

POLICIES
OF
THE GOVERNING AUTHORITY
OF
MARITIME ACADEMY OF TOLEDO

An Ohio Non-Profit Corporation
And
Ohio Community School

SECTION 1: GOVERNANCE POLICIES

100 IDENTIFICATION/DEFINITIONS

- 101 Name
- 102 Type of Corporation
- 103 Facility
- 104 Address
- 105 Definitions and Headings

110 POWER AND ETHICS OF BOARD

- 111 Authority
- 112 Board Powers
- 113 Board Members' Powers
- 114 Ethics and Conflicts Policy
- 115 Judicial Powers

120 GENERAL GOVERNANCE

- 121 Code of Regulations
- 122 Orientation
- 123 Contracts with Sponsor/Fiscal Agent
- 124 Compensation/Reimbursement
- 125 Background Checks of Board Members

130 BOARD MEETINGS

- 131 Meetings/Executive Sessions
- 132 Parliamentary Authority
- 133 Voting
- 134 Minutes
- 135 Attendance
- 136 Public Participation at Meetings

140 GENERAL BOARD DUTIES

- 141 Review of Policies
- 142 Approval of Monitoring Budget
- 143 Monitoring of Charter Contact
- 144 Reporting Requirements
- 145 Media Policy
- 146 Local Professional Development Committee
- 147 Public Records Policy
- 147.1 Records Retention and Disposal Policy
- 148 Finances
 - 148.1 Purchasing

- 148.2 Fixed Asset Policy
- 148.3 Audit Committee
- 148.4 Property Obtained with Federal Title I Grants Policy
- 148.5 Independent Contractors
- 148.6 Annual Financial Report
- 148.7 Petty Cash Accounts
- 148.8 Account Payable Policies and Procedures
- 148.9 Credit Cards
- 148.10 Staff Travel Expenses
- 149 School-Owned Cellular Telephones

150 ADMINISTRATION/PROGRAM/SCHOOL POLICIES

- 151 Approval of Management by Management Company
- 152 Board/Superintendent/Management Company Relationships
- 153 Role of Management Company, if any
- 154 Job Descriptions
- 155 Mission Statement
- 156 Statement of Philosophy
- 157 Insurance
- 158 Curriculum Development
- 159 Development of School Policies
- 160 Email Use Policy

SECTION 2: PROGRAM AND STUDENT POLICIES

200 PROGRAM OPERATION

- 201 Mission Statement (See 155)
- 202 Philosophy/Vision Statement (See 156)
- 203 General Policy of Parent Involvement
 - 203.1 Parent Participation in Title I Programs
 - 203.2 Title I - Parents Right to Know
 - 203.3 Parental Involvement - Use of Scientifically Based Research
 - 203.4 Parental Review of Instructional Materials
 - 203.5 Parental Consultation Regarding Physical Exams
- 204 Program Accountability
 - 204.1 Policy Regarding Low Performing Children
 - 204.2 Teacher Responsibility
 - 204.3 Scientifically Based Instruction Methods
 - 204.4 School to Work Programs
 - 204.5 Compliance with State Academic Standards
 - 204.6 Funding Under Title I, Part F-Curriculum/Student Development
 - 204.7 Teacher/Paraprofessional Qualifications
 - 204.8 Migrant Students
 - 204.9 Advanced Placement Program
 - 204.10 Preventing Dropouts

- 204.11 Assistance to Students with Limited English Proficiency and Immigrant Students
- 204.12 Reading Standards
- 205 Program Assessment
 - 205.1 Report Card
 - 205.2 Annual Report
 - 205.3 Other Reporting
 - 205.4 Adequate Yearly Progress

220 PROGRAM ADMINISTRATION

- 221 Access to Equal Educational Opportunity
- 222 Title IX Coordinator
 - 222.1 Title IX Grievance Procedure
- 223 Title I Services
 - 223.1 Title I Complaint Procedure
- 224 Funding Under Title V - Cooperation with Private Schools
- 225 Religion in the Schools
- 226 School Prayer
- 227 Rights of Individuals with Disabilities
 - 227.1 Child Find
 - 227.2 Parental Notice of Scholarship Programs for Students with Disabilities
- 228 Section 504 of the Rehabilitation Act of 1973, Grievance Procedure
- 229 Child Abuse and Neglect
- 230 Notice of Policy Changes
- 231 Policy Manual Distribution and Maintenance
- 232 Technology and Internet Acceptable Use Policy
- 233 National and State Mottoes
- 234 Electronic Communication Devices

240 STUDENT ADMISSION/GRADING/GRADUATION

- 241 Admission and Lottery Standards
 - 241.1 R.C. 3314.041 Notice
 - 241.2 Records Upon Enrollment
- 242 Student Assessment
 - 242.1 Previously Home-Schooled Students Testing Policy
- 243 Reporting Student Progress and Grades
- 244 Enrollment Incentive Policy
- 245 Diploma and Honors Program
- 246 Promotion and Retention Policy
- 247 Credit Flexibility Policy

250 ATTENDANCE

- 251 Attendance/Truancy/Withdrawal
- 252 Missing and Absent Children
- 253 Fingerprinting Students
- 254 Graduation

260 STUDENT CONDUCT/RIGHTS

- 261 Student Expression
- 262 Student Bill of Rights/Responsibilities
- 263 Dress and Grooming
- 264 Sexual and Other Forms of Harassment
 - 264.1 Anti-Harassment, Intimidation and Bullying Policy
 - 264.2 Anti-Hazing Policy
 - 264.3 Gang Activity Policy
- 265 Disorder and Demonstration
- 266 Drug Prevention
- 267 Pregnant Students
- 268 Search and Seizure
- 269 Use of Tobacco on School Premises

270 STUDENT DISCIPLINE

- 271 Student Code of Conduct
 - 271.1 Student Behaviors
 - 271.2 Zero Tolerance
- 272 Schools and Law Enforcement Agencies
- 273 Expulsion and Suspension Policies
- 274 Permanent Expulsion of Non-Disabled Students
- 275 Suspension/Expulsion of Disabled Students

280 STUDENT ACTIVITIES

- 281 School Sponsored Publications
- 282 Field Trips
- 283 Equal Access for Non-School Sponsored Student Clubs and Activities
- 284 Student Employment

290 MISCELLANEOUS STUDENT POLICIES

- 291 Boy Scouts and Patriotic Youth Groups
- 292 Materials Regarding Sexual Activity
 - 292.1 Obscene Materials
 - 292.2 Sex Education
 - 292.3 Contraceptives
- 293 Military Recruitment and Student Privacy
- 294 Open Record Policy: Student Records and Release of Information
- 295 Student Surveys

- 296 Biennial Assessment
- 297 Homeless Children and Youth Policy
- 298 Grandparent Caretaker Policy
- 299 Constitution Day
 - 299.1 Sports Uniform Policy

SECTION 3: STAFF POLICIES/HANDBOOK

300 GENERAL

- 301 About this Handbook

310 YOUR EMPLOYMENT AT MARITIME ACADEMY OF TOLEDO

- 311 Employment Status
- 312 Employment Contracts
- 313 Salaries
- 314 Vacation

315 EMPLOYEE QUALIFICATIONS

- 316 Teachers
 - 316.1 Entry Year Program
 - 316.2 Teacher Document Requirement
 - 316.3 Ohio Teacher Evaluation System
 - 316.4 End of Course Exam: American History & American Government
- 317 Educational Assistants/Paraprofessionals
- 318 Other Employees
- 319 Substitute Teachers

320 EMPLOYMENT STATUS/PERSONNEL FILES

- 321 Full-time Employee
- 322 Part-time Employee
- 323 Outside Activities
- 324 Access to Personnel Files
- 325 Access to Other Files
 - 325.1 Public Records
 - 325.2 Student Records
 - 325.3 Confidentiality of Records
- 326 Board-Staff Communications
- 327 Employee Reference Checks

330 ETHICAL BEHAVIOR

- 331 Use of Alcohol and Drugs
 - 331.1 Use of Over-the-Counter Medicine and Authorized Use of Prescription Medicine
 - 331.2 Prohibitions
 - 331.3 Searches
 - 331.4 Consequences for Violation of this Policy
 - 331.5 Testing
 - 331.6 Types of Testing
 - 331.7 Medical Examinations
- 332 Physical Examination
- 333 Weapons in the Workplace

340 EMPLOYEE AND STUDENT CARE AND SAFETY

- 341 Staff Student Relationship
- 342 General Safety Rules
- 343 Reporting Accidents
- 344 Injuries
- 345 Special Medical Needs
- 346 Student Abuse and Neglect
- 347 Student Transportation by Private Vehicle
- 348 Emergency Procedures
 - 348.1 Emergency School Evacuation
 - 348.2 Emergency School Closing/Inclement Weather

350 SCHOOL STAFFING, ORGANIZATION AND TRAINING

- 351 General Policy
- 352 Staff Development
- 353 Performance Evaluation of Staff
- 354 Performance Coaching
- 355 Reduction of Staff

360 EMPLOYEE MISCONDUCT, DISCIPLINE AND TERMINATION

- 361 Employee Discipline
- 362 Disciplinary Procedure
- 363 Termination
- 364 Resignation
- 365 Whistleblower

370 COMPENSATION AND BENEFITS

- 371 General Policy
- 372 Scheduling
- 373 Recording Work Time
- 374 Overtime Pay
- 375 Salary Deduction Policy

380 TIME OFF FROM YOUR JOB

- 381 Personal Leave
- 382 Paid School Holidays
- 383 Medical Leave of Absence
- 384 Child Care Leave
 - 384.1 Jury Duty Leave
 - 384.2 Military Leave
- 385 Family Leave (FMLA)

390 MISCELLANEOUS POLICIES

- 391 Insurance
 - 391.1 Health Insurance and Annuities
 - 391.2 Workers' Compensation Insurance
 - 391.3 STRS/SERS
 - 391.4 Unemployment Compensation
- 392 Staff Dress and Grooming/Staff School Uniform
- 393 Student Activities
- 394 Fund Raising Activities and Projects
- 395 Purchasing Policies
 - 395.1 Purchase of Supplies and Materials, Equipment
 - 395.2 Leases and Contracts
- 396 Staff Gifts
- 397 Care of Materials, Equipment and School Property
 - 397.1 Use of Electronic Equipment
 - 397.2 Acceptable Uses of the School's Equipment
 - 397.3 Unacceptable Uses of the School's Equipment

- 398 Communications
 - 398.1 Software and Copyright Issues
 - 398.2 Security
 - 398.3 Violations
- Employee Acknowledgment Form

SECTION 4: HEALTH AND SAFETY POLICIES

400 GENERAL HEALTH AND WELFARE

- 401 Health Services
- 402 Use of Medications Policy
- 403 Use of Inhaler/Epinephrine Autoinjector
- 404 Health Examinations and Immunizations
- 405 Emergency Medical Procedures
- 406 Emergency Medical Authorization
- 407 Control of Communicable Diseases
 - 407.1 Scarlet Fever
- 408 Prevention and Control of Non-Casual-Contact Communicable Diseases
- 409 Control of Blood-Borne Pathogens
- 410 Head Lice Infestation
- 411 Infectious Disease Policy
- 412 AIDS Policy
 - 412.1 Control of AIDS

420 PERSONAL SAFETY

- 421 Dangerous Weapons
- 422 Public Conduct on School Property
- 423 Facility Security
- 424 Emergency Preparedness and Evacuation
- 425 Use of Equipment
- 426 Accidents to Students
- 427 Visitors, Volunteers and Guests
- 428 Bomb Threat Procedures
- 429 Crisis Media Situations
- 430 Vessel Safety: Vessel Safety Program, Vessel Operators, and/or Conducting Research On or Near Water

440 ENVIRONMENTAL HEALTH AND SAFETY

- 441 OSHA Compliance/Risk Reduction Programs
- 442 Property, Equipment and Supplies
- 443 Hazard Communication Program
- 444 Toxic Hazards and Asbestos Hazards
- 445 OSHA Regulations Exposure Control Plan
- 446 Prevention of Lead Poisoning

447 School Safety Plan

450 FOOD SAFETY

450.1 Food Services

450.2 Free and Reduced Price Meals

450.3 Wellness Policy

450.4 Certification of Standards Governing Types of Foods and Beverages
Sold on School Property

Appendix A: Code of Regulations

Appendix B: RC-3 Form

Appendix C: Guidelines for Records Retention and Disposal

Appendix D: School-Parent Compact

Appendix E: Adoption of Model Procedures for the Education of Children with Disabilities

Appendix F: Child Find Notice

Appendix G: Form for Reporting Incidents of Harassment, Intimidation and Bullying

Appendix H: No Smoking Symbol Sign

Appendix I: Notice of Intended Suspension from School

Appendix J: Notice of Emergency Removal and Intent to Suspend from School

Appendix K: Notice of Suspension from School

Appendix L: Notice of Rights Re: Suspension from School

Appendix M: Notice of Intended Expulsion from School

Appendix N: Notice of Emergency Removal and Intent to Expel from School

Appendix O: Notice of Expulsion from School

Appendix P: Notice of Rights Re: Expulsion from School (for Use for Expulsions of 20 School Days or Less Only)

Appendix Q: Notice of Rights Re: Expulsion from School (for Use for Expulsions of More than 20 School Days Only)

Appendix R: Field Trip Policy and Permission Request Form

Appendix S: Authorization to Release Information Form

Appendix T: Notice to Parents Regarding the Protection of Pupil Rights Amendment

Appendix U: Identification of Homeless or Unaccompanied Youth Enrollment and Decision Appeal Form

Appendix V: Caretaker Authorization of Affidavit

Appendix W: Caretaker Power of Attorney

Appendix X: Notice Regarding Weapons in the Workplace

Appendix Y: Homeland Safety Form – Public Employment

Appendix Z: Homeland Safety Form – Government Business and Funding
Contracts

Appendix AA: Physician's Request for Medication Form

Appendix BB: Notice to Parents Regarding Medication Policy

Appendix CC: Inhaler Permission Form

Appendix DD: Epinephrine Autoinjector Permission Form

Appendix EE-1: Health and Fitness Parental Consent Form

Appendix EE-2: Emergency Medical Authorization Form

Appendix FF: Hand Washing Procedures

Appendix GG: Head Lice Infestation Forms

Appendix HH: General Safety Procedures

Appendix II: Safety and Health Plan Emergency Drills

Appendix JJ: Form for Reporting Accidents to Students

Appendix KK: Bomb Threat Form and Call Checklist

Appendix LL: School Procedures

Appendix MM: Credit Flexibility Policy

SECTION 1:
GOVERNANCE POLICIES

SECTION 100

IDENTIFICATION/DEFINITIONS

101 NAME

The School Governing Authority of this Ohio Community School known as Maritime Academy of Toledo shall be referred to herein as the "Governing Authority" or "Board of Directors" or "Board".

102 TYPE OF CORPORATION

Maritime Academy of Toledo was established as an Ohio non-profit corporation under Chapter 1702 of the Ohio Revised Code (R.C. 3314.03(A)(1)) to operate a community school.

103 FACILITY

The physical location of Maritime Academy of Toledo is 803 Water Street, Toledo, OH 43604.

104 ADDRESS

The official address of the Governing Authority shall be The Maritime Academy of Toledo, 803 Water Street, Toledo, OH 43604.

105 DEFINITIONS AND HEADINGS

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

Board or Governing Authority

The Board of Directors of the Corporation.

Charter Contract

The contract ("Contract") between the Sponsor and the School.

Corporation

The Ohio non-profit corporation known as Maritime Academy of Toledo.

Superintendent

The Superintendent, Principal, Director of Business Operations, Director of Education, or Chief Executive Officer of the School. Superintendent also means, to the extent permissible by law, the Superintendent's designee.

Headings

Headings are for convenience only. Headings have no substantive meaning.

Management Company

A Company, if any, contracted with the Board to manage certain functions of the School.

May

This word is used when an action is permitted but not required.

Parent

The natural or adoptive 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.

Policy

A general, written statement adopted by the Governing Authority 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.

School

The Maritime Academy of Toledo, sometimes referred to herein as "Academy" or School.

School Property

School Property refers to any property owned, used or leased by the School for School, School extracurricular or School-related events.

Shall

This word is used when an action is required. (The words "will" or "must" also signify a required action.)

Sponsor

An entity which is approved by the Ohio Department of Education or by statute to sponsor Ohio Community Schools, pursuant to section 3314.02 of the Ohio Revised Code, which has entered into a Contract with the School, pursuant to section 3314.03 of the Ohio Revised Code.

Staff or Employee

"Staff" or the words "Staff Member" includes and is interchangeable with the words teacher or administrator or employee. "Employee" means an employee of the Board or of a Management Company, if any.

Student

A student is a child who is officially enrolled in the School or a program of the School.

SECTION 110

POWER AND ETHICS OF BOARD

111 AUTHORITY

The Board is authorized, constituted and governed by Chapter 3314 of the Revised Code of the State of Ohio (R.C. 3314) and by Chapter 1702 of the Revised Code of the State of Ohio (R.C. 1702). The Board is a private nonprofit corporation and serves a purpose to oversee an Ohio public community school. Its authority is derived from both corporate and public laws which are deemed applicable to its operations.

112 BOARD POWERS

The Governing Authority may ensure the performance of any act or function that is in compliance with the Ohio Constitution, R.C. Chapter 3314 or Chapter 1702, other statutes applicable to Ohio Community Schools and the Contract (“Charter Contract” or “Contract”) entered into with the School's Sponsor.

113 BOARD MEMBERS' POWERS

Board members as individuals do not separately possess the powers that reside in the Board as the Governing Authority of the School.

If in the opinion of the majority of the Board, a Board member's request(s) for facts and information is administratively unreasonable, the administration may withhold said facts or materials until a ruling is made by the Board.

114 ETHICS AND CONFLICTS POLICY

A. Ethical Behavior

While serving as a member of the Board of the School, each Director shall agree to abide by the following:

1. obey the laws of Ohio and the United States, and respect and carry out all policies of the School;
2. respect the confidentiality of privileged information;
3. recognize that as an individual Board member, the member has no authority to speak or act for the Board;
4. work with other members to establish, review and revise effective policies;
5. delegate authority for the administration of the schools to the administrators and staff;
6. make every effort to attend all Board meetings;
7. become informed concerning the issues to be considered at each meeting and the issues of school choice and Ohio Community Schools in general;
8. express personal opinions, but, once the Board has acted, accept the will of the majority; and
9. act in an ethical manner consistent with the mission, goals and policies of the School.

B. Community School Law (ORC 3314.03(A)(11)(e))

1. The Board shall comply with Chapter 102 (Ethics for Public Officers) and Section 2921.42 of the Ohio Revised Code ("ORC").

C. Improper Influence or Use of Authority (ORC Chapter 102) (ORC 2921.42)

1. Section 102.03(D) and (E). A Board member is prohibited from using, or authorizing the use of, the authority or influence of his or her office or employment, or soliciting or accepting anything of value that is of such a character as to manifest a substantial and improper influence upon the Board member with respect to his or her duties.

- a. "Anything of value" includes money and every other thing of value.
 - b. A thing of value has an improper character whenever it is secured from a party that is interested in matters before, or doing or seeking to do business with, the community school, its board or employees, or where the thing of value could impair the Board Member's objectivity and independence of judgment with respect to official actions and decisions for the community school.
 - c. A Board Member shall not participate in matters that will benefit parties with whom she has a close family, economic, or business relationship because the relationships may impair the Board Member's objectivity and independence of judgment.
 - d. Abstain. A Board Member may avoid a conflict under R.C. 102.03(D) and (E) by abstaining from any vote and refraining from discussions or deliberations of the community school board of directors concerning the conflicted matter.
2. Section 2921.42(A)(1). A Board Member is also prohibited from authorizing or employing the influence of her office to secure authorization of any public contract in which she, a member of her family, or any of her business associates has an interest.
 - a. A prohibited interest may be either pecuniary or fiduciary in nature.
 - b. Abstain. A Board Member may abstain from participation in any part of the decision-making process with respect to the contract in which the Board Member, a family member, or a business associate has an interest.
3. Section 2921.42(A)(3). A Board Member shall not occupy any position of profit in the prosecution of a public contract which he/she or the community school board authorized, and which was not let by competitive bidding to the lowest and best bidder.
 - a. A Board Member occupies a position of profit in a public contract whenever the board member will receive a fee or compensation that is paid from or is dependent upon the contract, or the Board Member will receive some other profit or benefit from the contract.

- b. A Board Member cannot use abstention to avoid a conflict arising under R.C. 2921.42(A)(3).
4. Section 2921.42(A)(4). A Board Member is prohibited from having an interest in the profits or benefits of a public contract entered into by or for the use of the community school.
- a. A prohibited interest in the profits or benefits of a public contract arises when the Board member would financially benefit from the contract, or if the Board Member has an ownership or fiduciary interest in the entity that is entering into the contract with the community school, unless the exception in R.C. 2921.42(C) applies.
 - b. For the exception to apply, the subject of the contract must be necessary supplies or services for the community school, and the supplies or services must be unobtainable elsewhere for the same or lower cost, or be furnished to the community school as part of a continuing course of dealing established prior to the Board member becoming associated with the community school.
 - c. A Board Member cannot use abstention to avoid a conflict arising under R.C. 2921.42(A)(4).

D. Improper Compensation (ORC 2921.43)

A Board member is prohibited from soliciting or accepting either of the following: (a) any compensation, other than that allowed by Ohio law, to perform his or her official duties, to perform any other act or service in the Board member's public capacity, for the general performance of the duties of the Board member's public office or public employment, or as a supplement to the Board member's public compensation; or (b) additional or greater fees or costs than are allowed by law to perform the Board member's official duties.

E. Using Anything of Value to Gain an Advantage (ORC 2921.43)

A Board member, for his or her own personal or business use, and a person, for his or her own personal or business use or for the personal or business use of a Board member, is prohibited from soliciting or accepting anything of value in consideration of either of the following: (1) appointing or securing, maintaining, or renewing the appointment of any person to any public office, employment, or agency; or (2) preferring, or maintaining the status of, any public employee with respect to his or her compensation, duties, placement, location, promotion, or other material aspects of his or her employment.

The Board also adopts the following regarding Ohio nonprofit corporations and a Director's interest in any contracts authorized by the Board.

F. Corporate Conflicts Law (ORC 1702.301)

Except as prohibited by R.C. 102.03 or R.C. 2921.42, any contract or other transaction between the Board and one or more of its Directors, or between the School and any entity of which one or more of the School's Directors are interested, whether such Director is a member of the Board of the School or not, shall be valid for all purposes, notwithstanding the presence of the Director at the meeting at which the Board of the School acts upon, or in reference to, such contract or transaction, and notwithstanding the participation of the Director in such action, if the fact of such interest shall be disclosed or known to the Board, and the Board nevertheless, authorizes, approves or ratifies such contract or transaction by a vote of a majority of the Directors present. The interested Director may be counted in determining whether a quorum is present, but may not be counted in voting upon the matter or in calculating the majority of such quorum necessary to carry such vote.

Each Director agrees that he/she shall disclose any personal or business interests and also abstain from voting on a contract in which he/she has an interest. For purposes of part F of this policy, "interested in" is interpreted as meaning a monetary interest or monetary value, control, status, or a promise to do beneficial things for a Director, his or her family or relatives, businesses or business associates.

Each Director shall sign a copy of this Ethics and Conflicts Policy in order to demonstrate his/her commitment to these principles.

Note: All School officials and employees, including teachers who do perform or who have the authority to perform administrative and supervisory functions, are subject to all Ohio Ethics Law restrictions found in R.C. Chapter 102 and R.C. 2921.42 and 2921.43. See above Policy for summaries of these restrictions.

115 JUDICIAL POWERS

The Governing Authority may assume jurisdiction over any dispute or controversy within or about the School and concerning any matter in which authority has been vested in the Governing Authority by these Policies, or applicable Ohio or Federal law.

SECTION 120

GENERAL GOVERNANCE

121 CODE OF REGULATIONS

The Code of Regulations is the document setting out the corporate governance of the Board in accordance with Chapter 1702 of the Ohio Revised Code, as changed from time to time by the Board pursuant thereto.

See The Maritime Academy of Toledo Code of Regulations.

122 ORIENTATION

The Board believes that the preparation of each Board member for the performance of Board duties is essential to the effectiveness of the Board's functioning. The Board shall encourage each new Board member to understand the functions of the Board, acquire knowledge of matters related to the operation of the School, and learn Board procedures.

Accordingly, each new Board member, at a minimum, shall receive for use during his/her term on the Board:

- A. a copy of the Ohio Open Meetings Law (R.C. 121.22);
- B. a copy of these Governance Policies;
- C. a copy of the current Contract with the School's Sponsor;
- D. the current budget statement and related fiscal materials;
- F. mandatory five (5) hour governance training as required by the Sponsor.

Each new Board member shall be entitled to meet at the new member's request, with the Board President and any other one (1) Board member to discuss the School, Board functions, policies and procedures.

123 CONTRACTS WITH SPONSOR/FISCAL AGENT

The Governing Authority may enter into a contract with a Sponsor and is authorized to make payments to the Sponsor pursuant to Ohio Revised Code Section 3314.03(C) and to designate a third party to be its fiscal agent.

124 REIMBURSEMENT / COMPENSATION

Reimbursement

A Board member may receive reimbursement only for expenses that are approved by the Board. The following guidelines have been established by the Board to ensure appropriate and proper reimbursement of expenses for Board members.

Expenses will be reimbursed for activities authorized by the Board at a rate determined by the Board.

When attending a Board-approved conference, fees, parking, mileage, meals, and housing which are reasonable can be submitted for approval.

No entertainment expenses or purchases of alcoholic beverages are reimbursable.

A voucher detailing the amount and nature of each expense must be submitted to the Board for approval within ten (10) days after the expenses have been incurred.

Compensation Procedures

Board members may receive up to \$425.00 per meeting but may not receive more than \$5,000 per year. The Board hereby approves compensation of \$125.00 per meeting attended for each school Board member per meeting.

R.C. 3314.02. Updated 10/12/2011

125 BACKGROUND CHECKS OF BOARD MEMBERS

Each Board member is required to submit to a background check, including criminal history and fingerprinting at the time of proposed election to the Board or any reasonable time thereafter. The Sponsor, or the Board, may disapprove of any background check, at its or their discretion.

SECTION 130

BOARD MEETINGS

131 MEETINGS / EXECUTIVE SESSIONS

Meetings of the Board shall be open to the public.

The Board hereby establishes a reasonable method whereby any person may determine the time and place of all regularly scheduled public School Board meetings and the time, place, and purpose of all special meetings of the Board. The Board shall not hold a regular or special meeting unless it gives the required advance notice to the news media and to those persons or entities that have requested notification, except in the event of an emergency requiring immediate official action. In the event of an emergency, the member or members calling the meeting shall immediately notify the customary news media and those persons or entities that have requested notification of the time, place, and purpose of the meeting.

