 43, No. 1 - October 2024 New ARTIFICIAL INTELLIGENCE ("AI")
Code	po7540.09
Status	

New Policy - Vol. 43, No. 1

7540.09 - ARTIFICIAL INTELLIGENCE ("AI")

The Board of Education recognizes the positive impact that artificial intelligence ("AI") technology may have in the District’s educational program and operations. The Superintendent is authorized to support the use of AI technology when its use is consistent with the District’s mission, goals, and operational integrity.

Any use of AI technology in the District’s educational program or operations must be in accordance with State and Federal law as well as Board policies including, but not limited to, the following:
Policy 5136 - Personal Communication Devices; Policy 5500 – Student Conduct; Policy 7540.03 – Student Technology Acceptable Use and Safety; Policy 7540.04 – Staff Technology Acceptable Use and Safety; Policy 8330 – Student Records; Policy 8350 - Confidentiality; and Policy 8351 - Security Breach of Confidential Databases.

Violation of this policy may result in disciplinary consequences. Students may be disciplined for violations, up to and including suspension or expulsion. Staff may be disciplined for violations, up to and including suspension or termination of employment. The Administration will refer any illegal acts to law enforcement.

**[Cross References:
po5500
po7540.03
po7540.04]**

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Cross References	po5500 - STUDENT CONDUCT
	po7540.03 - STUDENT TECHNOLOGY ACCEPTABLE USE AND SAFETY
	po7540.04 - STAFF TECHNOLOGY ACCEPTABLE USE AND SAFETY

Book	Policy Manual
Section	43.1 Policies for the Board
Title	PUBLIC RECORDS
Code	po8310
Status	
Adopted	January 28, 2004
Last Revised	April 25, 2017

8310 - PUBLIC RECORDS

The Board of Education is responsible for maintaining the public records of this District and to make such records available to residents of Ohio for inspection and reproduction in strict adherence to the State's Public Records Act.

The Board will utilize the following procedures regarding the availability of public records. "Public records" are defined as any document, device, or item, regardless of physical form or characteristic, including an electronic record created or received by or coming under the jurisdiction of the Board or its employees, which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the District. "Electronic record" is defined as a record created, generated, sent, communicated, received, or stored by electronic means. "Public records" do not include medical records, documents containing genetic information, trial preparation records, confidential law enforcement investigatory records, **educational support services data as defined by R.C. 3319.32**, records the release of which is prohibited by State or Federal law, and any other exceptions set forth in R.C. 149.43. Confidential law enforcement investigatory records, medical records, and trial preparation records are as defined in R.C. 149.43. No public records, including, but not limited to personnel records, personnel files, or staff directories or student records shall include the actual/confidential addresses of students, parents, or employees who are participating in the Safe at Home/Address Confidentiality Program administered by the Secretary of State. Such public records and student records shall only contain the address designated by the Secretary of State to serve as the student's, parent's or employee's address.

The District's public records shall be organized and maintained so that they are readily available for inspection and copying. As such, public records will be available for inspection during regular business hours, with the exception of published holidays. The District's public records shall be promptly prepared and made available for inspection. A reasonable period of time may be necessary due to the volume of records requested, the proximity of the location where the records are stored, and/or for the District to review and redact non-public/confidential information contained in the record. Upon request, a person may receive copies of public records, at cost, within a reasonable period of time.

Each request for public records shall be evaluated for a response at the time it is made. Although no specific language is required to make a request, the requester must minimally identify the record(s) requested with sufficient clarity to allow the District to identify, retrieve, and review the record(s). If a requestor makes an ambiguous or overly broad request or has difficulty in making a request for inspection or copies of public records such that the District's Record Officer cannot reasonably identify what public records are being requested, the District Record Officer or designee may deny the request but shall provide the requestor with an opportunity to revise the request by informing the requestor of the manner in which records are maintained by the District and accessed in the ordinary course of business. The request for records shall need not be in writing. The requestor shall not be required to provide his/her identity or the intended use of the requested public record(s).

All requests for public records shall be satisfied or acknowledged by the District promptly following the receipt of the request. If the request for records was in writing, the acknowledgement by the District shall also be in writing.

Any request deemed significantly beyond routine, such as seeking a voluminous number of copies and/or records, or requiring extensive research, the acknowledgement shall include the following:

- A. an estimated cost if copies are requested (if possible to determine at time of request)
- B. any items within the request that may be exempt from disclosure

The Superintendent is authorized to grant or refuse access to the records of this District in accordance with the law. Any denial, in whole or in part, of a public records request must include an explanation, including legal authority. If portions of a record are public and portions are exempt, the exempt portions are to be redacted and the rest released. If there are redactions, the requester must be notified of the redaction and/or the redaction must be plainly visible, and each redaction must be accompanied by a supporting explanation, including legal authority. If the request for records was in writing, the explanation shall also be in writing.