Board shall post, put on its website (if applicable) and send to a local newspaper of general circulation, its pre-scheduled regular meetings for each school year. All other meetings of the Board shall be special meetings or emergency meetings, unless such meetings are continued from a regular meeting. Special meetings shall be posted and sent to a local newspaper of general circulation at least 24 hours in advance of the meeting time.

There are times when the Board may need to meet privately during a regular or special meeting for the purpose of clarification. When the need arises, there should be no hesitation to announce that an executive session will be held and that it is to be a closed session.

An executive session may be held to consider:

- A. the appointment, dismissal, discipline, promotion, or compensation of an employee or the investigation of charges against an employee or student unless the employee or student requests a public hearing;
- B. the purchase of property for public purposes or the sale at competitive biddings, 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, so long as an executive session is not used to provide covert information to prospective buyers or sellers;
- C. disputes which are the subject of pending or imminent court action in conference with an attorney;
- D. preparing for, conducting, or reviewing negotiations or bargaining sessions with employees;
- E. matters required to be kept confidential by Federal law or State statutes;
or

- F. specialized details of security arrangements, and emergency response protocols for a public body or a public office, if disclosure of the matters discussed could reasonably be expected to jeopardize the security of the public body or public office.

After the meeting is convened, any member may make a motion for an executive session, stating the purpose of the session by citing one 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.

Although the Board may consider certain matters in executive session, under no conditions can the Board take action on any matter except during a public session.

R.C. 121.22.

132 PARLIAMENTARY AUTHORITY

The parliamentary authority governing the Board shall be Robert's Rules of Order, Newly Revised, in all cases in which it is not inconsistent with statute, other law, these Policies, or other Board directive.

133 VOTING

All motions shall require for adoption a majority vote, except as provided by statute, the Code of Regulations, or these Policies. Upon the demand of any member of the Board, the vote shall be recorded by roll call. All actions requiring a vote can be conducted by voice vote or show of hands, unless a roll-call vote is requested or required.

In certain circumstances, a majority vote of the full Board must occur, such as, to affirm, revise, vacate or modify an order of student expulsion or to reinstate a student (R.C. 3313.66(E)) (unless an authorized designee is used), or, a statutory three/fifths (3/5th) vote of the full Board must occur, such as, to reject findings or recommendations of a fact-finding panel by the Board or an employee organization under a statutory impasse resolution procedure in collective bargaining (R.C. 4417.14(c)(6)).

Unless a specified number of affirmative votes is required, an abstention shall be recorded and deemed to consent to the outcome of the voting. In situations in which a tie vote occurs and abstentions have been cast, the motion shall fail for lack of a majority.

134 MINUTES

The Board's secretary shall keep reasonably comprehensive minutes of all its meetings showing the time and place, the members present, the subjects considered, a summary of the deliberations sufficient enough for the public to understand the basis for the Board's actions, the actions taken, and any other information required to be shown in the minutes by law, which shall be available to the public. Minutes of executive sessions shall reflect the general subject matter of discussions.

The Board's secretary shall provide each Board member with a copy of the draft minutes of the last meeting in a reasonable time before the next regular meeting.

The approved minutes shall be filed in the School office in a prescribed minute book as a permanent record of official Board proceedings.

R.C.121.22; R.C.149.43.

135 ATTENDANCE

Regular attendance at Board meetings is an important responsibility of each Board member. It is through Board meetings that the official business of the School is conducted, deliberations occur and members of the public have an opportunity to address the full Board.

With that responsibility in mind, Board members agree that:

- A. A member who misses three consecutive meetings, or
- B. A member who misses five meetings in a year may be deemed by the Board to have vacated his or her position on the Board and a replacement may be selected for that seat according to the Code of Regulations.

In exceptional circumstances, e.g. serious illness or injury, a Board member may be unable to attend because of reasons outside the individual's control. In this circumstance, the Board member may request in writing an attendance waiver. The request should be addressed to the Board and will be voted on by the entire Board at its next regularly scheduled meeting. The Board member requesting the waiver may not participate in the vote.

136 PUBLIC PARTICIPATION AT MEETINGS

The Board recognizes the value to School governance of public comment on educational issues and the importance of allowing members of the public to express themselves on School matters of community interest.

Any person or group wishing to place an item on the agenda shall register their intent with the Superintendent no later than one (1) business day prior to the meeting and include:

- A. name and address of the participant;
- B. group affiliation, if and when appropriate;
- C. topic to be addressed.

In order to permit the fair and orderly expression of such comment, the Board shall provide a period for public participation at every regular meeting of the Board, and, the Board may publish rules to govern such participation in Board meetings.

The presiding officer of each Board meeting at which public participation is permitted shall administer the rules of the Board for its conduct.

The presiding officer shall be guided by the following rules:

- A. Public participation shall be permitted as indicated on the order of business or at the discretion of the presiding officer.
- B. Attendees must register their intention to participate in the public portion of the meeting upon their arrival at the meeting.
- C. Participants must be recognized by the presiding officer and will be requested to preface their comments by an announcement of their name, address, and group affiliation, if and when appropriate.
- D. Each statement made by a participant shall be limited to two (2) minutes duration.
- E. No participant may speak more than once on the same topic unless all others who wish to speak on that topic have been heard.
- F. All statements shall be directed to the presiding officer; no person may address or question Board members individually.
- G. Tape or video recordings are permitted, providing the person operating the recorder has contacted the Superintendent or his/her designee prior to the Board meeting to review possible placement and agrees to the

placement of the equipment, and agrees to abide by the following conditions:

1. No obstructions are created between the Board and the audience.
2. No interviews are conducted in the meeting room while the Board is in session.

H. The presiding officer may:

1. interrupt, warn, or terminate a participant's statement when the statement is too lengthy, personally directed, abusive, obscene, or irrelevant;
2. request any individual to leave the meeting when that person does not observe reasonable decorum;
3. request the assistance of law enforcement officers in the removal of a disorderly person when that person's conduct interferes with the orderly progress of the meeting;
4. call for a recess or an adjournment to another time when the lack of public decorum so interferes with the orderly conduct of the meeting as to warrant such action;
5. waive these rules.

I. The portion of the meeting during which the participation of the public is invited shall be limited to twenty (20) minutes.

SECTION 140

GENERAL BOARD DUTIES

REVIEW OF POLICIES

It shall be the policy of the Board to review its policies and procedures on a continuing basis (at least once per year) in order to keep them up-to-date.

142 APPROVAL AND MONITORING OF BUDGET

The fiscal year of the School shall begin on the first day of July in each year. The Board, subject to the oversight responsibilities of its Sponsor, and subject to any contract with a fiscal agent, shall have exclusive control of the budget. The Board shall prepare and publish an annual budget in accordance with the requirements of the State Auditor and its Charter Contract.

The Board shall designate a fiscal officer, and such fiscal officer shall execute a bond in an amount and with a surety acceptable to the Board, payable to the State of Ohio. Such bond shall be deposited with the Board and a Board-certified copy filed with the County Auditor. The fiscal officer or agent must meet the requirements of Ohio Revised Code 3314.011.

R.C. 3314.011; OAC 117-6-07.

See also Policy No. 148.6 Annual Financial Report.

143 MONITORING OF CHARTER CONTRACT

The Board shall monitor compliance with the Charter Contract, along with the School's Sponsor, and may delegate this duty to the Superintendent or his/her designee.

144 REPORTING REQUIREMENTS

The Governing Authority shall comply with the annual reporting requirements of the Ohio Revised Code 3314.08(B)(2)(a)-(i), and may delegate this responsibility or any other applicable reporting requirements to the Superintendent or his/her designee.

145 MEDIA POLICY

Representatives of the local press, radio, and TV are an important link in the communications chain between the School and community. The maintenance of good working relationships with these persons is essential to meeting those objectives of school-community relations and require the support and cooperation of the media representatives.

The Board authorizes the development of a sound working relationship between the news media and the School, based on mutual respect and cooperation and reserves the right to negotiate for the radio broadcasting, televising, filming or sound recording of any School event by an outside agency.

These rights, if sold, shall be contracted under conditions designed to bring the most favorable terms to the School.

The Superintendent or his/her designee as approved by the Board shall:

- A. be readily available to media representatives;
- B. keep media representatives fully informed with regard to the School in all aspects, activities, and changes, so that any reporting will be done on the basis of a complete and valid overview;
- C. submit, suggest, or request feature stories or articles to media representatives which are of interest or importance;
- D. consider providing "press kits" to media representatives who attend meetings of the Board;
- E. meet periodically with representatives of the news media to discuss the School's progress and problems;
- F. assist various School related groups in their relations with the news media;
- G. protect School personnel from any unnecessary demands on their time by news media representatives.

In order to maintain a progressive and coordinated program of public relations for the School, it is essential that:

- A. staff members not give school information or an interview requested by representatives of the news media without prior approval of the Superintendent or his/her designee who will either set up an appointment for this purpose which will not interfere with the staff

member's daily activities, or speak to the media representative about the matter personally;

- B. the Superintendent or his/her designee be present at all meetings with news media representatives;
- C. any photograph of a controversial nature, or questionable with regard to individual right of privacy, shall not be sanctioned.

See also Policy No. 430 Crisis Media Situations.

146 LOCAL PROFESSIONAL DEVELOPMENT COMMITTEE

Jodi to do this

In compliance with Ohio Revised Code ("R.C.") 3314.03, the School will follow the requirements for establishing a Local Professional Development Committee ("LPDC"), as is required by R.C. § 3319.22. In establishing the LPDC, the following shall apply:

1. The LPDC shall be within the Academy in a building level committee.
2. The certified/licensed general education teachers in the School shall elect, by majority vote, three (3) certified/licensed teachers to be a member of the LPDC.
3. Representation of a principal on the LPDC shall be determined by majority vote of the School Governing Authority (if the LPDC is a building level committee), or, of the principals of the constituents participating in the LPDC (if the LPDC is and building and non-building level consortium). The following apply to the votes of the principal if the LPDC is both a building level and non-building level consortium:
 - a. The principals of the constituents shall vote at a time concurrent with the vote by the teacher constituents.
 - b. The principals of the consortium shall vote on an order of membership on the LPDC whereby the principals' representation shall revolve between the consortium schools on a yearly basis.
4. An additional member of the LPDC may be elected by the Superintendent, and if none, by the School Governing Authority, or, if the committee is a consortium of building and non-building level schools, by the three teachers and the principal representatives.
5. The activities of the LPDC shall apply to each constituent as though the consortium were a district.
6. The terms of the members of the LPDC shall be one (1) year and the members may be re-elected in accordance with 2, 3, and 4 above. Members may serve additional terms, except for the principal in accordance with 3(b) above, if applicable.
7. Mid-term vacancies on the LPDC shall be filled by: for teachers, by a majority vote of those teachers elected to the LPDC, and, for principals, by the Superintendent of the School, or, if none, by the School Governing Authority or Authorities.

8. The LPDC shall meet at least two (2) times per school year, but may meet more. This policy empowers the LPDC to determine the frequency, time, and place of the meetings and such decisions shall have a binding effect.
9. An educator wishing to appeal the decision of the LPDC may appeal to the President of the School Governing Authority for review by School Governing Authority.
10. Any tie vote or any vote without a majority shall be decided by the President of the School Governing Authority.
11. The LPDC shall 1) set the requirements for teachers requiring renewal of Ohio Department of Education certificates or licenses, 2) make decisions regarding participation in external training or professional development, 3) address the performance improvement processes internally, and 4) all other matters required by law.

R.C. 3319.22

147 PUBLIC RECORDS POLICY

The School will utilize the following procedures regarding the availability of public records. Any person may inspect and copy the public records of the School during the regular business hours of the office in which such records are maintained provided that advance notice of such intended inspection has been given the custodian of the records in a reasonable time prior to inspection. A school employee or representative will be present during inspection of the records. The Board shall not limit or condition the availability of public records by requiring disclosure of the requested identity or proposed use of the records, or by asking the request to be put in writing, unless it first discloses to the requester that a) none of that information is mandatory and b) whether disclosure of that information will enhance the ability to identify, locate or deliver the records sought by the requestor.

A viewer, or a requester of copies of public records, may purchase copies of the School's public records upon payment of a fee not to exceed the cost for reproduction, supplies, mailing, delivery, transmission and/or handling. When making copies or records available, the preparer shall notify the requester of redactions or make redactions plainly visible to the requester.

If a request for public records is ambiguous, or overbroad, or not reasonably identifiable, the request may be denied so long as the requester is informed of the manner in which records are maintained and accessed by the School. Each ultimate denial, in whole or in part, shall provide the requester with an explanation, including the legal authority, as to why the request was denied, and such reasons shall be put in writing if the initial request was put in writing. The Board does not waive its rights to additional legal authority of reasons for denial by way of its written explanation to a requester.

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.

We need to post this

The Board shall (1) participate in training concerning public records which may be required by the Ohio Attorney General and which is free of charge under section 109.43 of the Ohio Revised Code, (2) post its public records policy in a conspicuous place in all locations or branches of operations, (3) require its employee in charge of public records to sign an acknowledgement of receipt of its public records policies and (4) include its public records policy in its manuals or handbooks of general policies and procedures for all employees.

The Board authorizes the Superintendent or his or her designee to dispose of, on a daily basis, routine messages transmitted by means of voice mail or E-mail, provided the messages do not alter existing School records.

Signature of Employee in Charge of Public Records

Date

R.C. 149.43

See also Policy No. 325.1 Public Records.

147.1

RECORDS RETENTION AND DISPOSAL POLICY

The orderly acquisition, storage and retention of School records and reports are essential for the overall efficient and effective operation of the School. The Board establishes a local records commission to govern matters pertaining to School's records, their retention and disposal.

The records commission shall consist of the board president, treasurer (CFO or fiscal agent) and superintendent or chief administrator. The treasurer shall serve as chairman/secretary of the local records commission. The members of this commission may appoint necessary records official(s) to carry out the necessary work associated with the School's records.

The records commission shall meet at least once annually to review the certificates of records disposal as submitted by the commission or any records official. Upon the approval of the commission, such records may be disposed of, pursuant to the following standards:

1. Procedures to dispose of records according to the approved schedule of records retention and disposition will be initiated by the end of the fiscal year. The procedures listed in **Appendix C** shall guide the local records commission as modified from time to time by the local records commission.
2. Records officials will list those eligible, disposable records on the certificate of records disposal form RC-3, in **Appendix B**, per the adopted schedule.
3. The records commission shall review the certificates of records disposal as submitted prior to a regular Board meeting each year.
4. Upon the commission's approval, the certificates (RC-3) will be forwarded as follows:

Original - Forward original to Ohio Historical Society Network Specialist for your County. See attached map to determine your County Records Specialist.

Copies - Keep one copy with the School Records Commission files.

- The Ohio Historical Society Records Specialist will make and send a copy to State Auditor's office on behalf of the School.

5. The commission may not review or select for its custody either of the following:

- (A) Records containing personally identifiable information concerning any pupil attending a public school other than directory information, as defined in section 3319.321 of the Revised Code, without the written consent of the parent, guardian, or custodian of each such pupil who is less than eighteen years of age, or without the written consent of each such pupil who is eighteen years of age or older;

- (B) Records the release of which would, according to the "Family Educational Rights and Privacy Act of 1974," 88 Stat. 571, 20 U.S.C.A. 1232g, disqualify a school or other educational institution from receiving federal funds.

6. Records shall be destroyed only as directed by the records secretary.

The local records commission has developed the necessary regulations and record retention schedules to carry out their purpose in this policy.

7. The commission designates the following personnel as records officials and will communicate with them in regards to matters related to record retention and disposal:

Record Officials:
Superintendent
Treasurer

8. Fifteen days must have elapsed after forwarding copies to the Ohio Historical Society before destroying. The records secretary will make arrangements through the business office for the staff to pick up all records for shredding.
9. A copy of the record officer's certificate of records (RC-3) disposal form should be maintained by the Commission for its records.

E-Mail and Correspondence Retention

The following retention policy for e-mail and correspondence is endorsed by the Local Government Records Program of the Ohio Historical Society. In general, the policy is based on the premise that e-mail does not constitute a category of records in and of itself. Rather e-mail is a delivery medium, like paper or microfilm, and individual e-mails should be retained according to the information which is contained in the message. There are four categories of e-mail and correspondence retention.

1. Non-Record Materials (delete immediately)

E-mail messages and correspondence that do not meet the criteria of being a "public record" under R.C. 149.43, because they do not document the organization, functions, policies, decisions, procedures, operations or other activities of the office, may be deleted immediately. These e-mails include:

Personal correspondence.

Publications, promotional materials and similar materials (unless specifically incorporated into other materials that are "records")

2. Official Records

A. Transient Retention (Retain until no longer of administrative value)

Transitory messages of very limited administrative value.

(e.g., a message of an upcoming meeting only has administrative value until the meeting occurs; telephone messages; drafts, and other documents which serve to convey information of temporary importance in lieu of oral communication).

B. Intermediate Retention

General Correspondence (Two years)

Internal Correspondence (letters, memos)

Correspondence from various individuals and organizations

(requesting information or correspondence that is informative but does not attempt to influence policy)

Routine Correspondence (One year)

Referral letters, requests for routine information and requests for publications which are answered by standard form letters.

C. Long term Retention

Executive Correspondence

Correspondence dealing with significant aspects of the administration of their offices. (e.g., information concerning agency policies, program, fiscal, and personnel matters).

Storing E-mail Records

For purposes of record retention, it is acceptable to store e-mails: (1) in the current e-mail system; (2) in an electronic format (e.g., in a file on a local hard drive); or (3) by saving paper print outs in a filing system. In order to ensure that someone in the agency takes responsibility for maintaining the e-mail record during the retention period, a good policy is that the individual who sends an e-mail should maintain the "record" copy. If an e-mail is received from someone outside the organization, the recipient should retain it.

RC §149.41; RC §149.351

See also **Appendix B** RC-3 Form and **Appendix C** Guidelines for Records Retention and Disposal.

Records Retention Schedule

The following records retention schedule is guided by three general objectives:

1. Documenting compliance with statutory and regulatory requirements;
2. Protecting the School from future litigation; and
3. Reducing the cost of operating the School by appropriately managing space requirements.

Employment Records

The School shall retain job applications for employees not hired and job inquiries, job orders placed with employment agencies, resumes, candidate test papers, job aids, internal notices relating to job openings or training opportunities Form EEO-1 (Employers with 100 or more employees) for 7 years from the date of application or the personnel action, subject to the following exceptions:

- a. Under the Age Discrimination Employment Act (“ADEA”), 29 U.S.C. §626(a) and 29 CFR § 1627.3, the School must retain records for one year from the date of any personnel action;
- b. Under the American with Disabilities Act (“ADA”), 29 CFR §1602.20, the School must retain records for one year from the date of any personnel action;
- c. Under the Civil Rights Act of 1964, 29 CFR §1602.14, 29 CFR §1602.21 and 29 CFR §1602.7, for employers with 15 employees or more, the School must retain records for one year from the date of application;
- d. Under Executive Order 11246/OFCCP which applies to Federal contractors, the School must retain records pertaining to hiring criteria for employers with 150 or more employees for two years, and for employers with less than 150 employees for one year;
- e. Under the Uniform Guidelines on Employee Selection Procedures, 29 CFR §1607.4, the School must retain records regarding impact of the employer's hiring practices, including number of persons hired, number of applicants, and the selection criteria utilized, etc. for two years after a determination of an adverse impact;
- f. The statute of limitations for statutory liability actions in Ohio is six years pursuant to R.C. 2305.07. Under Ohio law, charges of employment discrimination are brought under R.C. 4112.01 *et seq.* which requires an aggrieved party to first exhaust his/her administrative remedies before filing a lawsuit. However, there are exceptions which would trigger R.C. 2305.07 and the six year statute.

Employee personnel records, including applications for current employees, payroll information, rate of pay, hours worked, time cards, payroll reports, vouchers for any payments to employees, promotion, demotion, transfer, termination decisions, applications for disability benefits, job descriptions and merit descriptions shall be retained for 7 years after the personnel action or termination, whichever is longer, subject to the following exceptions:

- a. Under the ADEA, 29 U.S.C. §626(a), the School must retain payroll records or other records containing the employee name, address and date of birth for three years;
- b. Under the Older Worker Benefit Protection Act, 29 U.S.C., §626(a) and §626(1), the School must retain payroll information for three years;

- c. Under the ADA, 29 CFR § 1602.14, the School must retain medical records, which must be kept separately, for one year;
- d. Under the Civil Rights Act of 1964, the School must retain apprenticeship records for one year, and other records for a maximum of six years;
- e. Under the Davis Bacon Act, 29 CFR §5.5, the School must retain payroll records containing name, address, job classification, rate of hourly, daily and weekly pay, rates of contributions or costs anticipated for fringe benefits for three years. The School must retain written evidence of the registration of any apprenticeship programs for three years after completion of contract;
- f. Under the Employee Polygraph Protection Act, 29 CFR §801.30 and 29 CFR §201.35, the School must retain records for three years from the date of a polygraph test;
- g. Under the Equal Pay Act, 29 U.S.C. §206(d) and 29 CFR §1620.32, the School must retain records regarding wage rates, job evaluations, and descriptions, merit or seniority systems and other descriptions for two years;
- h. Under Executive Order 11246/OFCC P Rules, the School must retain records for Federal contractors with over 150 employees for two years, and records for Federal contractors with less than 150 employees for one year;
- i. Under the Fair Labor Standards Act, 29 U.S.C. §211, 29 CFR §516.5 and §516.6, the School must retain name, job symbol, address, date of birth, occupation, information about hourly rate, hours worked each day, total weekly straight time, earnings, overtime, additions or deductions to wages, dates of payment or pay period, and purchase and sales orders for three years for hourly employees. The School must retain basic earnings card, wage rate tables, worktime schedule and customer order and invoices for two years;
- a. Under the Family and Medical Leave Act, 29 CFR §825.50, the School must retain detailed pay rate and employee identification, date of birth, designation of leave dates/ hours of FMLA and notices regarding FMLA for three years. Medical records must be kept confidential and separate from personnel records;
- k. Under the Federal Unemployment Tax (“FUTA”), the School must retain annual records showing total wages for each employee, amount of taxable pay, etc. for four years after the tax is paid under Treas. Reg. 1.6001-1. However, the

information can be used to support the employer's tax records and the statute of limitations for non-payment or underpayment of taxes in some instances can be extended beyond the normal three years to six years for civil or criminal violations pursuant to IRC 6501 *et seq.* Therefore, it is the policy of the School to retain the records for six years plus the current year;

- l. Under the Internal Revenue Code, the School must retain records about employees, their Social Security numbers, and records for remuneration for six years plus the current year as explained above.
- m. Under the Social Security Act, the School must retain social security records for four years, although it is recommended that the records be kept for six years plus the current year, as explained under FUTA above;
- n. Under FICA, the School must retain records for six years as explained under FUTA above;
- o. The Ohio statute of limitations for actions charging violations of wage and hour laws and minimum wage is two years from the date the cause of action accrues.

Immigration 1-9 Forms should be retained for 3 years after hire or one year after termination whichever is longer, subject to the following exception:

- a. Under the Immigration Reform and Control Act, 8 CFR 274a(2)(A), the School must retain immigration records separate from the personnel file;

Employee Benefit Plan Documents and collective Bargaining Agreements should be retained until expired or superceded, plus 15 years, subject to the following exceptions:

- a. Under the Age Discrimination in Employment Act, 29 U.S.C. §676, the School must retain employment benefit plans until they expire or are superseded, plus one year;
- b. The statute of limitations for bringing actions under ERISA for breach of fiduciary duties is six years. There is no specific statute of limitations for ERISA actions other than breach of fiduciary duties (i.e. - benefits) but courts typically apply the most analogous state statute. The statute of limitations for bringing an action on a written contract under Ohio law is 15 years.

Pension and welfare benefit records to determine eligibility for benefits should be retained for as long as needed to determine eligibility – 15 years after termination based on contract claims for participants and for an indefinite period of time for beneficiaries, subject to the following exceptions:

- a. Under the Employee Retirement Income Security Act, Section 107, 29 U.S.C. §1027, the School must retain records supporting matters disclosed on any filing for six years;
- b. Under ERISA, Section 413, which governs actions for breach of fiduciary duties, these actions must be brought within six years of the last action constituting the breach or three years after the discovery of the breach. ERISA does not specify a limitation period for other actions but most courts rely on the most analogous state statute of limitations. Ohio's statute of limitations for a contract action is 15 years.

COBRA related documents should be retained as long as a particular employee is covered by COBRA, plus 15 years after termination based on contract claims for participants and for an indefinite period of time for beneficiaries.

Occupational Safety and Health Act ("OSHA") work-related injuries records should be retained for:

1. An OSHA 200 or 300 log (must be logged within 2 days) and must be retained for 5 years;
2. An OSHA 101 or 301 report must be retained for 5 years;
3. Form 300A – totals for the calendar year must be retained for 5 years.

OSHA employee medical records pertaining to work-related conditions, including those prepared by outside doctors should be retained for the length of employment, plus 30 years.

Consult OSHA regulations for retention of additional employer specific OSHA requirements (i.e. noise, chemicals, etc.).

Tax and Business Records

Depreciation schedules and documents supporting depreciation decisions should be retained for the entire period of depreciation, plus 7 years subject to the following exceptions:

- a. Under IRC §§6501(a) and 6501(e), the limitation period under the Internal Revenue Code is three to six years;
- b. Ohio's limitation period is four years.

Capital gain and all documents supporting taxpayer's determination of basis, including receipts, purchase orders, invoices, etc. should be retained for the full period that property is maintained, plus 7 years subject to the following exceptions:

- a. Under IRC §§6501(a) and 6501(e), the limitation period under the Internal Revenue Code is three to six years;
- b. Ohio's limitation period is four years.

Federal, state and local tax returns and any documents supporting the returns, tax audits and adjustments should be retained for 7 years subject to the following exceptions:

- a. Under IRC §§6501(a) and 6501(e), the limitation period under the Internal Revenue Code is three to six years;
- b. Ohio's limitation period is four years.

Monthly trial balances, worksheets, accounts payable and receivables should be retained for at least 7 years. Some records may have to be kept longer depending on the type of document it supports.

Permanently retain annual reports, audit reports and ledgers.

Payroll earning records, W-4's and 1099 Misc. should be retained for 7 years subject to the following exceptions:

- a. Under the Federal recommendation Treas. Reg. 1.6001-1, the School must retain records for four years;
- b. The statute of limitation period for tax collection is three to six years;
- c. The Ohio limitation period is 4 years.

Purchase orders, invoices, agreements, contracts, leases, mortgages, notes for at least 15 years after expiration date.

The limitations period for written contracts under Ohio law is 15 years, therefore any document that would support a contract must be kept for the length of the contract plus the limitation period.

Permanently retain corporate organizational documents, articles and its code of regulations.

The School shall retain general correspondence supporting a contract for 15 years and simple, ordinary correspondence for four years.

Permanently retain deeds, mortgages, bills of sale, trademarks, registrations and copyrights.

Consult the School attorney regarding retention of environmental documents.

Retention of student records is addressed in other guidelines. E-mail is addressed in other guidelines.

Investigations

Records subject to an investigation or the subject of a claim must be retained for as long as the claim or the investigation remains pending and can thereafter only be discarded after consultation with legal counsel.

148.1 PURCHASING/ INVOICING

Before placing a purchase order, each party authorized to place a purchase order should consider whether the material requested may be available elsewhere in the School or in the management company network. In the interests of economy, fairness and efficiency, the Board requires that:

- A. All purchase orders shall be numbered consecutively.
- B. An informal but documented assessment of the responsibility, reliability, comparative cost and reputation of available qualified suppliers shall have been conducted before the purchase order is submitted.
- C. Certain purchases may be below an amount of money allowed to be spent without a properly signed purchase order, as authorized by the Superintendent.
- D. Insofar as conditions permit, all legitimate business suppliers shall be treated courteously.
- E. Credit card agreements may be approved by the Superintendent, at his/her sole discretion, and, all credit cards shall be kept in the custody of the Superintendent and/or Business Manager, in a locked area. All credit card purchases require the prior written approval of the Superintendent and the Business Manager. Any staff member or Board member entrusted with a credit card shall be personally liable for the proper use and safekeeping of the credit card.
- F. If it results in an advantage of any kind, the School may prefer local vendors.
- G. All applicable ethical and conflicts rules shall be followed when purchasing or soliciting for purchasing. No director, officer, employee, staff or agent of the School shall 1) solicit or participate in the negotiations of a contract in which he/she has any direct or indirect pecuniary or beneficial interests or 2) accept any gift or favor from a vendor which might influence their recommendations in the eventual purchases of equipment, supplies or services.

These policies do not prevent any person from receiving royalties upon the sale of any textbook or similar educational product of which she or he is the author, which has been properly approved for use in the School.

If the Board is presented with an invoice from a vendor, the vendor must certify that the good or services were used for School purposes, the invoice must contain sufficient itemization to determine that the services or goods were used for School purposes and the fiscal agent or fiscal officer of the School shall pre-approve payment before the invoice is approved by the Board.

R.C. 102.03; OAC 117-2-02

See also Policy No. 395.1 Purchase of Supplies and Materials,
Equipment.

148.2 FIXED ASSET POLICY

A. Purpose

The School's fixed asset policy establishes a fixed asset accounting system that will contain sufficient data to permit:

1. the preparation of fiscal yearend financial statements in accordance with Generally Accepted Accounting Principles (GAAP);
2. adequate insurance coverage; and
3. control, accountability and security.

B. Criteria for Fixed Asset Capitalization

An item is a Fixed Asset if:

1. it has a useful life of one (1) year or more, and
2. the cost of the asset is greater than \$1,500.00 or it is a leased asset with a purchase price of greater than \$1,500.00.

C. Valuation

Fixed assets are to be valued at historical cost or, if that amount is not practicably determined, at estimated historical cost. The Controller shall determine the estimated historical cost.

Donated fixed assets shall be valued at the donor's estimated fair market value at the time of gifting.

D. Depreciation

Assets will be depreciated using straight-line depreciation. Estimated life for fixed assets shall follow ASBO (Association of School Business Officials) guidelines.

E. Classifications:

Fixed assets shall be classified as follows:

1. furniture
2. equipment
3. leased fixed assets

F. Information:

The following information shall be maintained for all fixed assets:

1. description
2. asset classification
3. location
4. purchase price
5. vendor
6. date purchased or leased
7. accumulated depreciation
8. method of disposal

In order to prevent theft of Academy property, all fixed assets will have an Academy fixed asset sticker.

G. Fixed Asset Disposal

Fixed assets will be disposed in a manner approved by the School Board.

R.C. 117.09; OAC 117-2-05; OAC 117-2-02

148.3 AUDIT COMMITTEE

The Board shall establish an audit committee which shall consist of one of the following: the entire Board membership, or, a minority of the Board membership, or, a minority of the Board membership and any outside consultants of the Board's choice. At least one member of the audit committee shall possess knowledge in the areas of accounting, auditing, financial reporting or school finance. The audit committee shall serve a one-year term and meet as often as necessary to carry out its responsibilities. Members of the audit committee shall attend to their responsibilities in good faith, and in a manner they reasonably believe to be in the best interests of the School.

The purpose of the audit committee is to ensure that both external and internal audit functions and other accountability issues receive adequate oversight. The audit committee's responsibilities include, but are not necessarily limited to, a review of the annual unaudited financial reports submitted to the Auditor of State; a periodic review of the interim financial information submitted to the Board; a review of all audit results; an assurance that audit recommendations are appropriately addressed; serving as a liaison between School management and the independent auditors. Any recommendations of the audit committee shall be presented to the Board and responsibility for official action remains with the Board.

OAC 117-2-05

148.4 PROPERTY OBTAINED WITH FEDERAL TITLE I GRANTS POLICY

The Board of the School adopts these policies to ensure that the School properly handles and disposes of assets acquired with federal Title I grant monies.

Real Property

Title - Real property acquired with federal Title I grant monies received by the School shall be titled in the name of the School.

Use – Real property acquired with federal Title I grant monies shall be used for the purposes authorized by the grant(s).

Encumbrance/Liens – The School shall not transfer or encumber its title or other interest in any real property acquired with federal Title I grant monies.

Disposition – When real property acquired with federal Title I grant monies is no longer used for the originally authorized purpose(s), the School shall dispose of such property pursuant to instructions provided by the awarding agency.

Equipment

Title - Equipment acquired with federal Title I grant monies received by the School shall be titled in the name of the School.

Use – For as long as needed, the School shall use equipment acquired with federal Title I grant monies in the program or project for which it was acquired, whether or not the project or program continues to be supported by federal funds. The equipment may be used in other activities currently or previously supported by a federal agency when it is no longer needed for the program or project for which it was acquired.

Other Uses – The School can use equipment acquired with federal Title I grant monies on other projects or programs that are currently or were previously supported by the Federal Government provided that such use will not interfere with the program or project for which the equipment was acquired. First preference should be given to other programs or projects supported by the agency that awarded the grant monies.

Competition With Private Companies – The School shall not use the equipment acquired with federal Title I grant monies to provide services for a fee.

Acquiring Replacement Equipment – The School shall obtain the approval of the awarding agency before it (1) uses equipment acquired with federal Title I grant monies as a trade-in to acquire equipment to replace the old equipment, or (2) sells the old equipment and uses the sale proceeds to offset the cost of the replacement equipment.

Disposition of Equipment

When original or replacement equipment is no longer used for the original or another federally supported program or project it shall be disposed of as follows.

Equipment Items with Per Unit Value of Less than \$5,000 – The School may retain, sell or otherwise dispose of equipment with a per unit value of less than \$5,000 without any further obligation to the awarding agency. Please note, however, that state law may dictate the procedures that must be followed or otherwise place restrictions on the ability of the School to gift, sell, or otherwise dispose of the property.

Equipment Items with Per Unit Value of Greater than \$5,000 – The School may retain or sell equipment with a per unit value of greater than \$5,000. The School shall contact the awarding agency for disposition instruction before it sells any such property because the awarding agency may have a right to a portion of the proceeds of the sale. Please note that state law may dictate the procedures that must be followed or otherwise place restrictions on the ability of the School to sell the property.

Management of Equipment

The School shall comply with the following rules with respect to all equipment acquired with federal Title I grant monies.

Property Records – The School shall maintain a record of all equipment acquired with federal Title I grant monies that includes:

- a description of the property;
- a serial number or other identification number;
- the source of the property;
- who holds title to the property;
- the acquisition date;
- the cost;

- the percentage of acquisition cost that was paid with federal funds;
- the location, use, and condition of the property;
- any ultimate disposition data, including the date of disposal and the sale price; and
- records generated by the physical inventories.

Inventory – The School shall conduct a physical inventory of the equipment that was acquired with federal Title I grant monies no less frequently than every two years. The results of the physical inventories must be reconciled with the property records.

Control System – The School shall develop a control system to safeguard against loss, damage, or theft of equipment acquired with federal Title I grant monies. The School shall investigate any loss, damage, or theft of any such equipment.

Maintenance – The School shall maintain equipment acquired with federal Title I grant monies to keep it in good condition and working order.

Sales Procedures – The School shall establish and follow procedures to ensure that it receives the highest possible return if it sells any equipment acquired with federal Title I grant monies.

Federal Equipment

The School shall follow the following procedures in dealing with equipment provided by a federal agency.

Title – The School shall ensure that the equipment remains titled in the name of the Federal Government.

Management – The School shall follow the rules and procedures of the federal agency for managing the property.

Disposition – The School shall only dispose of federal equipment pursuant to instructions provided by the federal agency that provided the equipment.

34 CFR Section 80.31; 34 CFR Section 80.32

See also Policy No. 148.1 Purchasing and Policy No. 395.1 Purchase of Supplies and Materials, Equipment.

148.5 INDEPENDENT CONTRACTORS

For purposes of this policy, independent contractors are individuals who provide services to the School who are not treated as employees of the School for purposes of withholding federal employment and income taxes.

The School may contract with an independent contractor for a service if none of the School's employees are qualified to provide the service, or, if having School employees perform the service would interfere with the daily operations of the School, or, if the Board of Directors of the School or its authorized designee deems it in the best interest of the School.

The School shall maintain a list of the independent contractors with whom it has contracted.

To the extent required by law, the School shall issue a 1099 Form to each independent contractor reporting the amount paid to the contractor and file the form with the appropriate governmental agency(ies).

In contracting for services with any independent contractor, the School shall enter into a written contract on or before the date the independent contractor begins to provide services under the contract if the amount payable under the contract is \$600.00 or more. The contract shall specifically describe the services that the independent contractor will provide under the contract.

The School shall obtain a W-9 form from the independent contractor at the time the contract is executed.

Subject to the terms of the contract, the School shall require that the independent contractor substantiate that the services have been performed before the School shall remit payment for the services.

No independent contractor shall be paid as an employee on a W-2 form. If any state retirement system decides that School must pay into its system on behalf of a contractor, such funds will be deducted from the gross pay to the contractor.

All employees of independent contractors providing "essential school services" to the School must fulfill one of the following conditions:

- 1 The independent contractor has provided proof that it has requested a criminal records check, including an FBI check, within the five-year period prior to the date on which the person will begin working in the School and the records check indicated that the person had not been convicted of or pleaded guilty to an

offense that would disqualify the person for employment with the School; OR

2. During periods of time when the employee of the independent contractor will have routine interaction with a child or regular responsibility for the care, custody or control of a child, an employee of the School has been assigned to be present in the same room as the child or, if outdoors, to be within a 30-yard radius of the child or to have visual contact with the child.

The School's head administrator or his/her designee is responsible for ensuring that employees of independent contractors have successfully completed a criminal records check or will be supervised when they have access to children.

The head administrator has specified that "essential school services" are necessary services that would need to be provided by School employees if the services were not provided by an independent contractor (such as food, janitorial or clerical services).

IRC 6041; R.C. 3314.41

148.6 ANNUAL FINANCIAL REPORT

The School shall file an annual financial report, which must be prepared using generally accepted accounting principles. The report must contain the following:

- (1) The amount of collections and receipts, and accounts due from each source;
- (2) The amount of expenditures for each purpose;
- (3) The income of each public service industry owned or operated by a municipal corporation, and the cost of such ownership or operation (if applicable); and
- (4) The amount of public debt of each taxing district, the purpose for which each item of such debt was created, and the provision made for the payment thereof (if applicable).

The School must prepare two copies of the report. The original must be filed with the auditor of state at “Auditor of State, Local Government Services Division, 88 East Broad Street, Columbus, Ohio 43216-1140”, or “Post Office Box 1140, Columbus, Ohio 43216-1140” and the copy must be retained by the School’s fiscal officer. The report must be filed either in paper form or electronically in a manner and format prescribed by the auditor of state and must be filed within one hundred and fifty days after the close of the fiscal year. At the time the report is filed with the auditor of state, the School’s chief fiscal officer, must publish notice in a newspaper of general circulation in the political subdivision or taxing district.

R.C. 117.38; OAC 117-2-03.

148.7 PETTY CASH ACCOUNTS

The Governing Board recognizes the convenience afforded the school by the establishment and use of a petty cash account. Therefore, the Board by adopting this policy may establish one (1) petty cash account. The maximum amount to be placed in the account is Two Thousand Five Hundred Dollars (\$2,500.00). The maximum amount of any single expenditure from the petty cash account shall be Two Hundred Fifty Dollars (\$250.00). The Board shall annually designate, by name or by position, the School official(s) who will be the custodian(s) of petty cash and therefore authorized to draw money from that account. The Superintendent shall serve as the custodian if the Board fails to name one or more persons to serve as custodian. The petty cash account shall not be used to circumvent the purchasing procedures required by law and the policies of the Board. A request for disbursement from a petty cash account must be made in writing, be signed by the person making the request, and include such supporting documentation as may be appropriate. A purchase order must be properly issued before disbursing funds from the petty cash account. A purchase order can authorize payment to only one vendor or person requesting reimbursement but can authorize payment or reimbursement for more than one item. The custodian of the petty cash account shall maintain a ledger that records the deposits into and disbursements from the petty cash account. The custodian shall prepare a schedule of disbursements when funds available have declined to less than twenty-five percent (25%) of the full amount authorized and shall show the disbursements by line account numbers.

148.8 ACCOUNT PAYABLE POLICIES AND PROCEDURES

These procedures must be followed when Bills/Shipments arrive in office:

- Step 1. Admin opens mail. Admin approves bill to be paid.
- Step 2. Put bill in *In-Box*.
- Step 3. Only the Superintendent and/or Business Manager has permission to open shipments, check off packing slips and put them in the Business Manager's *In-Box*.

Account Payable Responsibilities and Procedures: Business Manager completes the following with each packing slip and/or invoice:

- Step 1. File invoice and packing slip in *Bills To Be Paid*.
- Step 2. Match Invoices with packing slip. Staple together.
- Step 3. Finalize Purchase Order and mark it paid.
- Step 4. Clip original bill, packing **slip**, and any other pertinent documentation to the PO.
- Step 5. Prepare cover letter to LCESC-AP outlining PO's to be encumbered. PO total must be typed on cover letter.
- Step 6. Email bill and PO to LCESC-AP
- Step 7. Print "Fax Sent" report or "Email Receipt." Staple report to cover letter and file in "Correspondence to LCESC-AP" File.
- Step 8. Staple the following: PO, bill, packing slip, and any other related documentation in stated order.
- Step 9. Write/Stamp "Date Sent" on PO in upper left corner.
- Step 10. File "sent" PO's in Open PO file in alphabetical order and file in bottom right desk drawer.
- Step 11. Get PO Detail from FLICS.
- Step 12. Admin must review and authorize PO Detail and mark with an asterisk (*) those PO's to be paid by LCESC -AP.
- Step 13. Fax or Email PO Detail of Bills to be paid to LCESC-AP.
- Step 14. Print email or fax receipt.
- Step 15. Attach receipt to back of PO Detail and File in "Correspondence to LCESC-AP File.

Step 16. Get Check Register from FLICS. Reconcile checks paid to Open PO'S.

Step 17. Enter paid PO in Quick Books.

Step 18. Mark each PO with date and check number paid.

Step 19. File all paid PO's in Vendor Files, most recent first.

Weekly Responsibilities

1. Encumbered fund vendor invoices may not be paid until all items are received and cleared from "backorder" status.
2. No blank PO's are to be sent to LCESC-AP.
3. All vendor invoices must be reviewed for sales tax charge. Maritime Academy is tax exempt. Therefore corrections must be requested from the vendor prior to submitting PO's to LCESC-AP.
4. The following expenses (but not limited to) that are paid by LCESC-AP must have a vendor invoice prior to preparing a PO for payment. No fees may be taken from Maritime Accounts without Maritime prior knowledge and approval.
 - a. Transportation (2000.00 per month)
 - b. Health Insurance
 - c. Dental Insurance
 - d. Vision Insurance
 - e. Fiscal Fees
 - f. Sponsorship Fees
 - g. STRS Fees
 - h. SERS Fees
5. Timesheet employees are two weeks behind in payment. All time sheets must be reconciled to the LCESC-AP "Payroll Signature and Summary Form" prior to Admin final authorization for release of payment.
6. After admin final authorization of Payroll Signature and Summary Form, a PO needs to be prepared and faxed to LCESC-AP along with the timesheet summary.

7. Cover letter to Christine must accompany payroll PO and timesheets with total to be paid written on the cover letter. Write "Date Sent" on upper left corner of PO. Print fax/email sent receipts. Attach behind cover letter. File in *Correspondence* to *LCESC-AP* file.
8. No vendor may ever be promised payment by or on a specific date.
9. No vendor shall pick up a check from LCESC-AP.
10. All payments will be mailed by LCESC-AP.
11. LCESC-AP has a five-day authorization policy regarding the processing PO's. It may take an additional five days for checks to be written and mailed.

148.9 CREDIT CARDS

The Board recognizes the convenience and efficiency afforded by the use of School credit cards. A credit card shall not be used in order to circumvent the general purchasing procedures established by State law and Board policy. The Board affirms that credit cards shall only be used in connection with Board-approved or School-related activities and that only those types of expenses that are for the benefit of the Academy and serve a valid and proper public purpose shall be paid for by credit card. As such, employees are required to abide by the following guidelines when using a School credit card.

1. All credit cards issued to and in the name of Maritime Academy of Toledo shall be held and supervised by the Superintendent.
2. Subject to the discretion of the Board and the approval of the Superintendent, credit cards may be used for eligible goods and services including:
 - a. Transportation reservations and expenses.
 - b. Conference registrations.
 - c. Hotel reservation guarantees and expenses.
 - d. If monies are budgeted and deposited with the Superintendent in advance, credit cards may be used by School employees for student trips and competitions for safety and security reasons.
 - e. Reasonable real expenses, including a maximum gratuity of twenty percent (20%), but excluding alcoholic beverages, since the purchase of such beverages clearly fails to serve a valid and proper public purpose.
 - f. Purchases from vendors who do not accept purchase orders or vouchers, with prior approval from the Superintendent.
 - g. Other purchases approved by the Superintendent on a case-by-case basis.
3. Credit cards shall not be used for personal purchases or expenditures not allowed under this guideline. In particular, credit cards shall not be used for expenses that are not incurred in connection with Board-approved or School-related activities, are not for the benefit of the School, and do not serve a valid and proper public purpose. Use of credit cards in an unauthorized or illegal manner may result in revocation of credit card privileges, disciplinary action and/or, where appropriate, may require the user to pay any and all inappropriate charges, including finance charges and interest assessed in connection with the purchase.

4. Employees requiring the use of School credit cards shall request (in writing) such cards from the Superintendent.
5. The School is a nonprofit political subdivision or instrumentality of the State of Ohio. Tax exemption forms shall be utilized and are available in the Superintendent's office.
6. Upon receipt of a School credit card, employees shall:
 - a. Inform merchants that the purchase is for "Official School Business" and is not subject to State or local sales tax. However, if the merchant fails to waive the tax, the employee shall pay it. For large purchases where the merchant refuses to waive the tax, the employee shall present a tax exemption form. Who pays the tax???
 - b. Maintain credit cards in a secure fashion and prevent unauthorized charges to the account.
 - c. Maintain sufficient documentation of all purchases, including, but not limited to, charge receipts, original cash register slip or other detailed receipt, and invoices.
 - d. Provide documentation of all purchases to the Superintendent in a timely manner to ensure prompt payment.
 - e. Immediately notify his/her immediate supervisor and the Superintendent if the card is lost or stolen.
 - f. After use, School credit cards are to be returned to the Superintendent, along with appropriate receipt copies of all charges.
 - g. Upon receipt of the appropriate documentation, credit card expenditures will be paid through the Superintendent's Office.
 - h. The Superintendent will monitor the credit card account(s) and reconcile all credit card accounts on a monthly basis. A report will be a part of the monthly Cash Activity Report, as reported to the Board.
 - i. If the employee is terminated or resigns, (s)he must return the credit card and shall remain responsible for any inappropriate use.

148.10 STAFF TRAVEL EXPENSES

Travel

Expenses which are incurred by Staff as a result of authorized travel for Maritime Academy will be reimbursed to the extent provided for in these guidelines. Reimbursement is intended to provide for transportation, lodging, and food of reasonable and adequate quality. When traveling on School business, Staff is expected to use the same care in incurring expenses that a prudent person would exercise if traveling on personal business, and reasonable efforts will be made to reimburse actual expenses. Excessive costs, such as those caused by circuitous routes or luxury services or accommodations, will not be considered prudent, nor will they be accepted for reimbursement. No charges for alcoholic drinks will be reimbursed. Each trip must be logged individually and the reason for the trip provided. Mileage recorded must begin from the employee's office, not their home.

Authorization and Procedure:

When travel is expected, a requisition form should be completed and approved by the Superintendent as far in advance as possible, preferably at least ten (10) days prior to the date a decision is needed. This request should detail all estimated expenditures

Reimbursement

Reimbursement will be at the current approved IRS mileage rate if driving on School business. If transporting students to competition or trips, volunteers will be reimbursed actual expenses, documented by receipt, or at the IRS Approved Charitable Rate.

The employee's supervisor must provide the correct budget account line item and sign a Travel Reimbursement Form (TRF). If the request for reimbursement does not contain correct or complete information, a valid account number, supervisor approval and all supporting documentation, it will be returned for correction. The TRF must be completed and signed by the Superintendent. All claims must be supported by original receipted bills. Reimbursement for reasonable charges for tolls and parking will be made upon presentation of supporting receipts. Each meal receipt must be attached, itemizing the persons who ate and the reason for the meal. *The maximum meal allowance per person is as follows: breakfast – \$10.00; lunch - \$15.00; and dinner \$20.00.*

Other Reimbursement

Staff must follow all rules concerning purchasing and School credit card use. The School strongly discourages Staff from using their personal funds to make purchases for the School. If Staff personally advances money on behalf of the School, it does so completely at its own risk of non-reimbursement; provided however, the Board is authorized to reimburse such advances only if it finds that the expenditure was made due to an emergency, there was not an adequate opportunity for prior approval, and the advancement was made for the benefit of the School. But, the previous sentence notwithstanding, the School shall reimburse an employee for sales or use taxes paid if the Board authorizes reimbursement under such circumstances.

See Policy Nos. 395 Purchasing Policies; 395.1 Purchase of Supplies and Materials, Equipment; Policy No. 149 Use of Cellular Telephone.

Approved on: March 10, 2008

See Policy Nos. 395 Purchasing Policies; 395.1 Purchase of Supplies and Materials, Equipment.

149 USE OF SCHOOL-OWNED CELLULAR TELEPHONES

The Board may provide cellular telephones to employees who by the nature of their job have a routine and continuing business need for the use of cellular telephones for official Board business. Cellular telephones are provided as a tool to conduct School business and to enhance business efficiencies. Cellular telephones are not a personal benefit and shall not be a primary mode of communication, unless they are the most cost-effective means to conduct School business. Because cellular telephone accounts are billed on a time-used basis, Board-owned cellular telephones and services should not be used when a less costly alternative method of communication is safe, convenient and readily available.

The Superintendent is expected to see that:

- A. the need for each School-owned cellular telephone and cellular telephone service account is clearly justified for School business purposes;
- B. alternative solutions for work production and communication have been considered;
- C. employees provided with cellular telephone service accounts understand the purpose and limitations of usage;
- D. cellular telephone service account invoices outlining the details of usage are received and reviewed for conformance with this policy;
- E. employees reimburse the Board for non-business use;
- F. use of a cellular telephone service account is terminated when no longer justified by business requirements, the employee leaves the Board's employment, and/or when the employee has by actions demonstrated a disregard for School policies.

School-owned cellular telephones may be used for the following:

- A. to place calls in emergency situations.
- B. to place calls for the purpose of communicating with the administration, other staff members, or parents concerning classroom, School or School activities.

Cellular telephone service accounts are expected to be set at the minimum level that fulfills the business need for the position in question. The cellular telephone contract that is selected for an employee should be the one that provides a combination of services including number of minutes,

coverage, and local call zone most nearly matching the employee's recurring business needs. If the cellular telephone contract is based on minutes used, a minimal plan shall be utilized. In other words, the smallest plan available to accommodate the particular business need shall be utilized.

Possessing a School-owned cellular telephone is a privilege and all employees are expected to use them appropriately and responsibly. Staff are responsible for managing the cost effectiveness of cellular telephone use by utilizing assigned landlines as available and appropriate. Staff should know that calls outside the immediate area might result in roaming charges, in addition to long distance and regular charges, and that the Board is charged for both outgoing and incoming cellular telephone calls.

Safety is a priority of the Board, and responsible use of cellular telephones includes safe use. Staff are not to use cell phones while driving.

Staff should plan calls to allow placement of calls either prior to traveling or while on rest breaks.

Cellular telephone calls are not secure. Therefore, Staff should use discretion in relaying confidential information, particularly as it relates to students.

Staff must safeguard any Board-owned cellular telephone in their possession. Reasonable precautions should be made to prevent equipment loss, damage, theft, and vandalism. Upon resignation or termination of employment, or at any time upon request, the employee may be asked to produce the equipment for return or inspection. Staff unable to present the equipment in good working condition within the time period requested (e.g., twenty-four (24) hours) may be expected to bear the cost of a replacement. Staff who separate from employment with outstanding debts for equipment loss or unauthorized charges will be considered to have left employment on unsatisfactory terms and may be subject to legal action for recovery of the loss.

The Board reserves the right to audit all Board-owned cellular telephones and their use.

Use of a Personal Cellular Telephone While at Work

Cellular telephone technology enables individuals to be reached whenever a situation arises necessitating immediate contact and communication, regardless of the person's location at the time.

Therefore, the Superintendent as well as other Staff designated by the Superintendent may be reimbursed for additional charges for school use of their personal cell phone.

Staff members covered by this policy shall provide the Superintendent with their cellular telephone numbers so that they may be contacted as the need arises.

Personal calls during work hours can interfere with Staff productivity and be distracting to others, regardless of whether on a cellular or regular telephone. Staff are expected to use discretion in using personal cellular telephones while at work. Staff are asked to make personal calls during breaks and lunch period and to see that friends and family members are aware of the Board's policy.

Violation of this policy may constitute just cause for disciplinary action up to and including termination.

If deemed necessary, the Superintendent shall prepare the necessary administrative guidelines for the implementation of this policy.