A person may obtain copies of the District's public records upon payment of a fee. A person who requests a copy of a public record may request to have said record duplicated on paper, on the same medium on which the District keeps the record, or on any other medium in which the custodian of records determines that said record reasonably can be duplicated as an integral part of normal operations. A person who requests a copy of a public record may choose to have that record sent to him/her by United States mail or by other means of delivery or transmission provided the person making the request pays in advance for said record as well as the costs for postage and the mailing supplies.

The number of records requested by a person that the District will transmit by U.S. mail shall be limited to ten (10) per month, unless the person certifies, in writing to the District, that the person does not intend to use or forward the requested records, or the information contained in them, for commercial purposes. "Commercial" shall be narrowly defined and does not include reporting or gathering news, reporting gathering information to assist citizen oversight or understanding of the operation or activities of the District, or nonprofit educational research. (R.C. 149.43(B)(7))

Those seeking public records will be charged only the actual cost of making copies.

The charge for paper copies is fifteen cents (\$.15) per page.

The charge for download computer files to a compact disk is one dollars (\$1) per disc.

There is no charge for documents e-mailed.

Documents in electronic mail format are records as defined by the Ohio Revised Code when their content relates to the business of the District (i.e., they serve to document the organization, functions, policies, decisions, procedures, operations, or other activities of the District). E-mail shall be treated in the same fashion as records in other formats and shall follow the same retention schedule.

Records in private e-mail accounts are subject to disclosure if their content relates to public business, and all employees or representatives of the District are responsible for retaining e-mails that meet the definition of public records and copying them to their District e-mail account(s) and/or to the records custodian.

The records custodian shall treat such e-mail/records from private accounts as records of the District. These records shall be filed appropriately, retained in accordance with the established schedules, and made available for inspection and copying in accordance with the Public Records Act.

Private e-mail, electronic documents, and documents ("private records") that do not serve to document the District's organization, functions, policies, decisions, procedures, operations or other activities are not public records. Although private records do not fall under Policy 8310 or AG 8310A, they may fall under Policy 8315 - "Information Management" and/or AG 8315 - "Litigation Hold Procedure".

No public record may be removed from the office in which it is maintained except by a Board officer or employee in the course of the performance of his/her duties.

Nothing in this policy shall be construed as preventing a Board member, in the performance of his/her official duties, from inspecting any record of this District, except student records and certain confidential portions of personnel records.

A School District Records Commission shall be established consisting of the Board President, Treasurer, and Superintendent of Schools in accordance with law to judge the advisability of destroying District records. Record retention schedules shall be updated regularly and posted prominently. The Commission shall meet at least once every twelve (12) months.

The Superintendent shall provide for the inspection, reproduction, and release of public records in accordance with this policy and with the Public Records Law. Administrative guidelines shall be developed to provide guidance to District employees in responding to public records requests. The Superintendent shall require the posting and distribution of this policy in accordance with statute.

Revised 9/14/04

Revised 9/24/07

Revised 1/8/08
Revised 11/11/08
Revised 6/8/10

[Cross Reference]

po5780]

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Legal

R.C. 9.01, 102.03(B), 111.41, 111.42, 111.43, 111.46, 111.47, 111.99
149.011, 149.41, 149.43, 1306.01, 1347 et seq., 3313.26
R.C. 3319.32, 3319.321
20 U.S.C. 1232g
42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
29 C.F.R. Part 1635

Book	Policy Manual
Section	43.1 Policies for the Board
Title	PUBLIC ATTENDANCE AT SCHOOL EVENTS
Code	po9160
Status	
Adopted	January 28, 2004
Last Revised	December 12, 2023

9160 - PUBLIC ATTENDANCE AT SCHOOL EVENTS

The Board of Education welcomes and encourages members of the community to attend athletic and other public events held by the schools in the District. Due to the need to maintain order and preserve the facilities of the District during the conduct of such events, the Board retains the right to bar the attendance of or remove any person whose conduct may constitute a disruption at a school event. School administrators are expected to call law enforcement officials if a person violates posted regulations or does not leave school property when reasonably requested. In accordance with Board Policy 7440 and AG 7440B, administrators may use metal detectors and other devices to protect the safety and well-being of participants and visitors.