SECTION 150

ADMINISTRATION/PROGRAM/SCHOOL POLICIES

151 APPROVAL OF MANAGEMENT BY MANAGEMENT COMPANY

The Board is authorized to approve of independent management of the School and the term of any Management Company contract, if any.

152 BOARD/SUPERINTENDENT/MANAGEMENT COMPANY/ FISCAL AGENT RELATIONSHIPS

The Governing Authority believes that it is the primary duty of the Board to establish, adopt and/or review policy and that of the Superintendent to help establish and to administer such policy. The Management Company, if any, should recommend policies, and be given the latitude to determine the best method of implementing the policies of the Board.

The Superintendent, as the chief executive officer of the School, is the primary professional advisor to the Board. He/she is responsible for the development, supervision, and operation of each program and service. His/her methods should be made known to the staff through the administrative guidelines or Policies of the School. The Board shall retain oversight of such procedures.

The fiscal agent is the primary professional advisor to the Board on fiscal matters even if subcontracted for, or hired by or through an independent management company. The fiscal agent may or may not be an officer or Board member of the Corporation but shall have general supervision of all financial matters overseen by the Board.

153 ROLE OF MANAGEMENT COMPANY, IF ANY

The Board is responsible for determining the success of any Management Company hired by it, in meeting the goals established by the Board. The Board, in formulating its position with regard to the performance of the Management Company, shall rely, whenever possible, on the objective outcomes of its evaluations rather than on subjective opinions.

The Management Company shall strive to achieve Board goals for students by providing educational direction and supervision to the Staff and by acting as a proper model for Staff and students both in the School and outside the School.

The Management Company shall be directly responsible to the Governing Authority for the performance of all of the responsibilities outlined in any Management Contract.

154 JOB DESCRIPTIONS

The Board directs the Superintendent to maintain continuously a comprehensive, coordinated set of job descriptions for Staff so as to promote effectiveness, efficiency, and economy in the operation of the School, and to coordinate its personnel policies with the Contract and School policies.

155 MISSION/VISION/VALUES STATEMENT

The mission of The Maritime Academy of Toledo is to provide cadets in grades 5-12, an individualized, national standards-based, education that infuses nautical/maritime themes into traditional subjects and implements “best practices” including, hands-on, interactive, experiential learning and the Marazon Approach. The mission is further defined through the Academy’s Maritime Career Tech Education Program that fully equips cadets for maritime employment and/or maritime colleges and universities.

Vision Statement: The Maritime Academy encourages each cadet to pursue academic excellence through regular attendance, daily commitment to learning, and the continual pursuit of developing positive character traits (altruism, respect, responsibility, trustworthiness, obedience). Staff are tasked with establishing a safe, healthy learning environment for students that is committed to planning for each student’s emerging needs and interests from week to week, while ensuring student compliance with The Academy’s code of conduct and nautical rank and promotion system. The Academy’s success is dependent upon the full participation of families as well as local, state, and national collaborations and partnerships.

Our Values: The Maritime Academy of Toledo supports student's interests, strengths, and emerging academic needs using individualized and small group instruction methods and hands-on, life-based learning experiences across the curriculum. Academic goals are accomplished through a curriculum design that includes language arts, reading, math, social studies, science, art, music, physical education, technology, and Spanish. Developmental goals are accomplished by using the Marazon Approach and Marazon System Database which supports the 96 target objectives across the six developmental domains.

156 SCHOOL PHILOSOPHY

WE BELIEVE in the education of the whole child—nurturing the affective, social, creative, cognitive, language, and physical areas of the child’s development.

WE BELIEVE every child is entitled to a personalized, individualized education plan that supports the child’s present level of knowledge, skills, and dispositions, and at the same time challenges the child to grow, develop, and learn to his or her maximum potential.

WE BELIEVE all children are gifted and all children can learn.

WE BELIEVE it is the responsibility of adults to support children's learning by seeking out the best methods and resources to meet the needs of the child.

WE BELIEVE good teaching practices support children's emerging interests, strengths, and talents.

WE BELIEVE it is critically important to plan for children's intellectual and personal growth based upon what they already know and can do.

The Maritime Academy of Toledo: TMAT is one of the most unique and innovative tuition-free public schools in the country—integrating nautical/maritime themes and experiences across the curriculum to educate students in grades 5-12. All Maritime Academy students, referred to as cadets, are challenged to achieve academic excellence and develop leadership skills in preparation for college and the world of work. The Academy is the only marine deck, engine, and culinary High School Career Tech Education program in the U.S. graduating students with 30 semester hours of college credit, a passport, Transportation Worker Identification Card, Merchant Marine Credential (Basic Firefighting, Personal Survival Techniques, Personal Safety and Social Responsibility, and CPR/First Aid, making them ready to begin a lucrative career at sea, on tugboats, freighters, barges, oil rigs, and in shipyards. The Academy’s Maritime Career Tech Education Program is the first and only in the State of Ohio and in the U.S., with its mission is to cultivate a new generation of racially and gender diverse competent, job-ready mariners for the maritime industry.

157 INSURANCE

The Governing Authority shall purchase with School funds the type and amount of insurance necessary to protect the School from major financial losses.

Coverage shall include, but need not be limited to, the following:

- A. fire and extended coverage on buildings and contents;
- B. comprehensive bodily injury, property damage on automobiles, buses and trucks;
- C. special coverage for equipment not ordinarily covered under a standard policy, if applicable;
- D. employee insurance coverage as specified in the Charter Contract or by Board action;
- E. worker's compensation coverage; and
- F. legal liability for Board members and officers.

The School treasurer, Business Manager, or Superintendent, shall administer the insurance program.

158 CURRICULUM DEVELOPMENT

The curriculum and educational program shall be developed, evaluated and adopted on a continuing basis and in accordance with a plan for curriculum growth established by the Superintendent or his/her designee.

As educational leader, the Superintendent or his/her designee shall be responsible to the Board for the development and evaluation of curriculum and the preparation of courses of study.

For purposes of these Board Policies and for consistent communication throughout the School, curriculum shall be defined as all the planned activities of the School, including formal classroom instruction and out-of-class activity, both individual and group, necessary to accomplish the educational goals of the School and such curriculum is set out in the Contract with the Sponsor.

The Board directs that the curriculum of this School:

- A. provide instruction in courses required by the School's Charter Contract; and
- B. be consistent with the School's mission, philosophy and goals and ensure the possibility of their achievement;

The Superintendent or his/her designee may conduct such innovative programs as are deemed desirable to the continuing growth of the instructional program and to better ensure accomplishment of the School's educational goals.

The Superintendent or his/her designee shall report each such innovative program to the Board along with its objectives, evaluative criteria, and costs, and, a recommendation as to any necessary changes in the Contract with the Sponsor.

The Board encourages, where it is feasible and in the best interest of the School, participation in programs of educational research.

The Board directs the Superintendent or management company to pursue actively State and Federal aid in support of all School activities.

159 DEVELOPMENT OF SCHOOL POLICIES

The Governing Authority delegates to the Superintendent or his/her designee the function of designing and implementing the guidelines, required actions, and detailed arrangements under which the School will operate. These administrative guidelines shall not be inconsistent with the Policies adopted by the Board, unless the law so requires.

The Board itself will formulate and adopt administrative guidelines and rules, and/or may adopt such guidelines when the Superintendent or his/her designee recommends Board adoption.

The Superintendent or his/her designee may also issue such administrative and student handbooks as s/he may consider necessary for the effective administration of the schools and distribute them to staff and students and/or their parents.

As long as the provisions of these administrative guidelines, policies, or handbooks are not inconsistent with Board policies, or with Federal or State law, they may be adopted by a Board vote in a public meeting considered by the Board to be binding upon all staff and students.

The Superintendent or his/her designee shall maintain a current organizational chart to which immediate reference can be made by the Board

The School Policies (including guidelines or handbooks) should contain, as a minimum, the following topics:

1. Mission/Vision/Values Statements
2. Student Assessment Practices
3. Parental Involvement
4. Annual Report
5. Equal Educational Opportunity, Title IX and Title I procedures and procedures under § 504 of the Rehabilitation Act of 1973
6. Religion
7. Special Education
8. Suspension and Expulsion
9. Suspension and Expulsion of Disabled Students
10. Copyrighted Materials
11. Drug/Substance Abuse (Staff and Students)
12. Use of Tobacco (Staff and Students)
13. Dangerous Weapons
14. Harassment (Staff and Students)
15. Admissions/Open Enrollment
16. Graduation Requirements (if applicable)
17. Medication

18. Dress Code Policy
19. Care of School Property
20. Discipline Code of Conduct Policies and Procedures
21. Risk Reduction Program
22. Use of Technology
23. Public Records
24. Personnel Records
25. Student Records
26. Control of Casual and Non-Casual Contact Communicable Diseases
27. Control of Blood Borne Pathogens
28. Reporting of Abuse and Neglect
29. Purchases and Audits
30. Student Fees, Fines or Charges

160.00 EMAIL USE POLICY

Purpose

This policy establishes standards for the proper use of TMAT-provided electronic mail (email) services.

Scope

This policy applies to:

1. All electronic mail systems and services provided or owned by the TMAT.
2. Transactional information associated with email records (such as email headers, summaries, addresses, and addressees) as well as the contents of those records.
3. All users of TMAT email services, including:
 - a. Full and part-time employees
 - b. Contractors authorized to use TMAT-owned equipment or network resources
 - c. Volunteers who have been provided with an email account/service and
 - d. All other users of TMAT information technology resources.
 - e. All TMAT email records in the possession of any TMAT email users.

Policy Details

Introduction

Email is an efficient and timely communications tool that is provided by the TMAT to its employees, contractors, and volunteers to assist them in supporting TMAT functions and conducting the government's business within its own organization, with government and private business partners, and with the public. Appropriate use of the TMAT email system can enhance productivity and intra-governmental communication, but inappropriate use can conflict with TMAT policies and compromise availability of the system for all. This policy defines requirements and prohibitions for appropriate use of the TMAT email system or any messaging system that uses the District's computer network.

Principles

- Use of the TMAT email system constitutes consent to abide by all elements of this policy, including such reviews of email correspondence as may be necessary and appropriate to effect TMAT policies concerning the use of the email system and in aid of law-enforcement and auditing activities of federal and District of Columbia government agencies.

- All TMAT policies relating to intellectual property protection, privacy, misuse of government resources, sexual harassment, data security, and confidentiality apply to use of TMAT email by persons and entities described under "Scope," above. Emails are the equivalent of letters sent on official letterhead, and must therefore be written in a professional and courteous tone.
- TMAT email is public, not private communication, not only because its principal purpose is to conduct TMAT functions, but also because the email system permits forwarding and other wide distribution of messages without the consent of the sender. Therefore, senders and receivers of email can have no expectation of privacy with respect to TMAT email messages.
- Email messages are public records and are therefore subject to public inspection, records requests, and legal discovery.

Allowable Uses

- Communication and information exchange directly related to the mission, charter, or work tasks of TMAT.
- Research and information exchange related to the user's work-associated responsibilities.
- Correspondence related to TMAT laws, policies, procedures, rules, services, programs, information, or other activities
- Application for, or administration of, contracts or grants for TMAT programs or research
- Incidental personal purposes, provided that such use does not:
 - Directly or indirectly interfere with the TMAT operation or electronic mail services,
 - Burden the TMAT with noticeable incremental cost, or
 - Interfere with the email user's employment or other obligations to the TMAT.

Prohibited Uses

- Any purpose that violates a federal or TMAT policies or procedures.
- The advertising or other promotion of any private business enterprise or activity
- Transmission or solicitation of information or statements that contain profane language, pander to bigotry, sexism, or other forms of prohibited discrimination, or can in any way be construed as intending to harass or threaten another individual, sexually or otherwise
- Any activity with religious or political purposes outside the scope of the user's assigned and authorized governmental duties
- Any unauthorized purchase
- Sending email under names or addresses other than the employee's own officially designated TMAT email address

- Adding, removing, or modifying identifying network header information ("spoofing") in an effort to deceive or mislead recipients
- Opening any "executable" email attachments (e.g., .exe, .bat, .scr, .vbs) from any source
- Sending or forwarding "chain" letters, i.e., those that ask the receiver to forward the message to multiple recipients
- Sharing TMAT email lists with any person outside of TMAT, except as required by the Freedom of Information Act, subpoena, or other compulsory process.
- Disruption, obstruction, or burden of network resources
- The intentional or negligent introduction of computer viruses into any TMAT systems; agencies must prevent the introduction of computer viruses into TMAT systems and must install District-standard virus-scanning software to check any software downloaded as email attachments.
- Transmission of sensitive (e.g., confidential) information unless protected by an approved encryption mode and/or identified as shown below
 - Sensitive information includes medical information, information covered by attorney-client privilege, information subject to the privacy act, proprietary information, or other information which must be protected from unauthorized disclosure.
 - Sensitive (e.g., confidential) messages must be clearly identified immediately below the message header (i.e., the subject, data, from, and to lines) as "sensitive/confidential information [or attorney/client privileged information] - do not release to unauthorized personnel." in such cases, the sender must also be certain that the recipient is properly authorized to receive and view the information.
 - For approved encryption modes, refer to applicable information security policies, standards, and procedures.

Roles and Responsibilities - All TMAT Email Users

- Users of TMAT email must use the service only for the Allowable Uses defined above and refrain from any of the Prohibited Uses defined above.
- Users must change passwords as directed by TMAT.
- TMAT will update its email security policy and maintain awareness of email-related threats, vulnerabilities, and security issues.
- TMAT will maintain a content filtering system which scans the contents of messages on the TMAT email system, rejects messages containing content that may violate this policy, and issue the sender a notification advising that the message has been rejected, and why, so that the message can be corrected and resent.

- However, neither OCTO nor any agency or instrumentality of the TMAT undertakes to protect users from receiving electronic mail they may find offensive, or to guarantee that electronic mail received was in fact sent by the purported sender.
- Because email is public, not private communication, TMAT may monitor any or all email traffic to determine compliance with this and related policies.

DISCLAIMER OF LEGAL RIGHTS

Nothing in this statement of policy shall be deemed to create any legal right on the part of a user of the email system, nor any legal obligation on the part of OCTO or any person having authorized access to search or review email correspondence in the system.

SECTION 2:
PROGRAM AND STUDENT POLICIES

SECTION 200

PROGRAM OPERATION

201 MISSION/VISION/VALUES STATEMENTS (See 155)

202 PHILOSOPHY (SEE 156)

203 GENERAL POLICY OF PARENT INVOLVEMENT

The School expects parents of students to be actively involved in the student's education. In order for our faculty and staff to effectively educate our children, we welcome our parents as partners. Parents are strongly encouraged to participate in a variety of activities and forums that will support our students academically and add to the vitality of our school. Parents will be expected to participate and sign an agreement with the school.

A status review is a formally scheduled conversation between faculty and parents in order to discuss the student's development and progress. Parents will be required to confer with faculty about their child's/children's social and academic achievement on a regular basis as scheduled by the School on the School calendar. Parents should attend status reviews in order to receive written report cards. As well, the School encourages parents to initiate conferences about their questions and concerns with the Superintendent or his/her designee and/or faculty members.

203.1 PARENT PARTICIPATION IN TITLE I PROGRAMS

In accordance with the requirements of Federal law, programs supported by Title I funds must be planned and implemented in meaningful consultation with parents of the students being served. Accordingly, the School establishes this parent involvement policy, which will be reviewed and approved annually by the Board and distributed to parents of children receiving Title I services. The School will:

- A. involve parents in the development of the School's Title I plans and in the process of school review and improvement, if necessary;
- B. provide coordination, technical assistance, and other support necessary to assist schools in planning and implementing effective parent involvement activities to improve student achievement and school performance;
- C. build the schools' and parents' capacity for strong parental involvement;
- D. coordinate and integrate parent involvement strategies with parent involvement strategies under other programs such as Head Start, Reading First, Early Reading First, Even Start, Parents and Teachers, and Home Instruction for Preschool Youngsters;
- E. in consultation with parents, annually evaluate the content and effectiveness of the parent involvement policy in improving the academic quality of schools, including:
 - 1. identifying barriers to greater parent participation;
 - 2. designing strategies for more effective parental involvement; and,
 - 3. revising the parental involvement policy if necessary;
- F. involve parents of children receiving Title I services in deciding how Title I funds reserved for parent involvement activities will be allocated;
- G. provide full opportunities for the participation of parents with limited English proficiency, parents with disabilities and parents of migratory children, including providing

information and school reports in a format, and to the extent practicable in a language, such parents can understand;

- H. conduct meetings with parents including provisions for flexible scheduling and assistance to parents to better assure their attendance at meetings;
- I. develop agendas for parent meetings to include review and explanation of the curriculum, means of assessments, and the proficiency levels students are expected to achieve and maintain;
- J. provide opportunities for parents to formulate suggestions, interact and share experiences with other parents, and participate appropriately in the decision-making about the program and revisions in the plan;
- K. involve parents in the planning, review, and improvement of the Title I program;
- L. communicate information concerning school performance profiles and their child's individual performance to parents;
- M. assist parents in helping their children in achieving the objectives of the program by such means as ensuring regular attendance, monitoring television-watching, providing adequate time and the proper environment for homework; guiding nutritional and health practices, and the like;
- N. provide timely responses to parental questions, concerns, and recommendations;
- O. coordinate and provide technical assistance and other support necessary to assist Title I schools to develop effective parent participation activities to improve academic achievement;
- P. conduct other activities as appropriate to the Title I plan and State and Federal requirements.

The School will:

- A. Convene an annual meeting at a convenient time to which all parents of participating children are invited and encouraged to attend to explain the parents' rights to be

involved and the school's obligations to develop a parental involvement plan.

- B. Meet with parents of children receiving Title I services at flexible times with assistance such as child care, transportation, home visits, or similar aid offered to parents to encourage their involvement.
- C. Assure that parents are involved in an organized, on-going and timely way in the development, review, and improvement of parent involvement activities.
- D. Provide parents of participating students with:
 - 1. timely information about the Title I program and the school's parent involvement policy;
 - 2. a description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the proficiency levels expected;
 - 3. regular meetings, upon request, for parents to make suggestions, and to participate as appropriate, in decisions relating to the education of their children, and receive responses regarding the parents' suggestions about their student's education as soon as practicably possible.
- E. The School-Parent Compact will be given to parents prior to school opening. It describes how the parents, Staff and students will share the responsibility for improving student achievement.
- F. Parents of children receiving Title I services must be notified about school parent involvement policies in an understandable and uniform format, and to the extent practicable, in a language the parents can understand. These policies must also be made available to the community.
- G. School parent involvement policies must be evaluated periodically to consider whether they meet the changing needs of parents and the schools.

In order to involve parents in the education of their children and to support a partnership among the School, parents and the community for improving students achievement, the School will:

- A. assist parents of children served under Title I in understanding the State's academic content and assessment standards, and in understanding how to monitor their child's progress and how to work with educators to improve their child's achievement;
- B. provide materials and training to help parents work with their children to improve achievement;
- C. educate teachers, pupil services personnel, and other staff, with the assistance of parents, about the value and utility of contributions of parents, how to reach out to, communicate with, and work with parents as equal partners, how to implement and coordinate parent programs, and how to build ties between parents and the school;
- D. to the extent feasible and appropriate, coordinate and integrate parent involvement programs and activities with other Federal programs;
- E. provide such reasonable support for parent involvement activities as parents may request.

In order to build the School's capacity for parent involvement, the School may also:

- A. involve parents in the development of training for teachers and administrators to improve the effectiveness of such training;
- B. pay reasonable and necessary expenses associated with parental involvement activities to enable parents to participate in school-related meetings and training sessions, including transportation and child care costs;
- C. train parents to enhance the involvement of other parents;
- D. adopt and implement model approaches to improving parental involvement;
- E. establish a District-wide parent advisory council to provide advice on all matters related to parental involvement programs;

F. develop appropriate roles for community-based organizations and businesses in parental involvement activities.

20 U.S.C. §6318 et seq.; 34 C.F.R. Part 200 et seq.

203.2 TITLE I – PARENT’S RIGHT TO KNOW

In accordance with the requirement of Federal law, for each school receiving Title I funds, the School shall make sure that all parents of students are notified that they may request, and the Board will provide the following information on the student’s classroom teachers:

- A. whether the teacher(s) have met the State qualification and licensing criteria for the grade levels and subject areas they are teaching
- B. whether the teacher(s) is teaching under any emergency or provisional status in which the State requirements have been waived
- C. the undergraduate major of the teacher(s) and the area of study and any certificates for any graduate degrees earned
- D. the qualifications of any paraprofessionals providing services to their child(ren)

In addition, the parents shall be provided:

- A. information on the level of achievement of their child(ren) on the required State academic assessments;
- B. timely notice if the student is assigned to a teacher who is not "highly qualified" as required, or if the student is taught for more than four (4) weeks by a teacher who is not highly qualified.

The notices and information shall be provided in an understandable and uniform format, and to the extent practicable, in a language the parent(s) understand.

20 U.S.C. 6311

34 C.F.R. Part 200 et seq.

203.3 PARENTAL INVOLVEMENT-USE OF SCIENTIFICALLY BASED RESEARCH

The school will use the latest scientifically based research to provide the parents of its students with substantial and meaningful opportunities to effectively participate in their children's education to foster their children's achievement. The school will use the latest scientifically based research to lower the barriers to the parents' participation in school planning, review and improvement.

20 U.S.C. §6301(12) & 6311(d); NCLB §1001(12) & 1111(d)

203.4 PARENTAL REVIEW OF INSTRUCTIONAL MATERIALS

The School shall make available for review by parents, upon a reasonable request, any instructional material used as part of the educational curriculum for students. "Instructional material" means instructional content that is provided to a student, regardless of its format, including printed or representational materials, audio-visual materials, and materials in electronic format or digital formats (such as materials accessible through the internet). The term does not include academic tests or academic assessments.

20 U.S.C. §1232h.

203.5 PARENTAL CONSULTATION REGARDING PHYSICAL EXAMS

The School shall notify parents or students who are at least eighteen (18) years of age or emancipated minors ("eligible students") at least annually of the projected or approximate dates of any non-emergency, invasive physical exam that is required as a condition of attendance, administered by the school and scheduled in advance and not necessary to protect the immediate health and safety of the student, or of other students. "Invasive physical exam" means any medical examination that involves exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening. This section does not apply to any physical exam or screening that is permitted or required by State law. Parents or eligible students shall have the right to opt out of participation in any physical exams covered by this section.

20 U.S.C. §1232h.

204 PROGRAM ACCOUNTABILITY

The School is accountable to its Sponsor to deliver the curriculum set forth in its Contract. In order to assist in achieving its goals and fulfill its mission, the Superintendent or his/her designee shall report to the Board, the School's progress in every area of the School's curriculum.

204.1 POLICY REGARDING LOW PERFORMING CHILDREN

The School will make every reasonable effort to close the achievement gap between its high and low-performing children across all sub groups including economically disadvantages, special education, gifted, and minorities..

20 U.S.C. §6301(3); NCLB §1001(3).

204.2 TEACHER RESPONSIBILITY

The School will increase the decision-making authority and flexibility of its teachers while imposing greater responsibility for student performance on the teachers.

20 U.S.C. §6301(7); NCLB §1001(7).

204.3 SCIENTIFICALLY BASED INSTRUCTION METHODS

The school will promote school-wide reform and ensure that the school utilizes effective scientifically based instruction methods to provide a challenging curriculum to its students including but not limited to the following components of The Marazon Philosophy:

- A. The Project approach
- B. Experiential Learning
- C. Developmentally Appropriate Practices
- D. Hands-On Learning
- E. Learning Center Instruction
- F. Scaffolding
- G. Differentiated Instruction
- H. Individual Plans for every student.

20 U.S.C. §6301(9); NCLB §1001(9).

204.4 SCHOOL TO WORK PROGRAMS

The Board supports the School-to-Work Opportunities Act as a vehicle to help the School prepare students more effectively for the world of work. Through this legislation, the School may, if applicable, provide students with learning experiences needed to develop career-related knowledge, attitudes, and skills as well as life-long learning skills, including school-based learning which includes career awareness, exploration, and counseling and the integration of academic and vocational learning.

As appropriate to a particular program initiative, the Superintendent or his/her designee may request waivers from the state on certain statutory or regulatory provisions that are contained in the Elementary and Secondary Education Act and the Carl D. Perkins Vocational and Applied Technology Act.

The Superintendent or his/her designee shall keep the Board informed periodically on the progress of the School toward the goals of any school to work programming.

20 USC 6101 et al.; 20 USC 6212, School-to-Work Initiatives Act of 1994.

204.5 COMPLIANCE WITH COMMON CORE AND STATE ACADEMIC STANDARDS

The School will make every reasonable effort to ensure that it uses high quality academic assessments, accountability systems and teacher preparation and training, and ensure that the foregoing and the school's curriculum and instructional materials are aligned with the state's academic standards. The School will enable all interested parties, including students, parents, teachers and administrators, to measure this school's progress in meeting state and federal goals for student academic achievement.

The School will implement the State of Ohio requirements to improve and strengthen accountability, teaching and learning to ensure that its students are meeting the Ohio's Common Core and State Standards.

20 U.S.C. §6301(1) and (6); NCLB §1001(1) and (6).

204.6 FUNDING UNDER TITLE I, PART F-CURRICULUM / STUDENT DEVELOPMENT

The School will develop comprehensive reforms, based on scientifically based research and effective practices that emphasize basic academics and parental involvement to enable its students to meet the state's academic achievement standards.

The School will implement a program that employs proven methods for learning, teaching and management that are based on scientifically based research and effective practices and have been proven successful in schools.

The School's reform plan will integrate curriculum, instruction, assessment, classroom management, technology, professional development, parental involvement and school management into a comprehensive plan that enables all the School's students to meet the state's academic standards and addresses the School's needs.

The School will provide continuous, high quality professional development for its teachers and staff.

The School will use measurable goals for academic achievement.

The School will involve the parents of its students and the local community in planning, implementing and evaluating the School's improvements.

The School will annually evaluate its implementation of its reform plan.

20 U.S.C. §6511; NCLB §1601

20 U.S.C. §6516(a)(1); NCLB §1606(a)(1)

20 U.S.C. §6516(a)(2); NCLB §1606(a)(2)

20 U.S.C. §6516(a)(3); NCLB §1606(a)(3)

20 U.S.C. §6516(a)(4); NCLB §1606(c)(4)

20 U.S.C. §6516(a)(7); NCLB §1606(a)(7)

20 U.S.C. §6516(a)(9); NCLB §1606(a)(9)

204.7 TEACHER/PARAPROFESSIONAL QUALIFICATIONS

The School will hire teachers who are highly qualified, as the term is defined in the No Child Left Behind Act.

The School will hire paraprofessionals who meet the qualifications set forth in the No Child Left Behind Act.

The School will assure that its paraprofessionals, who were employed by the School prior to the effective date of the No Child Left Behind Act, meet the qualifications set forth in the No Child Left Behind Act on or before January 1, 2006.

These policies are subject to the regulations, guidance, extensions or rules adopted by appropriate governmental authorities.

20 U.S.C. §6319(c); NCLB §1119(c)

20 U.S.C. §6319(c); NCLB §1119(c)

20 U.S.C. §6319(d); NCLB §1119(d)

R.C. 3319.074

204.8 MIGRANT STUDENTS

In order to obtain funding under Title I, Part C, federal law mandates that the School adopt high quality and comprehensive educational programs for its migrant students to help reduce the educational problems that result from repeated moves.

The School will ensure that its migrant students are provided with educational services that address their special needs.

The School will ensure that its migrant students are provided with the opportunity to meet the state's academic achievement standards.

The School will design and/or adopt programs that help its migrant students overcome educational disruption, cultural and language barriers, social isolation, health related problems and other factors that inhibit their ability to learn and to prepare them for post secondary education and/or employment.

20 U.S.C. §6391(1); NCLB §1301(1)

20 U.S.C. §6391(3); NCLB §1301(3)

20 U.S.C. §6391(4); NCLB §1301(4)

20 U.S.C. §6391(5); NCLB §1301(5)

204.9 ADVANCED PLACEMENT PROGRAM

In order to obtain funding under Title I, Part G, federal law mandates that the School make every reasonable effort to raise academic standards through advanced placement programs by trying to increase the number of the School's students who participate and succeed in advanced placement programs.

The School will encourage its students who take advanced placement programs but do not plan on taking advanced placement exams to take those exams.

The School will make every reasonable effort to:

- A. increase the availability of advanced placement and pre-advanced placement programs.
- B. provide greater access to advanced placement and pre-advanced placement courses.
- C. increase the number of its secondary school students (if any) who participate in advanced placement courses.
- D. increase the number of its students who receive college credit from taking advanced placement tests (if applicable).
- E. either fully or partially pay the advanced placement test fees for its students who could not otherwise afford to take the tests.

20 U.S.C. §6532(1); NCLB §1702(1)

20 U.S.C. §6532(2); NCLB §1702(2)

20 U.S.C. §6532(4); NCLB §1702(4)

20 U.S.C. §6532(6); NCLB §1702(6)

20 U.S.C. §6532(7); NCLB §1702(7)

20 U.S.C. §6532(7); NCLB §1702(7)

20 U.S.C. §6532(8); NCLB §1702(8)

204.91 SECONDARY ENROLLMENT OPTION

A Maritime Academy student enrolled may apply to a college to enroll in it during the student's ninth, tenth, eleventh, or twelfth grade school year under chapter 3365.03 .

During the period of an expulsion imposed under division (B) of section 3313.66 of the Revised Code a student is ineligible to apply to enroll in a college unless the student is admitted to another school district or community school, or a participating nonpublic school. If a student is enrolled in a college under this section at the time the student is expelled under division (B) of section 3313.66 of the Revised Code, the student's status for the remainder of the college term in which the expulsion is imposed shall be determined under section 3365.041 of the Revised Code.

If a college accepts a student who applies under this section, it shall send written notice to the student and the Maritime Academy within ten days after acceptance. Within ten days after each enrollment for a term, the college shall also send the student and the Maritime Academy a written notice indicating the courses and hours of enrollment of the student and the option elected by the student under division (A) or (B) of section 3365.04 of the Revised Code for each course.

204.10 PREVENTING DROPOUTS

In order to obtain funding under Title I, Part H, federal law mandates that the School adopt and implement programs that have been proven effective in preventing students from dropping out of school and that have resulted in dropouts reentering school.

20 U.S.C. §6552(2) & 6561a(b)(1); NCLB §1802(2) & 1822a(b)(1)

204.11 ASSISTANCE TO STUDENTS WITH LIMITED ENGLISH PROFICIENCY AND IMMIGRANT STUDENTS

In order to obtain funding under Title II, federal law mandates that the School use methods based on scientifically based research to teach English to its students with limited English proficiency and its immigrant students.

The School will use methods based on scientifically based research to assist its students with limited English proficiency and its immigrant students in meeting the state's academic standards.

20 U.S.C. §6825(a); NCLB §3115(a)

204.12 READING STANDARDS

In order to obtain funding under Title I, Part B, federal law mandates that the School use scientifically based reading research to ensure that every student can read at grade level or above not later than the end of the third grade.

The School will prepare its teachers through professional development and other support to enable them to identify special reading barriers facing their students and provide them with the tools to effectively help the students learn to read.

The School will select and/or develop effective instructional materials, programs, learning systems and strategies to implement methods that have been proven to prevent or remediate reading failure within the state.

20 U.S.C. §6361(1); NCLB §1201(1)

20 U.S.C. §6361(2); NCLB §1201(2)

20 U.S.C. §6361(4); NCLB §1001(4)

205 PROGRAM ASSESSMENT

The School shall assess itself, at least annually in meeting its mission, goals and curriculum as set out in its Contract with its Sponsor. To that end, the School adopts the following policies in order to assist in reaching its goals.

The assessment shall consist of four major elements:

- A. A strong commitment from Staff to the School's mission;
- B. A focus on the School's clients (students, parents and staff);
- C. Comparisons between outcomes currently being attained and those desired, or target outcomes identified in the School's Charter Contract; and
- D. A commitment to continuously improve student achievement by constantly striving to improve the program and service the School provides.

Process for Comprehensive Continuous Improvement Plan ("CCIP")

Grants

When applying for a CCIP Grant, the School shall develop a needs assessment which shall consist of a well-thought-out business process. The School shall align all programs, plans/plan additions and funding sources. Most of the CCIP titles/grants require a needs assessment. The School shall use one comprehensive process for all the federal titles/grants, local and state funding sources, and plan additions in the CCIP. The School shall involve key stakeholders, including students (where appropriate), parents, teachers, staff, administrators and community members (including employers) in a data/planning committee. The School shall revisit the needs assessment regularly to continuously evaluate and improve the academic plan.

205.1 REPORT CARD

The Ohio Department of Education issues a report card which shall be distributed to the parents and students of the School and to the members of the board of education of the school district in which the School is located, and to any other party requesting the report card from the Department of Education. The School will disseminate the information contained in the annual report card, in an understandable and uniform format.

R.C. 3314.012 (D) 20 U.S.C. §6311(h)(2)(E); NCLB §1111(h)(2)(E)

205.2 ANNUAL REPORT

The Superintendent or his/her designee shall prepare for the Board's review an annual report of the School's activities and progress in meeting the goals and standards of R.C. 3314.03(A)(3) and (4) and the School's financial status and such report shall be submitted to the Sponsor and the parents of students, the Ohio Legislative Office of Education Oversight, or a similar governmental entity, if so required, and the Superintendent or his/her designee shall collect and provide any data that such offices require.

R.C. 3314.03 (A)(3) and (4).

205.3 OTHER REPORTING

The Superintendent or his/her designee shall report to the Board, all matters required by the Ohio Revised Code Section 3314.08(B)(2)(a)-(g).

See also Policy No. 144 Reporting Requirements.

205.4 ADEQUATE YEARLY PROGRESS

The School will annually review the progress of the School using state academic assessments and other indicators described in the state plan to determine whether the School is making adequate yearly progress.

The School will publicize and disseminate the results of the School's annual review to the parent of its students, teachers, the principal, and the community to enable the teachers, the principal, and the community to continually refine the program of instruction to help all children meet the state's academic standards.

20 U.S.C. §6316(a)(1)(A); NCLB §1116(a)(1)(A)

20 U.S.C. §6316(a)(1)(c); NCLB §1116(a)(1)(c)

SECTION 220

PROGRAM ADMINISTRATION

221 ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY

It is the policy of the School to provide an equal opportunity for all children to achieve their maximum potential through the curriculum offered regardless of race, color, creed, disability, religion, sex, ancestry, national origin, social or economic background, or other legally protected category.

The Board appoints the Superintendent or his/her designee to be the Compliance Officer whose responsibility it will be to ensure that Federal and State regulations are complied with and that any complaints are dealt with promptly in accordance with law. S/He shall also ensure that proper notice of nondiscrimination rights under applicable laws is provided to students, their parents, staff members, and the general public.

Any complaints shall be addressed in accordance with the provisions, respectively, of:

Section 222.1 - Title IX Grievance Procedure and/or

Section 223.1 - Title I Complaint Procedure and/or

Section 228- Section 504 of the Rehabilitation Act of 1973, Grievance Procedure.

222 TITLE IX COORDINATOR

The School intends to comply with Title IX of the Education Amendments Act of 1972, which states, in part: "No persons in the United States shall on the basis of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving financial assistance...."

The Superintendent or his/her designee shall be the Compliance Officer/Title IX Coordinator and is responsible for investigating any complaint alleging noncompliance with Title IX.

A specific procedure for grievances related to Title IX issues is set forth as the "Title IX Grievance Procedure."

34 CFR 106.8

222.1 TITLE IX GRIEVANCE PROCEDURE

The Title IX Grievance Procedure listed below is meant to provide for prompt and equitable resolution of student and employee complaints. All attempts should be made to resolve grievances at the lowest level possible.

Level I- Informal Procedure

If a student or employee believes there is a basis for a grievance related to Title IX, he/she may present the grievance to the Title IX Coordinator within fifteen (15) calendar days of the conduct alleged to be in violation of Title IX. The Title IX Coordinator shall investigate the alleged grievance. The Title IX Coordinator and the student or employee shall meet in an effort to resolve the matter informally. The Title IX Coordinator shall make a decision on the grievance and shall give that decision orally to the student or employee.

Level II- Formal Procedure (Executive Committee of the Board)

If the student or employee believes that there still is a basis for a grievance, he/she may make a written statement of the grievance to the Executive Committee of the Board. This written statement must be filed within ten (10) working days of the date of the Title IX Coordinator's decision, and shall state the date and nature of the alleged grievance and the relief sought. If the grievant is a student, the Title IX Coordinator shall assist in preparing the written statement and assure it is timely filed.

The Executive Committee shall make a decision on the grievance and shall give that decision in writing to the Title IX Coordinator and the Student or employee.

Level III-Office for Civil Rights

If the student or employee is not satisfied with the Executive Committee's decision, he/she may appeal it to the Office for Civil Rights.

A student or employee who believes there is a basis for a grievance related to Title IX may file a written complaint with the Office for Civil Rights, U.S. Department of Education, 55 Erieview Plaza, Room 300, Cleveland, Ohio 44114-1816. Any such written complaint must be filed within 180 days from the date of the alleged discrimination.

223 TITLE I SERVICES

The Board elects to augment the educational program of educationally disadvantaged students by the use of Federal funds and in accordance with Title I of the Amendments in the Elementary and Secondary School Improvement Act of 1965.

The Superintendent or his/her designee shall prepare and present to the Department of Education a plan for the delivery of services which meets the requirements of the law, including those described below. The plan shall be developed by appropriate staff members and parents of students who will be served by the plan.

A. Assessment

The School shall annually assess the educational needs of eligible children, as determined by Federal and State criteria. Such assessment shall include performance measures mandated by the Department of Education, as well as those determined by the School professional staff, that will assist in the diagnosis, teaching, and learning of the participating students.

B. Scope

The School shall determine whether the funds will be used to upgrade the educational program of the entire School and/or to establish or improve programs that provide services only for eligible students in greatest need of assistance. The program shall include the components required by law as well as those agreed upon by participating staff and parents.

C. Participation

The Title I program shall be developed and evaluated in consultation with parents and professional staff members involved in its implementation. Appropriate training will be provided to staff members who provide Title I services. Parent participation shall meet the requirements of Section 1118 of the Act.

D. Comparability of Services

Title I funds will be used only to augment, not to replace, State and local funds. The Superintendent or his/her designee shall take steps as necessary to achieve comparability of services.

The determination of the comparability of services may exclude, in accordance with Federal regulations, State and local funds spent on compensatory education programs, bilingual education programs, and programs for educationally-disabled students. The determination of comparability will not take into account unpredictable changes in student enrollments or personnel assignments.

E. Professional Development

The Superintendent or his/her designee shall develop administrative guidelines whereby members of the professional staff participate in the design and implementation of staff development activities that meet the requirements of Section 1119 of the Act and:

1. involve parents in the training, when appropriate;
2. combine and consolidate other available Federal and School funds; and
3. foster cooperative training with institutions of higher learning and other educational organizations including other school districts.

F. Simultaneous Services

In accordance with law, a school offering Title I services may also serve other students with similar needs.

20 U.S.C. §6314

223.1 TITLE I COMPLAINT PROCEDURE

Complaints shall be directed to the Superintendent or his/her designee. Resolution of a complaint shall not exceed thirty (30) days. In accordance with regulations established by the Commission, the State Education Agency may extend the thirty (30) day limit due to exceptional circumstances.

Resolution of a complaint shall not exceed thirty (30) days. In accordance with regulations established by the Commission, the State Education Agency may extend the thirty (30) day limit due to exceptional circumstances.

Responsibilities of the Superintendent or his/her designee:

- A. The Superintendent or his/her designee must review the records, and, if necessary, request additional information within ten (10) working days.
- B. The Superintendent or his/her designee shall clarify the issues and attempt to resolve them.
- C. A complaint that is not resolved to the complainant's satisfaction within fifteen (15) working days shall be referred to the Board.

The Board shall appoint a hearing panel composed of the Superintendent or his/her designee, Board President and another member of the Board or a Management Company.

- A. It shall be the responsibility of the hearing panel to clarify the issues and attempt to resolve the problem.
- B. The hearing panel must keep official records of all proceedings.
- C. The complainant or complainant's representative will be given an opportunity to present evidence and question the parties involved.
- D. The Superintendent or his/her designee shall give written notice to the complainant of the panel's resolution of the complaint.
- E. The complainant has the right to appeal the resolution of the complaint to the State Educational Agency within thirty (30) days after receipt of the written decision.

- F. Actual expenses incurred, in accordance with the School's policies, may be a part of the local budget for the Title I program, subject to review and approval by the Board.

34 CFR 104.7

224 FUNDING UNDER TITLE V-COOPERATION WITH PRIVATE SCHOOLS

The School will contact, on an annual basis, the appropriate officials of local private non-profit schools to invite their students to participate in the school's innovative programs funded under Title V of the No Child Left Behind Act.

20 U.S.C. §7201(c)(2); NCLB §5101(c)(2)

225 RELIGION IN THE SCHOOLS

Religious belief and disbelief are matters of personal consideration rather than governmental authority and that the students of this School are protected by the First Amendment from the establishment of religion in the schools. Accordingly, no devotional exercises or displays of a religious character will be permitted at the School in the conduct of any program or activity under the jurisdiction of the School, nor shall instructional activities be permitted to advance or inhibit any particular religion, or religion generally.

An understanding of religions and the contributions that religion has made to the advancement of civilization is essential to the thorough education of young people and to their appreciation of a pluralistic society. To that end, the curriculum shall be developed to include, as appropriate to the various ages and attainments of the students, instruction about the religions of the world.

The Board and School acknowledge the degree to which a religious consciousness has permeated the arts, literature, music, and issues of morality. The instructional and resource materials approved for use frequently contain religious references or concern moral issues that have traditionally been the focus of religious concern. That such materials may be religious in nature shall not, by itself, bar their use by the School. The Board directs that teaching staff members employing such materials be neutral in their approach and avoid using them to advance or inhibit religion in any way.

Religious traditions vary in their perceptions and doctrines regarding the natural world and its processes. The curriculum is chosen for its place in the education of the students of the School, not for its conformity to religious principles. Students should receive unbiased instruction in the schools so that they may privately accept or reject the knowledge so gained in accordance with their own religious tenets.

Accordingly, no student shall be exempted from attendance in a required course on the grounds that the instruction therein interferes with the free exercise of his/her religion.

226 SCHOOL PRAYER

Any other policy of this School notwithstanding, the School shall not prevent a student from participating in or deny a student the ability to participate in constitutionally protected prayer.

20 U.S.C. §7904(b); NCLB §9524(b)

227 RIGHTS OF INDIVIDUALS WITH DISABILITIES

It is the policy of the School that no otherwise qualified person shall, solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity sponsored by the School.

As used in this policy “individual with a disability” means a person who has, or had, or is regarded or was regarded as having, a disabling condition; “disabling condition” means a physical or mental impairment that substantially limits one or more of a person’s major life activities and includes specific learning disabilities.

Notice of the School’s policy on nondiscrimination in employment and education practices shall be given in this Policy manual, posted in the School, and published in any School statement regarding the availability of employment positions or special education services.

Employment

No employee or candidate for employment shall be discriminated against in recruitment, employment, promotion, training, or transfer solely because of his/her disabling condition.

No candidate for employment shall be required to answer a question regarding a disabling condition and no such candidate will be discriminated against on the basis of a disabling condition that is not directly related to the essential functions of the position for which he/she has applied.

Reasonable modifications in scheduling and the allocation of duties, not directly affecting the instructional program, shall be made to accommodate employment conditions to the needs of individuals with disabilities.

Facilities

Barrier free access to School facilities or an alternative means of providing services shall be provided as required by law so that no individual with a disability is excluded from participation in a School program solely by reason of his/her disability. The School will comply with the building, program and other accessibility requirements of the Americans with Disabilities Act (ADA) and other applicable laws.

Program

All reasonable efforts shall be made to serve the School's special needs children eligible for special education and/or related services in accordance with the School's Special Needs policy. A free appropriate public education shall be provided for each child determined to be in need of special education and/or related services. Such a program of special education shall be provided in the least restrictive environment and in barrier free facilities comparable to those provided for non-disabled students. To the maximum extent appropriate to the student's disability, a disabled student shall be placed in an educational setting with non-disabled or less severely disabled students.

No student will be denied, because of his/her disability, participation in co curricular, intramural, or interscholastic activities or any of the services offered or recognitions rendered regularly to the students of the School.

The due process rights of disabled students and their parents will be rigorously enforced.

Section 504

It is the intent of the School to ensure that students who are handicapped within the definition of Section 504 of the Rehabilitation Act of 1973, as amended (29 USC 794), are identified, evaluated, and provided with appropriate educational services. Students may be identified as handicapped under Section 504 even though they are not eligible to receive services under the Individuals with Disabilities Act.

The Superintendent or his/her designee shall be the Section 504 Compliance Officer. A complaint regarding a violation of law and this policy in an employment decision shall be subject to a grievance procedure (Policy No. 228) that provides for the prompt and equitable resolution of disputes.

Procedures

The School shall annually adopt procedures for the Education of Children with Disabilities as approved by the Ohio Department of Education Office of Exceptional Children in **Appendix E**.

20 USC 1412; 34 CFR 300.220.

Required Parent Notification of Scholarship Programs for Students with Disabilities: Senate Bill 316 revised Ohio Revised Code provision 3323.052 to require schools to notify parents about both the autism scholarship program and the Jon Peterson special needs scholarship program each time the School completes an evaluation for a child with disabilities or undertakes to develop, review, or revise the child's IEP. Enclosed is a **Parent Notification of Scholarship Programs for Students with Disabilities** form. As this is a form and not a policy, we do not think it needs a Board vote. The form should be included as an **Appendix to the Right of Individuals with Disabilities** policy (you should find this around **Appendix 227.2-A**).

Per Ohio Revised Code Section 3323.052, each time a public school completes an evaluation for a child with a disability, or undertakes the development, review or revision of the child's IEP the school shall notify the child's parent by letter or electronic means of the following:

Parent Notification of Scholarship Programs for Students with Disabilities

Your child may be eligible for a scholarship under the Autism Scholarship Program or the Jon Peterson Special Needs Scholarship Program to attend a special education program that implements the child's individualized education program and that is operated by an alternative public provider or by a registered private provider. Information on scholarship programs is available from the Ohio Department of Education (ODE) website at www.education.ohio.gov.

For information on the Autism Scholarship Program, search Autism Scholarship Program.

For information on the Jon Peterson Special Needs Scholarship Program, search Jon Peterson Scholarship

For additional information or questions on these scholarship programs, contact:

Office of Nonpublic Educational Options

(614) 466-5743

Toll Free: (877) 644-6338

Email: autismscholarhsip@education.ohio.gov

Email: Peterson.scholarship@education.ohio.gov

Sent or delivered to: _____

On date of: _____

By what means: _____

By whom: _____

227.1 CHILD FIND

The School supports and complies with all applicable federal and state laws, procedures and policies regarding the School's child find responsibilities. The School will conduct all child find activities for students who are enrolled in the School (its geographical area) so that they are appropriately located, identified and referred for evaluation. Parents or guardians have the right to review their child's records and refuse permission to release information (except as required by, or permitted by, law to be released).

Pursuant to Ohio law, the School is required to perform the same child find duties as city, local, exempted village school districts, and will endeavor to adhere to its responsibilities in a manner that does not duplicate the duties of the city, local, or exempted village school districts.

A Child Find Notice shall be published in a newspaper of general circulation in the geographic area covered by the identification activity before any major identification activity.

See the Child Find Notice in **Appendix F**.

20 USC § 1412 et seq.
OAC 3301-51-03.

227.2 PARENTAL NOTICE OF SCHOLARSHIP PROGRAMS FOR STUDENTS WITH DISABILITIES

Each time the School completes an evaluation for a child with a disability, or undertakes the development, review or revision of the child's IEP the School shall notify the child's parent by letter or electronic means about both the Autism Scholarship Program.

3310.41 of the Revised Code, and the Jon Peterson Special Needs Scholarship Program, under Sections 3310.51 to 3310.64 of the Revised Code.

Secondary Transition

All individualized education programs (IEPs) written after September 24, 2012, will adopt ODE requirements for transition services beginning no later than the first IEP to be in effect when a child is fourteen (14) years of age and updated annually thereafter.

228 SECTION 504 OF THE REHABILITATION ACT OF 1973, GRIEVANCE PROCEDURE

The grievance procedure shall follow these steps:

1. The grievant will file a written complaint, stating the specific facts of his/her grievance and the alleged discriminatory act, with the Section 504 Compliance Officer within fifteen (15) calendar days of the conduct alleged to be in violation of Section 504.
2. The compliance officer shall make all reasonable efforts to resolve the matter informally.
3. In the event the complaint cannot be resolved informally, the Compliance Officer will investigate the matter and will provide a written copy of his/her determination to both parties.
4. The grievant may appeal the determination of the compliance officer to the Board or a committee of the Board within ten (10) calendar days of the receipt of the Compliance Officer's determination. The appeal shall be in writing and attached to copies of the original complaint and the written determination of the compliance officer. The Board or its designated committee may, in its discretion, convene a hearing at which the parties may present testimony and argument.
5. The Board shall provide both parties with a written decision.

Employees of the School shall be informed that a complaint may be filed without fear of reprisal from the Board or any of its employees or agents. The grievant shall be notified of his/her rights of appeal at each step of the process, and accommodations to the needs of disabled grievant shall be made. A grievant shall be informed of his/her right to file a formal complaint under Section 504.

A complaint regarding the identification, evaluation, classification, or educational program of an educationally disabled student shall be reviewed in accordance with the School's Special Needs policy.

Evaluation and Compliance

The Superintendent or his/her designee shall evaluate School programs and practices on nondiscrimination, in accordance with law, and to report evaluations to the Board. The Superintendent or his/her designee will submit such assurances of compliance as are required by law.

A complainant who believes there is a basis for a grievance related to the Rehabilitation Act may file a written complaint with the Office for Civil Rights, U.S. Department of Education, 55 Erieview Plaza, Room 300, Cleveland, Ohio 44114-1816. Any such written complaint must be filed within the earlier of (i) 30 days from the date of the Board's decision, or (ii) 90 days from the date the complainant made his or her complaint to the compliance officer.

229 CHILD ABUSE AND NEGLECT

Because of their sustained contact with school-age children, teachers and other employees are in a position to identify abused or neglected children. The School requires that every elementary, middle and high school teacher, counselor, psychiatrist, nurse or administrator complete at least four hours of in-service training in child abuse prevention, school safety, violence prevention, substance abuse and the promotion of positive youth development within two years of commencing employment in the School, and every five years thereafter. The School may develop its own curriculum or adopt the curriculum developed by the Ohio Department of Education for the in-service training. The School shall maintain records of staff participation in in-service child abuse detection.

The School shall provide training and dating violence prevention for all employees who work in a middle or a high school as a teacher, administrator, counselor, nurse, or school psychologist. The School shall develop its own curriculum for the training. The dating violence prevention training shall be part of the in-service training program requirement.

Every School official, School employee, or employee assigned to the School who knows or has reasonable cause to suspect based on facts that would cause a person in a similar position to suspect, that a student under eighteen years of age (or a mentally retarded, developmentally disabled, or physically impaired student under twenty-one (21) years of age) has suffered or faces a threat of suffering any physical or mental wound, injury, disability, or condition of a nature that reasonably indicates abuse or neglect of the student, shall immediately report that knowledge or suspicion, by telephone or in person, to the public Children's Services Agency or local law enforcement agency. S/He shall also notify the Superintendent or his/her designee.

All suspected cases are to be reported even if documentation is not available. The law provides protection for the reporting person who acts in good faith.

If the agency or officer receiving the report requests a written report, the Superintendent or his/her designee shall provide a written report containing the following information:

1. The names and addresses of the student and the student's parents or the person or persons having custody of the student, if known;
2. The student's age and current condition;
3. The nature and extent of the student's known or suspected injuries, abuse or neglect, or of the known or suspected threat of injury, abuse, or neglect, including any evidence of previous injuries, abuse, or neglect; and
4. Any other information that might be helpful in establishing the cause of the known or suspected injury, abuse, or neglect, or of the suspected threat of injury, abuse, or neglect.

In addition, the Superintendent or his/her designee may take color photographs of areas of trauma visible on the student and include them with the written report.

“Sexting” is a term applied to creating, receiving, exchanging, sending or possessing a photograph or other material showing a minor in a state of nudity, and sexting is prohibited, regardless of whether any child pornography laws are violated. Students, parents and/or the police may be contacted and sexting may be reported as suspected child abuse or neglect.

The identity of the reporting person shall be confidential, subject only to disclosure by consent or court order. Information concerning alleged child abuse of a student is confidential information and is not to be shared with any unauthorized person. A staff member who violates this policy may be subject to disciplinary action and/or civil and/or criminal penalties.

The Superintendent or his/her designee should be mindful of the possibility of physical or mental abuse being inflicted on a student by an employee. Any such instances, whether real or alleged, should be reported to the Superintendent or his/her designee who will investigate and take appropriate action in accordance with Board directives.

A report made under this policy is confidential under Ohio law. No person may disclose the contents of any report made under this policy except as provided above.

Failure to make a report required by this section, or unauthorized disclosure of the contents of a report made under this section, may result in disciplinary action against the employee.