For all school-affiliated events where admission is charged, cash shall be accepted as a method of payment. If concessions are offered, there will be at least one (1) concession stand that will accept cash. If concessions are sold on multiple floors, then at least one (1) location on each floor will accept cash. ~~The cost of admission for school-affiliated events shall not vary based on payment method, except that the District may charge a processing fee for any ticket purchased online or by credit card. The cost of admission for a student enrolled in any school participating in the school-affiliated event shall be less than the cost of admission for an adult at the same event.~~ Persons who receive cash at designated collection points will deposit the cash with the Treasurer/CFO on the next business day of receipt in accordance with Policy 6600.

No alcoholic beverage or other controlled substance may be possessed, consumed, or distributed at any function sponsored by the District at any function occurring on Board property.

Raffles and similar forms of fund-raising by District-related organizations may be permitted by the Superintendent in accordance with Policy 9211 - District Support Organizations and Policy 9700 - Relations with Special Interest Groups.

No qualified person with a disability will, because the District's facilities are inaccessible to or unusable by persons with disabilities, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity to which Section 504/ADA applies.

For facilities constructed or altered after June 3, 1977, the District will comply with applicable accessibility standards. For those existing facilities constructed prior to June 3, 1977, the District is committed to operating its programs and activities so that they are readily accessible to persons with disabilities. This includes, but is not limited to, providing accommodations to parents with disabilities who desire access to their child's educational program or meetings pertinent thereto.

If a student or adult is asked to leave or is removed from a school event, no admission fees shall be refunded.

Individuals with disabilities shall have an equal opportunity to purchase tickets for events that have been sanctioned or approved by the Board in accordance with the provisions of the Americans with Disabilities Act, as amended.

Further, in accordance with the provisions of the Americans with Disabilities Act, as amended, the Board shall permit individuals with disabilities to be accompanied by their service animals in all areas of the District's facilities where members of the public, as participants in services, programs or activities, or as invitees, are allowed to go. (See Policy 8390)

Smoking and/or the use of tobacco and/or tobacco substitute products is prohibited at any time within any enclosed facility owned, leased, or contracted for by the Board, and in areas directly or indirectly under the control of the Board immediately adjacent to locations of ingress or egress to such facilities. For purposes of this policy, "use of tobacco" means to chew or

maintain any substance containing tobacco, including smokeless tobacco, in the mouth to derive the effects of tobacco, as well as all uses of tobacco, or tobacco substitutes, including cigars, cigarettes, pipe tobacco, chewing tobacco, snuff, any other matter or substances that contain tobacco or nicotine (including synthetic nicotine), in addition to papers used to roll cigarettes, and/or smoking of electronic, "vapor," or other substitute forms of cigarettes, clove cigarettes, and any other smoking devices for burning tobacco or any other substances (See Policy 7434).

Such prohibition also applies to school grounds, and any school-related event.

The Board is aware of the increasing desire of many parents and other members of an audience to make audio and/or video recordings of school events.

Such recordings can be made by parents or other members of the audience without restriction if the performance is not of copyrighted material. However, if the performance is of copyrighted material, a recording can be made if the appropriate license authorizing such a recording has been secured in advance by the District. If the performance is of copyrighted material and the necessary license has not been secured in advance by the District, the audience shall be advised before the performance begins that audio and/or video recordings that will be re-broadcast or distributed in any way, such as posting on the internet, are prohibited.

The Board authorizes the Superintendent to establish rules and procedures governing the use of nondistrict audio/visual recording equipment at any District-sponsored event or activity. Such rules are to be distributed in such a manner that members of the audience who wish to record the event are aware of the rules early enough to make proper arrangements to obtain their recordings without causing delay or disruption to an activity.

Any person or organization seeking to film students or a school activity which is not a public event must obtain prior permission from the Superintendent.

All notices, signs, schedules, and other communications about school events must contain the following statement:

"In accordance with State and Federal law, the District will provide reasonable accommodations to persons with disabilities who wish to attend and/or participate in school events. Such individuals should notify the Principal/Athletic Director if they require a reasonable accommodation."

Revised 9/11/10
Revised 5/10/11
Revised 2/14/12
Revised 11/13/13
Revised 4/16/19
Revised 8/8/23

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Legal	R.C. 955.43, 1716.02, 1716.03
	R.C. 3313.5319
	28 C.F.R. Part 35
	29 U.S.C. 794, Section 504 of the Rehabilitation Act of 1973, as amended
	34 C.F.R. Part 104
	42 U.S. C. 12101 et seq., Americans with Disabilities Act of 1990, as amended