R.C. 2151.421; R.C. 3319.073; OAC 3301-57-01.

See also Policy No. 234, Electronic Communication Devices and Policy No. 271, Student Code of Conduct.

230 NOTICE OF POLICY CHANGES

From time to time, policies, rules and regulations may be changed. The Superintendent or his/her designee or the Board will provide notification of changes and/or notice will be posted in the common area of the School's facilities.

231 POLICY MANUAL DISTRIBUTION AND MAINTENANCE

This manual is intended to be a useful guide to all members of the Board, the administration, all personnel employed by the School or a Management Company, the students of the School, and to the public.

All Policies shall be considered public records and shall be open for inspection in the Board offices and in the office of the Superintendent or his/her designee during regular office hours.

232 TECHNOLOGY AND INTERNET ACCEPTABLE USE POLICY

The use of technology and computer resources at the School is a revocable privilege. Failure to abide by this policy may render you ineligible to use the School's computer facilities and may bring additional disciplinary action.

All users are expected to use the technology available at the School in a manner appropriate to the School's academic and moral goals. Technology includes, but is not limited to, cellular telephones, beepers, pagers, radios, CD/MP3/DVD players, video recorders, video games, personal data devices, computers, other hardware, electronic devices, software, Internet, e-mail and all other similar networks and devices. Users are expected to be responsible and use Technology to which they have access appropriately. Obscene, pornographic, threatening, or other inappropriate use of Technology, including, but not limited to, e-mail, instant messaging, web pages, and the use of hardware and/or software which disrupts or interferes with the safety and welfare of the School community, is prohibited, even if such uses take place after or off School property (i.e., home, business, private property, etc.).

Failure to adhere to this policy and the guidelines below will result in disciplinary action as outlined in the Student Code of Conduct.

Unacceptable uses of Technology/Internet include but are not limited to:

1. Violating the conditions of federal and Ohio law dealing with students and employees' rights to privacy. Trespassing in others' folders, work, or files; copying other people's work or attempting to intrude onto other people's files; using other users' e-mail addresses and passwords.
2. Using profanity, obscenity or other language which may be offensive to another user; sending messages with derogatory or inflammatory remarks about an individual's race, sex, age, disability, religion, national origin or physical attributes via the Internet or Technology; bullying, insulting, intimidating, or attacking others; transmitting any material in violation of federal or state law.
3. Accessing profanity, obscenity, abusive, pornographic, and/ or impolite language or materials, accessing materials in violation of the Student Code of Conduct. Do not view, send or access materials that you would not want your instructors and parents to see. Should a student encounter any inappropriate materials by accident, he/she should report it to their instructors immediately.
4. Violating copyright laws by illegally downloading or installing music, any commercial software, shareware, or freeware. You are required to strictly comply with all licensing agreements relating to any software. All copyright laws must be respected.
5. Plagiarizing works through the Internet or other Technology. Plagiarism is taking ideas of others and presenting them as if they were original to the user.

6. Damaging Technology devices, computers, computer systems or computer networks (for example, by the creation, introduction or spreading of computer viruses, physically abusing hardware, altering source codes or software settings, etc.).
7. Using the Technology or the Internet for commercial purposes or activities, which is defined as offering or providing goods or services or purchasing goods or services for personal use, and includes, but is not limited to, the following:
 - a. any activity that requires an exchange of money and/or credit card numbers;
 - b. any activity that requires entry into an area of service for which the School will be charged a fee;
 - c. any purchase or sale of any kind; and
 - d. any use for product advertisement or political lobbying.
8. Neither the Internet nor any other Technology may be used for any purpose which is illegal or against the School's policies or contrary to the School's mission or best interests.

All users are expected to be responsible, courteous and thoughtful when using Technology and the Internet. Common sense should prevail. The use of the School computer network system should be in support of education and research, consistent with the educational mission or objectives of the School and in accordance with federal law, Ohio law and the Student Code of Conduct.

Students and Staff have no expectation of privacy with respect to the use of Technology, the Internet, intranet or e-mail. The School monitors the online activities of students. Maintenance and monitoring of the School network system may lead to the discovery that a user has or is violating School policy or the law. Violations of School policy, the Student Code of Conduct or the law may result in severe penalties, up to and including expulsion.

The School makes no warranties of any kind, either express or implied, that the functions or the services provided by or through the School technology system will be error-free or without defect. The School will not be responsible for any damage users may suffer, including but not limited to, loss of data, interruptions of service, or computer viruses. The School is not responsible for the accuracy or quality of the information obtained through or stored on the School system. The School will not be responsible for financial obligations arising through the authorized use of the system.

In accordance with the Children's Internet Protection Act ("CIPA"), the School has placed a filter on its Internet access as one step to help protect its users from intentionally or unintentionally viewing inappropriate material. The School blocks the categories that are determined to be potentially inappropriate. However, families must be aware that some material accessible via the Internet contains illegal, defamatory, inaccurate, or potentially

offensive language and/or images. While the goal of the School is to use Internet resources to achieve educational goals, there is always a risk of students accessing other materials. Parents should be aware of these risks.

The School will educate students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms. The School will also educate students on cyberbullying awareness and response.

233 NATIONAL AND STATE MOTTOES

The School will accept the donation of copies of the national motto, "In God We Trust" and/or the state motto, "With God, All Things Are Possible," or the donation of money for the purchase of copies of the mottoes and display such mottoes that meet the following design requirements: (1) the mottoes are printed in durable, poster-quality paper or displayed in a frame; (2) have dimensions of at least 8 ½ inches by 11 inches; (3) contain no words other than the motto and language identifying the motto as the motto of the United State or Ohio; (4) contain no images other than appropriate representations of the national or state flag. If the above-stated design requirements are not met, then the Board shall adopt, by a majority vote, a resolution describing the appropriate alternative design requirements.

R.C. 3313.801.

234 ELECTRONIC COMMUNICATION DEVICES

While on School property, in a School vehicle, or while attending School-sponsored or School-related activities, whether on or off School property, Students shall be permitted to possess and use electronic communication devices, including, but not limited to, cellular phones, beepers, pagers, radios, CD/MP3/DVD players, video recorders, video games, personal data devices or other devices deemed to be distracting, provided they observe the following conditions:

1. Devices shall not be used in a manner that disrupts the educational process, or educational mission including, but not limited to, posing a threat to academic integrity or violating confidentiality or privacy rights of another individual. Unless an emergency situation exists that involves imminent physical danger or a certified employee authorizes the student to do otherwise, devices shall be turned on and operated only before and after the regular school day.
2. When Students violate this prohibition, they shall be subject to disciplinary action, including but not limited to losing the privilege of bringing the device onto School property. In addition, an administrator may confiscate the device, which shall only be returned to the Student's Parent. All requests to confiscate these items must be complied with in a spirit of cooperation. If, upon confiscation, the School becomes aware of other misuse of the device, or, has a reasonable suspicion of other violations of School policy, the Student may be disciplined for additional violations of this or other School policies. In other words, a Student loses his/her privacy rights in the device and information contained in the device, once a School policy is violated and the device confiscated so long as the School has a reasonable suspicion of misuse.
3. Students are responsible for devices they bring to School. The School shall not be responsible for loss, theft, or destruction of devices brought onto School property.
4. Students shall comply with any additional rules developed by the School concerning appropriate use of electronic communication devices.
5. Students shall not utilize an electronic communication device in a manner that would violate the School's Technology and Internet Acceptable Use Policy or its Student Code of Conduct.
6. Examples of types of prohibited behavior involving electronic communication devices include, but are not limited to :
 - a. text messaging on or off School Property during School hours;
 - b. using digital cameras or camera phones to invade the privacy of others by transmitting unauthorized or derogatory photos or video clips to another person via email, to another camera phone or by posting it on the web;

- c. using digital cameras, camera phones, or any other device to cheat on examination;
- d. playing digital games;
- e. using digital cameras, camera phones, or any other device to harass or bully another.

See also Policy No. 232 Technology and Internet Acceptable Use; Policy No. 271 Student Code of Conduct.

SECTION 240

STUDENT ADMISSION/GRADING/GRADUATION

241 ADMISSION AND LOTTERY STANDARDS

Admissions Procedures Open Enrollment Policy

The Maritime Academy of Toledo will have an open enrollment period from August 15, 2006 – August 22, 1006. Students enrolling during this period will be selected through a lottery (See details below). Students enrolling after the open enrollment period will be taken on a first-come, first-serve basis. Preference will always be given to students whose siblings are already enrolled in the school and to students who were enrolled the previous year in the school.

Open Enrollment Begins	Third Monday in April
Open Enrollment Ends	Last Friday in April
Review of Applications,	First Monday in May
Lottery Notice Mailed	First Friday after First Monday in May
Lottery conducted	Third Monday in May
Notification to Parents	Third Friday in May
Finalize Enrollment	First Monday in August

If a lottery is necessary, it shall take place at a public location. All parties will have the opportunity to be present during the lottery process and will be notified seven (7) days in advance of the date, time and location of the lottery. All parents of children selected in the lottery will be notified of the selection by certified mail. Parents will have up to seven (7) days from receipt of the certified mail to contact the school regarding their decision. If a parent does not respond within seven (7) days of receipt of the certified mail, the school will select another child from the lottery in the order the child's name was drawn. Thereafter, open enrollment will take place each year from April 16 – May 25. Students enrolling after the open enrollment period will be taken on a first-come, first-serve basis. Preference will always be given to students whose siblings are already enrolled in the school and to students who were enrolled the previous year in the school.

Lottery Details: If there are more applicants that there are spaces, a lottery will be conducted in the following manner:

- Each applicant will be assigned a number;
- The numbers will then be drawn at random by a disinterested third party;
- The first number drawn will be the first new applicant placed on a permanent waiting list and so on until all numbers are drawn;
- Applicants on a permanent waiting list prior to any lottery will retain their position on the waiting list;
- The school may separate the lottery and the waiting lists for each grade or age grouping;

- Students attending the previous year will have preference for a position in the current year, even though they may be in a different age or grade group;
- Siblings may be given preference for the next open position.

241.1 O.R.C. §3314.041 NOTICE

Pursuant to the Ohio Revised code Section §3314.041, the governing authority of each community school and any operator of such school shall distribute to parents of students of the school upon their enrollment in the school the following statement in writing:

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

241.2 RECORDS UPON ENROLLMENT

Newly enrolled student records:

1. Upon receipt of completed enrollment forms, a request for records will be made within twenty-four hours from the public or non public elementary or secondary school the pupil most recently attended.
2. If the records are not received within 5 business days, a second request will be made and the Superintendent or his/her designee will contact the school directly.
3. If the records are not received within 14 days of the date of request, or if the pupil does not present any one of the following: (1) a certification of birth; (2) a passport or attested transcript of a passport filed with a registrar of passports at a point of entry of the United States showing the date and place of birth of the child; (3) an attested transcript of the certificate of birth; (4) an attested transcript of the certificate of baptism or other religious record showing the date and place of birth of the child; or (5) an attested transcript of a hospital record showing the date and place of birth of the child, the school administrator will contact the school directly, then the Superintendent or his/her designee will notify the law enforcement agency having jurisdiction in the area where the pupil resides of this fact and of the possibility that the pupil may be a missing child.

Requests for student records:

1. Upon receipt of a request for student records, the School will comply within 2 business days.
2. Copies of the student's records will be made and kept on file.

R.C. 3313.672

241.3 ENROLLMENT AND RESIDENCY POLICY

The School admits students residing statewide (“admissions areas”). The School serves grades 5-12 as per its Community School Contract with its Sponsor.

A child shall be admitted to the School as a student, if the child’s parent resides in the School’s admission areas. Residency is not determined solely by where the parents own or rent a home or an apartment, but rather by where the primary residence is and where substantial family activities take place.

Any one of the following documents can be used to establish proof of residency for verification of a child’s ability to be enrolled. These items must be current, be in the parent’s name, and include a street address. A post office box address cannot be used to validate residency records:

- A deed, mortgage, lease, current home owner’s or renter’s insurance declaration page; or
- A current real property tax bill; or
- A utility bill or receipt of utility installation issued within ninety days of enrollment; or
- A paycheck or paystub issued to the parent or student within ninety days of enrollment that includes the address of the parent’s or student’s primary residence; or
- The most current available bank statement issued to the parent or student that includes the address of the parent’s or student’s primary residence; or
- Any other official document issued to the parent or student that includes the address of the parent’s or student’s primary residence and as approved by the Ohio Superintendent of Public Instruction.

All custody or court orders pertaining to the family or student must be turned in when asked, or at admission. If the School and parent disagree as to residency status, the Superintendent of Public Instruction shall determine the public school in which the student may enroll. If the School and the student’s home district (district of residency) disagree about residency, this policy shall supersede any policy concerning the number of documents for initial residency verification adopted by the student’s home district. If the district of residence challenges the student’s residency, the Superintendent may request additional documentation.

R.C. 3314.11; R.C. 3313.64(B)(1); R.C. 3313.64(K)

See also, Missing and Absent Children, Homeless Children and Youth; Admissions and Lottery; Compulsory School Age and Kindergarten Admissions, Student Records and Release of Information; Grandparent Caretaker and Migrant Students Policies and Laws.

242 STUDENT ASSESSMENT

The School shall comply with the Ohio Achievement Assessment and Ohio Graduation Testing requirements of R.C. §3301.0710 and .0711. The Superintendent or his/her designee shall be responsible for all testing procedures.

Testing Protocol for The Maritime Academy of Toledo

The Academy studies and complies with the standards and requirements outlined in the Ohio Statewide Testing Program Rules Book.

When tests arrive they are checked in by Test Coordinator. The Coordinator ensures that all materials on the packing list are accounted for. The tests are then locked behind 2 sets of locked doors in the closet in the back of the large boardroom. Only administration has a key for these doors.

All students are tested in the same room. Students must sign in and then turn in any cell phones, electronic devices, etc. in their possession. Students must have their student ID on them during the testing. Students arriving are not allowed in the testing session and must come back at a later date to make up the test. Students have assigned seats for the entire testing session. All students remain in the testing room until everyone has completed the test or the allotted time expires. No one is allowed in the testing room while testing is in session. There is always at least one adult present during all aspects of testing. If allowed, students may only use the calculators provided as directed in the testing instructions.

When the testing session is completed, the materials, test booklets and answer booklets are collected and locked up before any student is allowed to leave the testing room

Upon completion of all tests, the Test Coordinator checks each book in and accounts for all testing booklets, answer documents and other materials. The materials are packaged as directed and kept locked up until the materials are picked up by the designated shipping company.

Whenever a question arises regarding testing protocol, TMAT references ORC and the Rules Book for compliance. Finally, the District Administrators and School Test Coordinator will sign the ODE Test Agreement Form.

Grading System

With the focus on "No Child Left Behind" and on students meeting Ohio standards, grading systems and report cards are taking on a new and improved look. Growing numbers of school children today are being assessed in ways that link the process of evaluation with teaching and learning more effectively than ever before. These new performance assessments are designed to improve instruction with methods that are more

understandable and informative to teachers, parents, and children alike. The Maritime Academy of Toledo fully embraces the Marazon Philosophy, a new and more meaningful way to describe and communicate students' progress over time.

The practice of observing and reporting exactly what students know and can do is termed "authentic assessment". Authentic assessment represents a major departure from the traditional classroom practice of maintaining a grade book and giving students grades for class assignments, class participation, tests, quizzes, and homework. Unlike report cards with grades for each subject and grades for students' work authentic assessment provides parents with a frame-by-frame moving picture of what is actually being taught and what each student is actually learning-continually tracking what the student knows and can do and exactly what the student does not yet know and cannot yet do.

With authentic planning and assessment practices, teachers develop effective strategies for helping individual students learn while documenting and evaluating the work of all their students. The system includes developmental checklists, standards-based checklists, portfolios of students' work and periodic monthly written anecdotal reports that help teachers and parents evaluate and keep track of the student's accomplishments across the entire year.

Developmental and Standards-based checklists give teachers a structured framework of age/grade-level expectations. These become the focus for planning and observing students at all levels of their performance. Student achievement is documented in a number of ways including teacher interpretations of work samples, presentations, photos, illustrations, observations, tests, video/audio tapes, computer print-outs, and most important of all, bi-annual baseline assessments in relation to Ohio standards and developmental objectives.

Using the Marazon Philosophy, teachers maintain all of their planning and assessment data in the Marazon Analytical Database. Teachers generate Summary Reports that analyze students' progress - individually as well as for the entire class. These reports show exactly what the student learned in relation to exactly what concepts were taught. At any time, a grade can be generated for the student. Grades however, will not be the focus of parent-teacher conferences. Rather parents and teachers will discuss what a student has learned in relation to what was taught and how the parent can help the student progress in learning what must be learned. Portfolios are maintained by both the teacher and the student, enabling teachers, students, and parents to review the student's growth over time as documented in tangible classroom work. Reports are completed four times each year providing a detailed description of the whole child's growth, development, and learning.

At first, parents may be a bit nervous about how their children are being assessed and how report cards look. In the end however, the vast majority of parents prefer authentic assessment to conventional report cards because they know exactly how their child is performing – grade level specific knowledge, and skills and students are not stressed with the unnecessary pressure of a grade, which tells nothing of what the student knows and is able to do.

Authentic assessment improves classroom planning and instruction practices because teachers are forced to individualize their observation of students' progress from week to

week. As a result, teachers know when to re-teach, when to reinforce, and when to move each individual student forward. Children's self-confidence and ability to see and evaluate their own growth is also improved. Finally, parents' initial fears are replaced by excitement about an assessment system that helps teachers really know children's strengths and weaknesses while increasing students' motivation to learn. For more information contact the National Association for Education of Young Children; National Association of Middle Schools; Are Letter Grades on Their Way Out? (Ann Svensen); Seattle Public Schools (Gregory Roberts)

Security Provisions for Statewide Assessment Tests

Administrative Organization. The Superintendent or his/her designee will serve as the School coordinator for the Statewide assessments, and is responsible for distributing, collecting and securing (in a locked cabinet or closet) all testing materials while they are in the School, and appointing specific staff members to serve as test examiners.

Examiners are responsible for distributing, administering, proctoring, collecting, and securing all test materials while they are in their possession.

The Superintendent or his/her designee and other staff members specifically designated to administer the tests are the only persons authorized to have access to the test materials or to be present in the testing room(s).

Security and Ethical Use of Test Materials. Achievement tests and all material developed for use in any form (except practice tests) are secure. All testing examiners and classroom teachers giving the test must follow these provisions, as well as the provisions of the Ohio Department of Education. It is unethical and illegal to: (1) alter a Student's responses or to assist a Student to cheat in any way; (2) use any secure materials to prepare Students for the test or to assist Students who have failed the tests; (3) reproduce any secure material; and (4) release secure material to Students, parents, or any other individual or group.

Test Security Violations. Any alleged test security violation will be investigated by the Superintendent or his/her designee. If it is determined that a violation occurred, any of several consequences may follow:

- A. All security or ethical breaches must be reported to the Ohio Department of Education within ten (10) days of any violation.
 - B. One or more answer sheets may not be scored.
 - C. The Board, after appropriate procedures are followed, may terminate or otherwise discipline an employee found guilty of a violation.
 - D. The State Board of Education, following appropriate procedures, may seek the suspension of an educator's license certificate
 - E. A law enforcement agency, following an appropriate investigation, may prosecute under Ohio's criminal code.
-

Prior to commencing an Ohio Department of Education investigation and taking action as a result of an allegation of a test security violation, the State Board of Education will provide the individual with notice of the allegation and an opportunity to respond and present evidence.

Building Administration. All coordinators and examiners are responsible for ensuring that all test security provisions are followed while the test materials are at the School. All test coordinators and classroom teachers giving the test must read the Directions for Administration and Rules for Testing prior to the testing dates. All test coordinators must keep these booklets on file. The tests will be serially numbered and wrapped in sealed packages when they arrive at the test sites. The testing coordinator is to open the sealed packages at the appropriate time, check and verify in writing the accuracy and receipt of all test materials, and prepare the test booklets. Since testing coordinators are required to account for and return all materials, they must carefully track the materials before, during, and after test administration. This responsibility includes the timely packing and shipping of all used materials and transporting any unused materials to the Superintendent or his/her designee for shipment. Careful written record keeping and thorough rechecking are essential throughout the testing process.

Final Accounting of Missing Materials. All testing materials are computer scanned before they are shipped to the School and scanned again after they are returned to the testing company. Should any testing materials be unaccounted for after they are returned to the testing company, the Superintendent or his/her designee, along with the appropriate examiner(s), will conduct a thorough investigation. If after the investigation of all written records the materials are still unaccounted for, the Superintendent or his/her designee will report his/her findings to the Ohio Department of Education. If further investigation should occur, the individual(s) involved will be provided with an opportunity to respond to the charges and present a defense.

Communication of this Policy with Students and Staff. The Superintendent will ensure that this policy is handed out to and discussed with students participating in the assessments, and staff members who administer the assessments, are authorized to be in the assessment room, and/or who have access to the assessment materials.

Participation of Students with Disabilities. Students with disabilities participate in the Statewide assessments, with appropriate accommodations, as necessary. Decisions about how a Student with a disability will participate in any statewide assessment program will be made by the IEP team. The IEP developed for a disabled student must specify the manner in which the student will participate in the state achievement assessments. See Policy No. 242.2 Alternate Assessments for Students with Disabilities.

Participation of Limited English Proficient Students. Limited English Proficient Students participate in the Statewide assessments according to the applicable rules and laws. They may receive approved accommodations following consultation with their instructor.

OAC 3301-7-01; OAC 3301-13-01 et seq.

242.1 PREVIOUSLY HOME-SCHOOLED STUDENT TESTING POLICY

Previously home-schooled students enrolling at the School will be given a diagnostic test in order to determine the appropriate grade level placement. Although the age of the student is considered, the School is committed to setting high standards for students and is not a proponent of social promotion.

Addition to Policy 242.1 Security Provisions for Statewide Assessment Tests to include the following: testing security policies will be distributed to, communicated and discussed with students taking the tests and employees involved in the testing.

242.2 ALTERNATE ASSESSMENTS FOR STUDENTS WITH DISABILITIES-

All students with disabilities are required to participate in state assessments as determined annually by the student's IEP team.

A. Regular Assessments With Accommodations

For any student with disabilities who takes an assessment that is administered to nondisabled students, the school shall include that information in the student's IEP or document that information in writing for a Section 504 student, and provide the student with any appropriate accommodations pursuant to this policy. Any accommodations shall meet all of the following criteria specified below:

1. The accommodation is specified in the student's IEP or 504 Plan and is provided for classroom and school-wide assessments.
2. The accommodation does not change the content or structure of an assessment.
3. The accommodation does not change what type of knowledge or skill that an assessment is intended to measure.
4. The accommodation does not change or enhance the student's response as to what type of knowledge or skill is intended to be assessed, but it facilitates how the response is provided or assessed.

B. Alternative Assessments

A student's IEP team may excuse a student with disabilities from taking any particular assessment that is administered to nondisabled students during any school year. An excused student with disabilities shall participate instead in an alternate assessment approved by the Ohio Department of Education. A valid excuse must meet all of the following criteria:

1. The student is completing a curriculum that is modified substantially in Balm and/or substance by the **IEP** from the general education curriculum, **OR**

The student is completing the regular curriculum, but the student has a disability that presents unique and significant challenges such that the student's IEP provides for accommodations in classroom and school-wide tests that do not meet the criteria of this policy.

2. The student has a significant cognitive disability.
3. The student requires instruction focused on the application of state standards through essential life skills.
4. The student requires instruction at multiple levels below age or grade level.

5. The student who is unlikely to provide valid and reliable measures of proficiency in content areas in a standardized assessment with accommodations that meet the criteria included in this policy.
6. Each excuse from participating in assessments administered to nondisabled students shall be documented in a student's IEP or 504 Plan, stating why the particular alternate assessment selected is appropriate for the student, as well as the explanations and reasons for the excuse and a description of benchmarks or short term objectives.
7. Accommodations may be used in accordance with the criteria provided in Part A of this Policy. The school shall conduct the alternate assessment and report results according to the guidelines established by the Ohio Department of Education.
8. Any student excused from taking a regular assessment who nevertheless wishes to take a regular assessment, may do so, and if that student meets at least the proficient level of performance, the student's transcript will show that the performance standard was met. Accommodations may be used, so long as each accommodation provided meets the criteria provided in Part A of this Policy.
9. Statewide assessment pass rates used to determine school and building performance include the results of those who take assessments without any accommodation; those who take assessments with accommodations that meet the criteria of this policy; and those who are excused under this policy and take alternative assessments.
10. Any student with disabilities who otherwise has completed an IEP program but has not received a diploma due to not having passed a required assessment may take any assessment required for graduation at any time it is administered in any school

OAC 3301-13-03.

243 REPORTING STUDENT PROGRESS AND GRADES

The School will utilize a range of assessment methods to judge student performance. The School recognizes its responsibility for providing a system of grading student achievement that can help the student, teachers and parents judge properly how well the student is achieving the goals of the School's Program. [See also policy nos. 203 to 203.5 on Parent Involvement.]

The Board believes that the School's grading system should be a reliable system and one that ensures each student's grades signify accurately his/her degree of accomplishment of those expected learning goals which are to be stated for each program at every grade level, kindergarten through 12.

The Superintendent or his/her designee shall develop procedures for grading which

1. Have clear, consistent criteria and standards particularly when grades are based on subjective assessment;
2. Help each student understand in each course or program what behavior and/or achievement is needed to earn each grade as well as what will produce a failing grade; and
3. Provide frequent opportunities for each student to obtain information as to his/her progress toward the learning goals of his/her courses or programs.

The teacher responsible for a student's instruction in a particular course or program shall determine the student's grade. That grade may not be changed without the permission of the Superintendent or his/her designee.

244 ENROLLMENT INCENTIVE POLICY

Ohio Revised Code section 3313.648 Prohibiting Incentives to enroll in district. The Maritime Academy of Toledo School Board policy prohibits a monetary payment or other in-kind gift to any student or such student's parent or guardian as an incentive for that student to enroll in a school operated by the district. The prohibition in this section shall not apply to any books, supplies, uniform clothing, equipment, or other goods that are necessary to enable a student to participate fully in the course of instruction provided by The Maritime Academy of Toledo. Payments made for supplies, uniform clothing, and/or equipment will become the property of the student upon receipt of payment of the school fee.

245 DIPLOMA OR HONORS DIPLOMA.

A diploma shall be granted by The Maritime Academy of Toledo to any student to whom all of the following apply:

The student has successfully completed the Maritime Academy curriculum or the individualized education program developed for the student by The Maritime Academy. No student shall be required to remain in school for any specific number of semesters or other terms if the student completes the required curriculum early;

The student either:

Has attained at least the applicable Ohio Graduation Test Scores unless the student was excused from taking any such test or has satisfied the alternative conditions.

The student shall receive an honor diploma provided the student accomplishes all of the following:

Successfully completes the Maritime Academy curriculum or the individualized education program developed for the student by The Maritime Academy.

The student either:

Has attained at least the applicable Ohio Graduation Test Scores unless the student was excused from taking any such test or has satisfied the alternative conditions.

Has met additional criteria established by the state board for the granting of such a diploma as follows:

An honors diploma shall not be granted to a student who is subject to the Ohio core curriculum prescribed in division (C) of section 3313.603 of the Revised Code but elects the option of division (D) or (F) of that section. Except as provided in divisions (C), (E), and (J) of this section, no honors diploma shall be granted to anyone failing to comply with this division and no more than one honors diploma shall be granted to any student under this division.

The state board shall adopt rules prescribing the granting of honors diplomas under this division. These rules may prescribe the granting of honors diplomas that recognize a student's achievement as a whole or that recognize a student's achievement in one or more specific subjects or both. The rules may prescribe the granting of an honors diploma recognizing technical expertise for a career-technical student. In any case, the rules shall designate two or more criteria for the granting of each type of honors diploma the board establishes under this division and the number of such criteria that must be met for the granting of that type of diploma. The number of such criteria for any type of honors diploma shall be at

least one less than the total number of criteria designated for that type and no one or more particular criteria shall be required of all students who are to be granted that type of diploma.

(C) Any such district board administering any of the tests required by section 3301.0710 or 3301.0712 of the Revised Code to any student requesting to take such test pursuant to division (B)(8)(b) of section 3301.0711 of the Revised Code shall award a diploma to such student if the student attains at least the applicable scores designated under division (B) of section 3301.0710 of the Revised Code on all the tests administered and if the student has previously attained the applicable scores on all the other tests required by division (B) of that section or has been exempted or excused from attaining the applicable score on any such test pursuant to division (H) or (L) of this section or from taking any such test pursuant to section 3313.532 of the Revised Code.

(D) Each diploma awarded under this section shall be signed by the president and treasurer of the issuing board, the superintendent of schools, and the principal of the high school. Each diploma shall bear the date of its issue, be in such form as the district board prescribes, and be paid for out of the district's general fund.

(E) A student who is a resident of Ohio and is eligible under state board of education minimum standards to receive a high school diploma based in whole or in part on credits earned while an inmate of a correctional institution operated by the state or any political subdivision thereof, shall be granted such diploma by the correctional institution operating the programs in which such credits were earned, and by the board of education of the school district in which the inmate resided immediately prior to the inmate's placement in the institution. The diploma granted by the correctional institution shall be signed by the director of the institution, and by the student serving as principal of the institution's high school and shall bear the date of issue.

(G) The state board of education shall provide by rule for the administration of the tests required by section 3301.0710 of the Revised Code to inmates of correctional institutions.

(H) Any student to whom all of the following apply shall be exempted from attaining the applicable score on the test in social studies designated under division (B) of section 3301.0710 of the Revised Code or the test in citizenship designated under former division (B) of section 3301.0710 of the Revised Code as it existed prior to September 11, 2001:

(1) The student is not a citizen of the United States;

(2) The student is not a permanent resident of the United States;

(3) The student indicates no intention to reside in the United States after the completion of high school.

(I) Notwithstanding division (D) of section 3311.19 and division (D) of section 3311.52 of the Revised Code, this section and section 3311.611 of the Revised Code do not apply to the board of education of any joint vocational school district or any cooperative education school district established pursuant to divisions (A) to (C) of section 3311.52 of the Revised Code.

(J) Upon receipt of a notice under division (D) of section 3325.08 of the Revised Code that a student has received a diploma under that section, the board of education receiving the notice may grant a high school diploma under this section to the student, except that such board shall grant the student a diploma if the student meets the graduation requirements that the student would otherwise have had to meet to receive a diploma from the district. The diploma granted under this section shall be of the same type the notice indicates the student received under section 3325.08 of the Revised Code.

(K) As used in this division, “limited English proficient student” has the same meaning as in division (C)(3) of section 3301.0711 of the Revised Code.

Notwithstanding division (C)(3) of section 3301.0711 of the Revised Code, no limited English proficient student who has not attained the applicable scores designated under division (B) of section 3301.0710 of the Revised Code on all the tests required by that division shall be awarded a diploma under this section.

(L) Any student described by division (A)(1) of this section may be awarded a diploma without attaining the applicable scores designated on the tests prescribed under division (B) of section 3301.0710 of the Revised Code provided an individualized education program specifically exempts the student from attaining such scores. This division does not negate the requirement for such a student to take all such tests or alternate assessments required by division (C)(1) of section 3301.0711 of the Revised Code for the purpose of assessing student progress as required by federal law.

246 PROMOTION AND RETENTION POLICY

The Board recognizes that the personal, social, physical, and educational growth of children will vary, and that they should be placed in the educational setting most appropriate for their needs at the various stages of their growth. Each student will be moved forward in a continuous pattern of achievement and growth that is in harmony with his/her own development. Parent(s) and students are made aware of the instructional objectives, performance standards, and promotion criteria. Periodically during the year teachers shall provide written progress and grade reports. Teachers will also provide evaluation reports to parent(s) and students during teacher-parent conferences. The grading system used to measure student progress toward achieving the predetermined instructional objectives and performance standards is applied consistently throughout the School.

Promotion

Promotion of a student from one grade to the next shall be based solely on that individual student's having met applicable promotion criteria. The decision to promote a student shall rest solely with the Superintendent, with appropriate input from the student's teacher(s), the professional staff, and parent(s).

Retention

A student is required to be retained if he/she is truant for 10% or more of the required school days and has failed at least two (2) courses of study, unless the Superintendent and the teachers of the failed subjects determine that the student is academically prepared to be promoted.

Additionally, a student shall not be promoted or allowed to pass to a higher grade or course level if the student fails to meet established standards for a particular grade or course level.

Retention decisions will be made only after the Superintendent or applicable teachers have notified and conferred with parent(s) as to the student's progress or lack thereof. These notifications and conferences will take place as soon as teachers and the Superintendent identify that a student's promotion could be in jeopardy.

Factors

Teachers and the Superintendent will consider at least the following factors in arriving at decisions on promotion or retention. Factors are applicable in all grade levels.

- The student's level of academic aptitude and achievement;

- The student's level of social and emotional development and the student's ability to effectively interact with other students in his/her current grade level;
- The student's attendance patterns (absences, tardies, early checkout, excused, or unexcused) and its effect on the student's progress;
- Any other factors thought to be appropriate by the Superintendent, teacher(s), and professional staff.

The School will not utilize a Student's failure to attain a specified score on any statewide achievement tests as a factor in any decision to deny a Student's promotion to a higher grade level, except that the School may use a Student's failure to attain a score in at least the basic range as a factor in deciding to deny a Student's promotion to the next level on the following tests:

5th grade reading, math, science and social studies achievement tests;
6th grade reading and math achievement tests;
7th grade reading, writing and math achievement tests; or
8th grade reading, math, science and social studies achievement tests.

The School may choose not to promote a Student to the next grade level, who does not take a required statewide achievement test or make-up test, and who is not exempt from the requirement to take such test.

Disabled Students

Promotion and retention of previously identified disabled students shall be subject to the factors and policy above, but shall also consider the contents of the student's individualized educational plan (IEP).

R.C. 3313.609; 3301.0711; 3313.6411(B); 20 USC 1400 et seq.

246 THE MARITIME ACADEMY OF TOLEDO CREDIT FLEXIBILITY POLICY

The board recognizes that an effective educational program is one that provides opportunities for students to customize aspects of their learning around their respective needs and interests. Credit Flexibility is one method to motivate and increase student learning by allowing access to more resources, customization around individual student needs and the use of multiple measures of learning.

Credit Flexibility allows students to earn units of high school credit and course credit based on an individually approved Credit Flexibility Plan. The intent of credit flexibility is to meet increased expectations for high school graduation in response to globalization, technology and demographics, and to meet the demand for 21st Century skills.

In accordance with State law, the School must develop and implement a Credit Flexibility Plan that enables students to earn high school credit by:

1. completing coursework;
2. testing out or showing mastery of course content;
3. pursuing an educational option and/or an individually approved option and/or
4. any combination of the above.

The Superintendent and/or designee develops the School's Credit Flexibility Plan consistent with the provisions of the regulation contained in Appendix MM.

RC Sections 3313.60; 3313.603; 3313.609; 3313.6013; 3313.611; 3313.613; 3313.614; 3313.90; 3321.04; Chapters 3324; 3365; OAC Chapters 3301-34; 3301-35-06; 3301-46; 3301-51; 3301-61

SECTION 250 ATTENDANCE

251 ATTENDANCE/TRUANCY/WITHDRAWAL

General Policy

One of the major aims of Maritime Academy of Toledo is to teach students to assume responsibility. Requiring students to be regular in attendance and punctual in reporting to classes is one way of developing responsibility. All absences from school are two kinds – excused and unexcused, as stated below. If it is necessary for a student to be absent from school, the parent/guardian must do the following:

1. Call the Main Office during the morning of the absence. The Main Office phone number is (419) 244-9999.
2. Send in a note signed by a parent(s)/guardian(s) to the Main Office the following day which includes:
 - a. Student's first and last name
 - b. Date(s) of the absence
 - c. Explanation/reason for the absence
 - d. Phone number where the parent(s)/guardian(s) can be contacted

Absenteeism Consequences

Students with unexcused absences are considered truant. Truancy is grounds for referral to the Dean of Discipline for action covered under Sections 3321.18 through 3321.22 of the Ohio Revised Code. The following consequences will result from unexcused absences:

1. **More Than Five Days Absent:** A student with more than five (5) days of absences in a quarter will not receive a passing grade for quarter. The school will attempt to notify the child's parent, guardian, or custodian when the student's absences reach three in a quarter. This quarter limit also applies to absences in individual class periods. Tardiness and leaving school early will count as absences in individual classes. Should the student reach five (5) absences in any class period, the student will not receive a passing grade for the quarter in the class/courses in question.
2. **More Than Ten Days Absent:** Any student absent more than ten (10) days in a semester will fail the semester and will be reported to a juvenile truancy officer.
3. **More Than Fifteen Days Absent:** Any student absent more than fifteen (15) days total school days within a school year, will fail the entire school year and will be reported to the Registrar of Motor Vehicles, State of Ohio, the county juvenile judge for suspension of a temporary driving permit/driving license, or the revocation of the student's right to apply for a permit/license. The school shall notify the child and the child's parent, guardian, or custodian, in writing, that the truancy/attendance information has been provided to the superintendent, and that as a result of that information the child's temporary instruction permit or driver's

license will be suspended or the opportunity to obtain such a permit or license in the future will be denied by the Ohio Department of Motor Vehicles.

4. Tardiness To School Or Class

Any student who misses more than fifteen minutes of a class/course, either at the beginning or the end of the day, will be considered absent from the class. Any student missing more than 5 absences in a quarter, ten absences in a semester, and fifteen absences in the school year will fail the class/course. Student performance in the class does not alter this policy. The parent/guardian of a student who must leave school early must sign out at the helm before leaving the building.

A student arriving tardy to school after 8:00 a.m. must check in at the Main Office. After signing in, the student will receive a hall pass. This pass must be presented to the teacher. Students must present their ID badge when signing in or out of the Main Office. Additionally, students arriving to school after 8:00 a.m. must present a note signed by their parent(s)/guardian(s) explaining the reason for the tardiness (or a parent may telephone the Main Office). After fifteen minutes tardy to a class, the student will be considered absent from the class and this will count toward the student's allowable absent days.

- 5. Make-Up Work:** It is the responsibility of the student to contact his/her teachers and obtain the make-up assignments. Students who know in advance when they will be out of school for an extended period of time should, if possible, obtain assignments from their teachers before being absent. Students may receive credit for work missed during an absence as long as the work is made up in a timely fashion as prescribed by the teacher.
- 6. Appeal Process:** The parent/guardian and student may appeal the failing grade/loss of credit to the Superintendent/Superintendent in situations of excused absences due to hospitalization or court subpoena. The appeal may be granted at the discretion of the Superintendent/Superintendent.
- 7. Withdrawal Due to Excessive Absenteeism:** A student will be automatically withdrawn from the school if the student misses 105 consecutive hours of learning opportunities as per the Ohio Revised Code.

Emergency Closings And Delays

If Maritime Academy of Toledo is to be closed due to inclement weather, this information can be heard by viewing WTOL 11, WTVG 13, and/or WNWO 24. The school administration will make every effort to have this information to the media by 7 a.m.

Take Your Child To Work Day

Because Maritime Academy of Toledo offers a wide variety of opportunities for students to mentor, shadow and intern with adults in the workforce, Take Your Child To Work Day is not considered an excused absence from school. Students who would like to accompany parent(s)/guardian(s) to work are encouraged to do so on a day when school is not in session.

R.C. §3321.01; §3314.03(A)(6); §3321.13-.191.

252 MISSING AND ABSENT CHILDREN

The Board believes in the importance of trying to decrease the number of missing children. Therefore, efforts will be made to identify possible missing children and notify the proper adults or agencies.

A student at the time of his/her initial entry to school shall present to the person in charge of admission any records given to him/her by the elementary or secondary school s/he most recently attended and a certification of birth* issued pursuant to Section 3705.05 of the Ohio Revised Code or a comparable certificate or certification issued pursuant to the statutes of another state, territory, possession, or nation. Within twenty-four (24) hours of the student's entry into the school, a school official shall request the student's official records from the elementary or secondary school s/he most recently attended. If the school the student claims to have most recently attended indicates that it has no records of the student's attendance or the records are not received within fourteen (14) days of the date of request, or the student does not present a certification of birth or comparable certificate or certification from another state, territory, possession, or nation, principal or chief administrative officer of the School shall notify the law enforcement agency having jurisdiction in the area where the student resides of this fact and of the possibility that the student may, be a missing child, as this term is defined in Section 2901.30 of the Ohio Revised Code.

If the School receives notification from a law enforcement agency that it has made a missing child report for a current or a former student, then the School must mark the student's records so that whenever a copy of, or information regarding the records is requested, any School official responding to the request is alerted that the records are those of a reported missing child. In addition, when a request of records or information is received, the person in charge of admission must immediately report the request to the law enforcement agency that notified the School that the student might be a missing child. When forwarding a copy of, or information from the student's records in response to a request, the School must do so in such a way that the receiving school is not able to discern that the student's records are marked. But, the School must retain the mark in the records until notified that the student is no longer a missing child. Upon notification by a law enforcement agency that the student is no longer a missing child, the School must remove the mark from the student's records in such a way that it would be impossible to tell that the records were ever marked.

The School will also immediately give notice of the fact of a missing child to the Ohio Attorney General's missing children clearinghouse. The School will also

assist parents in the case of a missing student by coordinating with the missing children clearinghouse.

Informational programs for students, parents, and community members relative to missing children issues and matters are available from the School, including information regarding the fingerprinting program. The School's informational programs are based on assistance and materials provided by the Ohio Attorney General's missing child education program.

The primary responsibility for a student's attendance at School rests with his/her parent(s) or guardian(s). Parent(s)/guardian(s) must notify the School on the day a student is absent unless previous notification has been given in accordance with school procedure for excused absences. The person in charge of admissions is also required to notify a student's parents, custodial parent, guardian, legal custodian, or other person responsible for him/her when the student is absent from school. The parent or other responsible person shall be notified by telephone or written notice shall be mailed on the same day that the student is absent. Parents or other responsible persons shall provide the School with their current home and/or work telephone numbers and home addresses, as well as emergency telephone numbers.

The procedure for absences is as follows:

1. A parent must call the School to inform the School that his/her child or children will be absent from School. This phone call should take place within the first hour that School is in session.
2. If a parent fails to call the School as prescribed in Part A, School personnel will call the parent to inform him/her of the student's absence.
3. In those cases where telephone communication could not be made, School personnel will initiate a written communication to the home of the legal guardian the day of the student's absence.

*May substitute any of the following documents for a birth certificate: 1) a passport or attested transcript showing the date and place of birth of the child; 2) an attested transcript of a birth certificate; 3) an attested transcript of a baptism certificate or other religious record showing the date and place of birth of the child; 4) an attested transcript of a hospital record showing date and place of birth, or 5) a birth affidavit.

R.O. §109.65; R.O. §.3313.96; R.C. §3313.672

253 FINGERPRINTING STUDENTS

The School recognizes the advantage to both parents and law enforcement agencies of a means of identifying children who have become lost or have been abducted. Accordingly, the School will cooperate with legal law enforcement agencies in the voluntary fingerprinting of students enrolled at the School.

DIPLOMA OR HONORS DIPLOMA.

A diploma shall be granted by The Maritime Academy of Toledo to any student to whom all of the following apply:

The student has successfully completed the Maritime Academy curriculum or the individualized education program developed for the student by The Maritime Academy. No student shall be required to remain in school for any specific number of semesters or other terms if the student completes the required curriculum early;

The student either:

- a. Has attained at least the applicable Ohio Graduation Test Scores unless the student was excused from taking any such test or
- b. Has satisfied the alternative conditions.

The student shall receive an honor diploma provided the student accomplishes all of the following:

Successfully completes the Maritime Academy curriculum or the individualized education program developed for the student by The Maritime Academy.

The student either:

- a. Has attained at least the applicable Ohio Graduation Test Scores unless the student was excused from taking any such test or has satisfied the alternative conditions.
- b. Has met additional criteria established by the state board for the granting of such a diploma as follows:

An honors diploma shall not be granted to a student who is subject to the Ohio core curriculum prescribed in division (C) of section 3313.603 of the Revised Code but elects the option of division (D) or (F) of that section. Except as provided in divisions (C), (E), and (J) of this section, no honors diploma shall be granted to anyone failing to comply with this division and no more than one honors diploma shall be granted to any student under this division.

The state board shall adopt rules prescribing the granting of honors diplomas under this division. These rules may prescribe the granting of honors diplomas that recognize a student's achievement as a whole or that recognize a student's achievement in one or more specific subjects or both. The rules may prescribe the granting of an honors diploma recognizing technical expertise for a career-technical student. In any case, the rules shall designate two or more criteria for the granting of each type of honors diploma the board establishes

under this division and the number of such criteria that must be met for the granting of that type of diploma. The number of such criteria for any type of honors diploma shall be at least one less than the total number of criteria designated for that type and no one or more particular criteria shall be required of all students who are to be granted that type of diploma.

Any such district board administering any of the tests required by section 3301.0710 or 3301.0712 of the Revised Code to any student requesting to take such test pursuant to division (B)(8)(b) of section 3301.0711 of the Revised Code shall award a diploma to such student if the student attains at least the applicable scores designated under division (B) of section 3301.0710 of the Revised Code on all the tests administered and if the student has previously attained the applicable scores on all the other tests required by division (B) of that section or has been exempted or excused from attaining the applicable score on any such test pursuant to division (H) or (L) of this section or from taking any such test pursuant to section 3313.532 of the Revised Code.

Each diploma awarded under this section shall be signed by the president and treasurer of the issuing board, the superintendent of schools, and the principal of the high school. Each diploma shall bear the date of its issue, be in such form as the district board prescribes, and be paid for out of the district's general fund.

A student who is a resident of Ohio and is eligible under state board of education minimum standards to receive a high school diploma based in whole or in part on credits earned while an inmate of a correctional institution operated by the state or any political subdivision thereof, shall be granted such diploma by the correctional institution operating the programs in which such credits were earned, and by the board of education of the school district in which the inmate resided immediately prior to the inmate's placement in the institution. The diploma granted by the correctional institution shall be signed by the director of the institution, and by the student serving as principal of the institution's high school and shall bear the date of issue.

Students who are not residents of Ohio but who are inmates of correctional institutions operated by the state or any political subdivision thereof, and who are eligible under state board of education minimum standards to receive a high school diploma based in whole or in part on credits earned while an inmate of the correctional institution, shall be granted a diploma by the correctional institution offering the program in which the credits were earned. The diploma granted by the correctional institution shall be signed by the

director of the institution and by the student serving as principal of the institution's high school and shall bear the date of issue.

The state board of education shall provide by rule for the administration of the tests required by section 3301.0710 of the Revised Code to inmates of correctional institutions.

Any student to whom all of the following apply shall be exempted from attaining the applicable score on the test in social studies designated under division (B) of section 3301.0710 of the Revised Code or the test in citizenship designated under former division (B) of section 3301.0710 of the Revised Code as it existed prior to September 11, 2001:

- (1) The student is not a citizen of the United States;
- (2) The student is not a permanent resident of the United States;
- (3) The student indicates no intention to reside in the United States after the completion of high school.

Notwithstanding division (D) of section 3311.19 and division (D) of section 3311.52 of the Revised Code, this section and section 3311.611 of the Revised Code do not apply to the board of education of any joint vocational school district or any cooperative education school district established pursuant to divisions (A) to (C) of section 3311.52 of the Revised Code.

Upon receipt of a notice under division (D) of section 3325.08 of the Revised Code that a student has received a diploma under that section, the board of education receiving the notice may grant a high school diploma under this section to the student, except that such board shall grant the student a diploma if the student meets the graduation requirements that the student would otherwise have had to meet to receive a diploma from the district. The diploma granted under this section shall be of the same type the notice indicates the student received under section 3325.08 of the Revised Code.

As used in this division, "limited English proficient student" has the same meaning as in division (C)(3) of section 3301.0711 of the Revised Code.

Notwithstanding division (C)(3) of section 3301.0711 of the Revised Code, no limited English proficient student who has not attained the applicable scores designated under division (B) of section 3301.0710 of the Revised Code on all the tests required by that division shall be awarded a diploma under this section.

Any student described by division (A)(1) of this section may be awarded a diploma without attaining the applicable scores designated on the tests prescribed under division (B) of section 3301.0710 of the

Revised Code provided an individualized education program specifically exempts the student from attaining such scores. This division does not negate the requirement for such a student to take all such tests or alternate assessments required by division (C)(1) of section 3301.0711 of the Revised Code for the purpose of assessing student progress as required by federal law.

Ohio Revised Code 3313.61

Effective Date: 08-15-2003; 09-16-2004; 06-30-2006; 04-04-2007

SECTION 260

STUDENT CONDUCT/RIGHTS

261 STUDENT EXPRESSION

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

- A. A material cannot be displayed if it:
 - 1. is obscene to minors, libelous, indecent, or vulgar,
 - 2. advertises any product or service not permitted to minors by law,
 - 3. intends to be insulting or harassing,
 - 4. intends to incite fighting or presents a likelihood of disrupting School or a School event.

- B. Materials may not be displayed or distributed during class periods, or during passing times between classes. Permission may be granted for display or distribution during lunch periods and after School in designated locations, as long as exits are not blocked and there is proper access and egress to the building.

See also Policy No. 265 Disorder and Demonstration and Policy No. 281 School Sponsored Publications.

262 STUDENT BILL OF RIGHTS/RESPONSIBILITIES

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

In granting students the education to which they are entitled, the Board shall provide them with the nurture, counsel, and custodial care appropriate to their age and maturity. At the same time, no student shall be deprived of the basic right to equal treatment and equal access to the educational program, due process, a presumption of innocence, free expression and association, and the privacy of his/her own thoughts.

Attendant upon the rights guaranteed to each student are certain responsibilities, which include respect for the rights of others, obedience to properly constituted School authority, and compliance with the rules and regulations of the School.

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 his/her education.

A student who has reached the age of majority possesses the full rights of an adult and may authorize those School matters previously handled by his/her parents. Each student who has reached the age of majority shall assume the full responsibility for his/her performance in School, attendance and compliance with School rules and regulations.

As members of the School community, students have both rights and responsibilities described in part below.

1. All individuals are deserving of respect and acceptance. Both adults and youth at the School will exhibit respectful behavior in their speech and actions. All individuals are expected to set positive examples.
2. Students have a right to a learning environment free from physical and verbal threats and harassment. Individuals must not threaten or harass others. Neither must they cause or encourage threatening or harassment of others.
3. Students have a right to learn free from excessive distractions. Individuals must maintain behavior, including dress, vocalization, and other actions, which allows others to learn.

4. Students have a right to the ownership, possession, and respect of their property. Individuals must obtain permission before taking and/or utilizing the property of others. For exceptions, see policy no. 268 Search and Seizure. Property must be treated with care and respect.
5. Students have a right and are encouraged to ask questions when they do not understand, as long as the questions are presented respectfully and are appropriate for the setting. At times, questions may need to be deferred.
6. Students have a right to disagree with statements and policies affecting them as long as the students' positions are stated respectfully and in a way which does not disrupt the functioning of the class. Disagreement does not mean that statements and policies affecting students will be changed.
7. Students have a right to obtain an explanation of rules and expected behaviors before they are accused of breaking the rules.

263 DRESS AND GROOMING

The Parent-Student Handbook and Enrollment Information details the provides detailed guidelines governing Dress Code Policies and Procedures including but not limited to:

- a. Regular school uniform (pants, shirts, shoes, socks, belts, hair, jewelry, purses, piercings, and tattoos.
- b. The Leadership Corps / US Coast Guard Uniform
- c. Dress down uniform which is to be strictly enforced as blue jeans and a logo t-shirt or logo shirt.

264 SEXUAL AND OTHER FORMS OF HARASSMENT

Students have the right to learn in an environment untainted by sexual or other forms of harassment or discrimination. Offensive conduct which has the purpose or effect of unreasonably interfering with the learning atmosphere or creating an intimidating, hostile, discriminatory, or offensive learning environment, or which disrupts the educational process or impedes the legitimate pedagogical concerns of the School, is strictly prohibited.

Sexual harassment includes all unwelcome sexual advances, requests for sexual favors, and verbal or physical contacts of a sexual nature. Other prohibited conduct includes that which has the purpose or effect of creating an intimidating, hostile, discriminatory, or offensive learning environment on the basis of gender, religion, race, color, ethnicity, disability and/or other legally protected category.

The harassment by a student of a staff member or fellow student is strictly forbidden. Any student who is found to have harassed a staff member or student will be subject to discipline.

The harassment of a student or a staff member should be reported immediately by the student or staff member to any teacher or to the Superintendent or his/her designee. Any person who receives such a report shall immediately advise the Superintendent or his/her designee or a Board member, who will investigate and take appropriate action in accordance with Board directives.

20 USC §§ 1681 et seq.; R.C. 4112.02.

264.1 ANTI-HARASSMENT, INTIMIDATION AND BULLYING POLICY

The School prohibits acts of harassment, intimidation, or bullying (including cyber-bullying) of any student on school property or at school-sponsored events. A safe and civil environment in the School is necessary for students to learn and achieve high academic standards. Harassment, intimidation and bullying, like other disruptive or violent behaviors, are conduct that disrupts both a student's ability to learn and the School's ability to educate its students in a safe environment. Since students learn by example, school administrators, faculty, staff and volunteers should be commended for demonstrating appropriate behavior, treating others with civility and respect, and refusing to tolerate bullying.

Harassment, intimidation, or bullying means any deliberate or intentional gesture, or any deliberate or intentional written, verbal, or physical act or threat that a student has exhibited toward another Student or Staff member and the behavior both: (1) has one or more of the following effects: (a) harming a Student or Staff member; (b) damaging a Student's or Staff member's property; (c) placing a Student or Staff member in reasonable fear of harm to the Student's or Staff member's person; (d) placing a Student or Staff member in reasonable fear of damage to the Student's or Staff member's property; and (2) is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for a Student or Staff member.

The School prohibits acts of cyber-bullying, which is a sub-set of bullying and involves the use of information and communication technologies, including but not limited to e-mail, cell phone and pager text messages, blogs, MySpace, Facebook, Wikipedia, Bebo, the Internet, Xanga, Piczo, instant messaging, defamatory personal Web sites, and defamatory online personal polling Web sites, to support deliberate or repeated, or hostile behavior by an individual or group, that is intended to harm, intimidate or harass others on School time or the School premises, at School events, programs or activities or off School time or School premises if such acts affect other Students or Staff of the School.

The School reserves the right to discipline students' off campus behavior which substantially disrupts the School's educational process or mission, or threatens the safety or well-being of a Student or Staff member. Some factors which may be considered in determining whether the behavior warrants discipline include, but are not limited to, the following: (1) whether the behavior created material and substantial disruption to the educational process or School's mission due to the stress on the individual(s) victimized or

the time invested by Staff in dealing with the behavior or its consequences; (2) whether a nexus to on-campus activities exists; (3) whether the behavior creates a substantial interference with a Student's or Staff member's security or right to educate and receive education; (4) whether the behavior invades the privacy of others; or (5) whether any threat is deemed to be a true threat by the administration or Board, using factors and guidelines set out by the courts or by common sense, reasonable person standards.

Some acts of harassment, intimidation, bullying and cyber-bullying may be isolated incidents requiring that the school respond appropriately to the individuals committing the acts. Other acts may be so serious or part of a larger pattern of harassment, intimidation, bullying or cyber-bullying that they require a response either at the classroom, School building or by law enforcement officials. Consequences and appropriate remedial actions for students who commit an act of harassment, intimidation, bullying or cyber-bullying range from positive behavioral interventions up to and including suspension or expulsion.

All School employees, volunteers and students are required to report prohibited incidents of which they are aware to the Superintendent or his/her designee. The Superintendent or his/her designee is then responsible for determining whether an alleged incident constitutes a violation of this policy. In so doing, the Superintendent or his/her designee shall conduct a prompt, thorough and complete investigation of the reported incident, and prepare a report documenting the prohibited incident that is reported (See attached Form for Reporting Incidents of Harassment Intimidation and Bullying at **Appendix G**). Once an investigation is completed, and the reported incident has been substantiated, the parent or guardian of any student involved in the prohibited incident shall be notified and to the extent permitted by R.C. § 3319.321 and the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. 1232g) have access to any written reports pertaining to the prohibited incident. The School will maintain, via the education management information system, information regarding the number of incidents of harassment of Students against other Students, in each building and School-wide, that violates this policy. All School employees, volunteers and Students shall be individually immune from liability in a civil action for damages arising from reporting an incident in accordance with this policy.

The School prohibits reprisal or retaliation against any victim or person who reports an act of harassment, intimidation or bullying. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the

Superintendent or his/her designee after consideration of the nature and circumstances of the act, in accordance with School policies and procedures.

Nothing in this policy prohibits a victim from seeking redress under any provision of Ohio law that may apply.

The School may form a prevention task force and/ or programs to educate students about this policy, such as holding an assembly on harassment, intimidation and bullying for Parents and Students, to raise the level of awareness and help prevent the prohibited conduct. The School may also provide training, workshops, or courses on this policy to school employees and volunteers who have direct contact with students.

R.C. §§ 3301.0714(B)(1)(p); 3313.666, 3313.667

See also Policy No. 306.2 Definition of Harassment.

264.2 ANTI-HAZING POLICY

The School prohibits all acts of hazing. Hazing, like other violent and disruptive behaviors, is conduct that disrupts both a student's ability to learn and the School's ability to educate its students in a safe and civil environment.

Hazing or hazing activity means doing any act or coercing another, including the victim, to do any act of initiation into any student or other organization that causes or creates a substantial risk of causing mental or physical harm to any person. For purposes of this Anti-Hazing policy, mental harm means mental stress, anxiety, physical injury, sickness, injury to feelings, humiliation, mental anguish, and/or depression, connected to and arising from the hazing activity. Permission, consent or assumption of risk by an individual subjected to hazing does not lessen the prohibition contained in this policy.

Hazing activities of any type are inconsistent with the educational process and are prohibited at all times, regardless of whether the activity occurs on or off of property owned, used or controlled by the School, so long as the hazing activity is in any way connected to the activities or incidents that have occurred on property owned, used or controlled by the school. This policy will be actively enforced at all times.

Hazing is a violation of School policy separate and distinct from harassment or other prohibited conduct. No student, including leaders of student organizations, may plan, encourage or engage in any hazing activity. Students having engaged in hazing activity and who fail to abide by this policy are subject to disciplinary action including suspension, expulsion, removal or permanent exclusion as set forth elsewhere in this policy manual, and may be liable for civil and criminal penalties pursuant to State law.

Staff are to be particularly alert to possible conditions, circumstances or events, which might include hazing. If hazing or planned hazing is discovered, involved students are informed by the discovering Staff member of the prohibition contained in this policy and are required to end all hazing activities immediately. All hazing incidences are reported immediately to the Superintendent or his/her designee.

No Staff shall encourage, permit, condone or tolerate any hazing activities, and Staff who fail to abide by this policy may be subject to disciplinary action and may be liable for civil and criminal penalties pursuant to State law.

R.C. 2307.44, 2903.31; 3313.661

264.3 GANG ACTIVITY POLICY

Gangs which initiate advocate or promote activities which threaten the safety or well-being of persons or which are disruptive to the School environment will not be tolerated by the School. The Board believes gangs or gang activity create an atmosphere where violations of School policies and regulations as well as laws may occur.

Incidents involving initiations, hazing, intimidations and/or related activities of such group affiliations which are likely to cause bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm to Students or Staff are prohibited.

The Board directs the administration to prohibit any Student wearing, carrying or displaying gang paraphernalia or exhibiting behavior or gestures which symbolize gang membership or causing and/or participating in activities which intimidate or affect the attendance of another student. Such behaviors will be subject to disciplinary action.

The Staff shall be provided with the necessary information that will enable them to identify symbols used by those involved in gang-related activities which include things such as hand signals, symbols, colors, apparel, jewelry and/or any other pertinent gang related information.

265 DISORDER AND DEMONSTRATION

The School recognizes the right of each Student to attend School for the purpose of receiving an education. The disruption of the educational program of the School by disorder or any other purposeful activity will not be countenanced.

For purposes of this policy, disorder shall be any deliberate activity by an individual or a group, whether peaceful or violent, which interferes with the normal operation of the School. The School, having the responsibility for providing an educational program for the students of the School, shall have the authority to preserve order for the proper functioning of that program.

Students shall not be disturbed in the exercise of their constitutionally guaranteed rights to assemble peaceably and to express ideas and opinions, privately or publicly, provided that such exercise does not infringe on the rights of others and does not interfere with the operation of the School.

266 DRUG PREVENTION

The School recognizes that the misuse of drugs is a serious problem with legal, physical, and social implications for the whole community.

For purposes of this policy, "drugs" shall mean:

1. all controlled substances as so designated and prohibited by applicable Federal and Ohio law;
2. all chemicals which release toxic vapors;
3. all alcoholic beverages;
4. any prescription or patent drug, except those for which permission to use in school has been granted pursuant to Board policy;
5. anabolic steroids; and
6. any substance that is a "look-alike" to any of the above.

The School prohibits the use, possession, concealment, or distribution of any drug or any drug-related paraphernalia, as the term is defined by law, on School grounds, on School vehicles and vehicles used for School-sponsored events, and at any School-sponsored event.

The School's drug prevention program:

1. Emphasizes the prevention of drug use;
2. Provides for a comprehensive, age-appropriate, developmentally-based drug and alcohol education and prevention program which:
 - a. addresses the legal, social, psychological, and health consequences of drug and alcohol use;
 - b. provides information about effective techniques for resisting peer pressure to use illicit drugs and alcohol;
 - c. assists students to develop skills to make responsible decisions about substance abuse and other important health issues;
 - d. promotes positive emotional health, self-esteem, and respect for one's body;
 - e. advises students that the use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful; and
 - f. meets the minimal objectives as stated in the essential performance objectives for health education as established by the State Department of Education.

Disciplinary sanctions, up to and including expulsion and referral for prosecution, will be imposed on students who violate this Policy.

The sanctions may include, together with punitive action, voluntary referral to appropriate persons or agencies for screening and assessment. Such referral may only be made to qualified and properly licensed individuals or programs.

The School will provide information about any drug and alcohol counseling and rehabilitation and re-entry programs available to Students and will direct Students and their Parents to the appropriate programs.

This policy serves as notification to parents and students that compliance with this policy and other standards of conduct is mandatory.

The Superintendent or his/her designee will conduct a biennial review of the School's program to determine its effectiveness and implement changes as needed and to ensure that disciplinary sanctions are consistently enforced.

The School will provide a Student assistance program which includes guidelines for prevention, intervention, referral, treatment, and after-care. Such a program must be comprehensive in nature addressing all issues affecting students' academic, social, and emotional well being in the educational setting which may negatively affect behavior and interfere with their ability to learn.

The School's policies and procedures on Search and Seizure, Suspension and Expulsion, and Permanent Exclusion, among others, will be are complied with fully in dealing with students suspected of drug use or possessing or distributing drugs in School.

The School shall develop a curriculum for instruction in the harmful effects of and legal restrictions against the use of drugs of abuse, alcoholic beverages, and tobacco for students at each grade level and conduct such in-service training programs for Staff members necessary to ensure effective teaching about drugs and assistance to Students with drug problems.

The Superintendent or his/her designee shall establish administrative guidelines necessary to implement this policy. Such guidelines shall ensure that the proper notice regarding the use of anabolic steroids is posted in all School locker rooms used by students in grades 7- 12, as applicable.

21 USC § 806.

267 PREGNANT STUDENTS

No student, whether married or unmarried, who is enrolled in the School shall be denied an educational program solely because of pregnancy, childbirth, pregnancy-related disabilities, or actual or potential parenthood.

The School reserves the right to require as a prerequisite for attendance in the regular classes of the School and the co-curricular and extra-curricular programs of the School that each pregnant student present to the Superintendent or his/her designee her physician's written statement that such activity will not be injurious to her health nor jeopardize her pregnancy.

268 SEARCH AND SEIZURE

The School recognizes that the privacy of students may not be violated by unreasonable search and seizure and directs that no student be searched without reason or in an unreasonable manner.

The School acknowledges the need for in-School storage of student possessions and shall provide storage places, including desks and lockers, for that purpose. Where locks are provided for such places, students may lock them against incursion by other students, but in no such places shall students have such an expectation of privacy as to prevent examination by a School official. The Board may require the Superintendent or his/her designee to conduct a regular search at least annually of all such storage places.

Students have no expectation of privacy with respect to the use of the internet, intranet or e-mail. Routine maintenance and monitoring of the School network system may lead to the discovery that a student has or is violating School policy or the law. Violations of School policy, the student code of conduct or the law may result in severe penalties, up to and including expulsion.

School authorities are charged with the responsibility of safeguarding the safety and well-being of the students in their care. In the discharge of that responsibility, School authorities may search the person or property, including vehicles, of a student, with or without the student's consent, whenever they reasonably suspect that the search is required to discover evidence of a violation of law or of School rules. Specifically:

Search and Seizure of Property:

1. School lockers, desks, and property are on loan to the students and remain the property of the School. They may be inspected and reclaimed at any time.
2. Students must not keep prohibited items, including drugs, drug paraphernalia, firearms, explosives, and property belonging to others within their lockers, backpacks or desks.
3. Students must open their lockers at the request of School officials.
4. When on School grounds, students and their personal property may be searched if a school official has grounds to believe the search may turn up evidence that the student has violated or is violating the law or School rules.
5. A student shall have the opportunity to be present during the search of his/her locker, desk, or other property unless the student is absent from

School or the safety or welfare of the School or an individual necessitates a search during the student's absence.

The search of a student's person or intimate personal belongings shall be conducted by the Superintendent or his/her designee. This person should be of the student's gender and conduct the search in the presence of another staff member of the same gender. However, no strip searches may be conducted by School personnel.

This authorization to search shall also apply to all situations in which the student is under the jurisdiction of the School.

Administrators are authorized to arrange for the use of a breath-test instrument for the purpose of determining if a student has consumed an alcoholic beverage. It is not necessary for the test to determine blood-alcohol level, since the School has established a zero tolerance for alcohol use.

The School also authorizes the use of canines, trained in detecting the presence of drugs, when the Superintendent or his/her designee has reasonable suspicion that illegal drugs may be present in the School. This means of detection shall be used only to determine the presence of drugs in locker areas and other places on School property where such substances could be concealed. Canine detection must be conducted in collaboration with law enforcement authorities or with organizations certified in canine detection and is not to be used to search individual students unless a warrant has been obtained prior to the search.

The Superintendent or his/her designee shall be responsible for the prompt recording in writing of each student search, including the reasons for the search; information received that established the need for the search and the name of informant, if any; the persons present when the search was conducted; any substances or objects found; and the disposition made of them. The Superintendent or his/her designee shall be responsible for the custody, control, and disposition of any illegal or dangerous substance or object taken from a student.

U.S. Const. Amend. IV, XIV; Oh. Const. Art. 1 §14.

269 USE OF TOBACCO ON SCHOOL PREMISES

The use of tobacco presents a health hazard which can have serious consequences both for the user and the nonuser and is, therefore, of concern to the School.

For purposes of this policy, "use of tobacco" shall mean all uses of tobacco, including a cigar, cigarette, pipe, snuff, or any other matter or substances that contain tobacco.

In order to protect students and staff who choose not to use tobacco from an environment noxious to them, and because the School cannot, even by indirection, condone the use of tobacco, the School prohibits the use of tobacco in School buildings and School vehicles at all times. "School buildings" includes buildings owned, leased or used by the School, and "School vehicles" includes vehicles owned, leased, used or operated by the School.

20 U.S.C. 6081-6084; R.C. 3313.751; Revised Code Chapter 3794.

USE OF TOBACCO

The Maritime Academy of Toledo is a 100% Tobacco-Free School Campus
Rationale

The TMAT School Board of Education in an effort to protect and promote the health and well-being of all students and staff, aware of the serious health risks associated with the use of tobacco products to users and non-users, and recognizing that district personnel and school visitors serve as role models to students, adopts this 100% Tobacco-Free School Campuses Policy.

Definition

For the purpose of this policy "tobacco" is defined to include spit and spit-less tobacco and all lighted or unlighted cigarette, cigar, pipe, or other smoking products.

Tobacco Use Prohibited

No student, staff member, volunteer, or school visitor is permitted to use tobacco in any form at any time including non-school hours in or on TMAT property, including;

- In any building, facility, or vehicle owned, leased rented or chartered; or
- On school grounds, athletic grounds or parking lots.

Additionally, no student is permitted to possess tobacco products or tobacco paraphernalia on any school property.

Tobacco Promotion Prohibited

Tobacco advertising is prohibited on school grounds, in or on all school property including school vehicles, in all school-sponsored publications, at all school-sponsored events, and any other publication or event under the control of TMAT.

Notice

Appropriate signage indicating that tobacco use is not permitted is posted throughout TMAT's School property and the entire school campuses including at entrances and other appropriate locations on all academic buildings, administrative spaces, athletic fields, parking lots, and school vehicles. Students will be provided notice of this policy through student handbooks and district personnel will be provided notice of this policy through personnel handbooks.

Educational Reinforcement

Tobacco-use prevention education should be coordinated with the other components of the school health program.

DISCIPLINARY ENFORCEMENT

Disciplinary measures taken against students and staff for violations of this policy need to comply with requirements of Ohio law, related district polices, and contractual agreements.

Disciplinary actions may be taken against school visitors found in violation of this policy and may include a verbal notification of the policy for the first offense, and removal from the school property or school activity if off-campus for a subsequent offense.

Legal References: Ohio Revised Code: 3313.20; 3313.47; 3313.751; 3791.031; 3794.01

SECTION 270

STUDENT DISCIPLINE/ PROCEDURE

271 STUDENT CODE OF CONDUCT

For detailed a description of the Student Code of Conduct see the Parent/Student Handbook and Staff Handbook.

271.1 STUDENT BEHAVIORS

For detailed policies and procedures governing student behavior refer to the Parent- Student Handbook Code of Conduct.

Students know that they are expected to:

1. Follow school rules
2. Arrive to school and class on time
3. Follow the directions of teachers and school authorities
4. Show respect for the teacher and for other students in the classroom
5. Come to class prepared to work
6. Wear helmets when riding their bicycles to and from school
7. Stay on task for the class period
8. Comply with the classroom rules as described by each teacher

Students may not:

1. Have any weapon or dangerous object
2. Have or sell drugs or drug paraphernalia, tobacco, alcohol or other controlled or dangerous substances or intoxicants
3. Fight, harm, threaten, harass, or intimidate anyone
4. Damage or take property of others
5. Act in a way or wear or carry any item that is obscene, profane, unsanitary, offensive, degrades others or promotes violation of laws or school rules
6. Defy school authorities
7. leave the school or campus without permission
8. Cheat or falsify documents
9. Disrupt a class or school activity
10. participate in any gambling activity
11. Carry pagers, headsets, or other electronic communication services
12. Skip school or be late to class

271.2 ZERO TOLERANCE

Maritime Academy of Toledo has established strong safety policies, including zero tolerance for furnishing controlled substances, possession of weapons, threatening and/or causing physical injury to others, and using profanities. This zero tolerance applies to actions by staff, students, parents, and the community.

Students, employees, parents and the community are urged to contact the school immediately if there is any information about: real or fake weapons carried by students; drug use or drug trafficking on our campus; threats of violence made by students or adults; stolen equipment; and continual bullying. All calls remain anonymous.

Regardless of where violations occur, a student may be suspended or expelled if the misconduct is directed at a Maritime Academy of Toledo official or employee or the property of Maritime Academy of Toledo official or employee. A student may be suspended or expelled if the student's misconduct occurs off of property that is owned or controlled by the School, but is connected to activities or incidents that have occurred on property that is owned or controlled by Maritime Academy of Toledo.

272 SCHOOLS AND LAW ENFORCEMENT AGENCIES

It is desirable and advisable that the School maintain a good relationship with police, the Court, parole officers, Children's Services Board, and other agencies that deal with the public welfare, insofar as it benefits and protects the student, the School, personnel, School property, and the home.

Whenever a law enforcement officer (including police, parole, children's services, Board or other agency representative) calls at the School in the performance of duty, the officer shall, upon arrival, be required to:

1. contact the proper school official;
2. produce satisfactory personal identification indicating the source of authority; and
3. state the purpose of business with the School.

In cases where the officer requests permission to question a student during School hours, the Superintendent or his/her designee shall first contact the parent or guardian for permission to question the student, and the parent or guardian shall be given the opportunity to be present during the questioning. The student shall then be called to the office for the interview.

The Superintendent or his/her designee shall remain present during the questioning, to represent the best interests of the School, and may facilitate the interview or otherwise assist the student and parent or guardian if it seems advisable.

If the parent or guardian gives permission for the interview to take place, but cannot be present, or waives that right, then the Superintendent or his/her designee must be present to facilitate the interview or otherwise assist the student to the best of their ability. The student may specifically request another counselor or teacher to be present also.

If the parent or guardian refuses permission to question the student during School hours, or cannot be contacted, the officer shall be informed of this, and the student shall not be called to the office for the interview.

In any case in which the officer wishes to take the student from School premises for questioning, permission from the parent or guardian to release the student to the officer shall be secured by the Superintendent or his/her designee. However, if the officer actually arrests the student for the commission of a crime, the student is to be released, even though the parents or guardians cannot be reached for notification; or having been reached, refuse consent.

Notwithstanding anything to the contrary in this policy, if a student is being questioned as a potential victim, and the officer states that law enforcement feels it inadvisable or inappropriate to contact a parent or guardian, or have a parent or guardian present, the school will comply with the law enforcement officer and allow questioning of the student at the direction of the officer.

Statutory regulations concerning the rights of students as citizens shall be observed at all times and complied with by both law enforcement and school officials. Students are entitled to full protection under the law.

All types of officers and agency representatives shall be required to follow the procedures described in this Policy.

273 EXPULSION AND SUSPENSION POLICIES

The Superintendent or his/her designee may suspend a student for up to ten (10) school days. The Superintendent may expel a student for up to eighty (80) school days and in some instances, one (1) year.

In the event that, in the opinion of the Superintendent or his/ her designee, a student's presence at the School creates a health risk, presents a danger to other persons or property or seriously disrupts the functions of the School, the student may be removed from the premises without formal suspension or expulsion procedures with notice and procedures to follow the removal in accordance with R.C. §3313.66.

A student shall be expelled for one (1) year for bringing a firearm to the School or onto School Property (any Property owned, used or leased by the School for School, School extracurricular or School-related events).

A student may also be expelled for a period not to exceed one (1) year for:

1. bringing a firearm to an interscholastic competition, an extracurricular event, or any other School program or activity that is located at a School or on School Property;
2. bringing a knife to the School, onto School Property or to an interscholastic competition, an extracurricular event or any other program or activity sponsored by the School or which the School is a participant;
3. possessing a firearm or knife at School, on School Property, or at an interscholastic competition, an extracurricular event, or any other School program or activity which firearm or knife was initially brought onto School Property by another person;
4. committing an act that is a criminal offense when committed by an adult that results in serious physical harm to persons or serious physical harm to property;
5. making a bomb threat to a School building or to any premises at which a School activity is occurring at the time of the threat.

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

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

A knife is defined as any cutting instrument consisting of at least one sharp blade.

The specific circumstances under which the Superintendent may modify a one (1) year expulsion could include:

1. a recommendation from the group of persons knowledgeable of the student's educational needs in accordance with The Individual with Disabilities Education Act;
2. the student was unaware that s/he was possessing a firearm or knife;
3. the student did not understand that the item s/he possessed was considered a firearm or knife;
4. the student brought the item to School as part of an educational activity and did not realize it would be considered a firearm or knife; and
5. the student may be eligible for participation in an alternative program.

A student may be expelled for up to eighty (80) days for serious misconduct or rules violations, or for other just cause.

During the period of suspension, removal, or expulsion the student may not attend or participate in any School functions without permission from the Superintendent.

The student may enter School facilities only when given permission by the Superintendent or if accompanied by a parent or guardian who accepts responsibility for the student's actions and/or behavior at the facility.

While serving an out-of-school suspension or expulsion, the Board [0 does or 0 does not] authorize students to receive instructional services from the School. Students may be authorized to receive instructional services from the School.

The Board also authorizes the Superintendent to suspend a student from any or all co-curricular or extra curricular activities for misconduct or rules violations. The length of suspension shall be determined by the Superintendent commensurate with the seriousness of the student's misconduct or rules violations in accordance with the Code of Conduct. Participation in extra-curricular activities is a privilege and not a right. Accordingly, students prohibited from participating in all or part of any extra-curricular activity, are not entitled to notice, hearing or appeal rights.

If the Superintendent determines that a student's behavior on a School vehicle violates School rules, s/he may suspend the student from School bus riding privileges for the length of time deemed appropriate for the violation and remediation of the behavior.

The Board authorizes the Superintendent the option to require a student to perform community service in conjunction with, or in place of a suspension or expulsion, except when an expulsion is imposed for bringing a firearm to School or onto School Property.

The Board designates the Superintendent or his/her designee as its representative at all hearings regarding the appeal of a suspension. The Board will hear the appeal of an expulsion.

The Superintendent shall be responsible for implementing this policy and ensuring compliance with applicable laws.

A copy of this Policy is to be posted in common areas of the School and made available to students and parents upon request.

Due Process Rights Suspension

The following procedure does not apply to in-school suspensions. The Superintendent may suspend a student if the following procedure is met:

1. Prior to the imposition of the suspension, a written Notice of Intent to suspend will be given to the student, which contains the following:
 - a. The reasons for the intended suspension; and
 - b. If the suspension is based on one of the serious criminal offenses for which permanent exclusion is allowed, and if the student is age 16 or older, the notice must also indicate the possibility that the Superintendent may seek permanent exclusion.
2. The student must be allowed an informal hearing before the Superintendent or his/her designee to challenge the reasons for the intended suspension or otherwise explain his actions. The student is not entitled to call witnesses at this informal hearing.

3. Within one school day after the suspension is imposed, the Superintendent or his/her designee shall provide written notification to the parent, guardian, or custodian of the student and the treasurer of the Board of Education of the suspension. The notice must contain the following:
 - a. The reasons for the suspension;
Notification of the right to appeal to the Board of Education or its designee. The intent to appeal must be in writing and received by the Board of Superintendents within 14 days after receiving the notice.
 - b. The right to representation at all appeals;
 - c. The right to a hearing before the Board or its designee; and
 - d. The right to request that the hearing be held in executive session.

If the suspension is based on one of the serious criminal offenses for which permanent exclusion is allowed, and the student is age 16 or older, the notice must also indicate the possibility that the Superintendent may seek permanent exclusion.

Suspensions imposed during the last ten days of the school year may be carried over into the following school year. However, only the Superintendent may impose a carryover suspension.

Expulsion

Only the Superintendent may expel a student. The following procedure is required:

1. Prior to the imposition of the expulsion, the Superintendent must provide not only the student, but also the parent, guardian, or custodian written notice of his intention to expel. The notice must include the following:
 - a. The reasons for the intended expulsion; and
 - b. The time and place for a hearing, which must be not less than three nor more than five school days after giving the notice, unless the period is extended by the Superintendent at the request of the student, his parent, custodian, guardian or representative. The parent, guardian, or custodian must be sent written notice of any extension, and the subsequent notice should contain the same information required in the original notice.
 - c. If the student is age 16 or older and the expulsion is for one of the serious criminal offenses for which permanent exclusion is allowed, the notice must also indicate the possibility that the Superintendent may seek permanent exclusion.
2. A hearing must be scheduled not less than three or more than five school days after giving the notice, for the student and his parent, guardian, custodian or representative to appear in person before the Superintendent to challenge the reasons for the expulsion or otherwise explain his/her actions.

3. Within one school day after the expulsion is imposed, the Superintendent shall provide written notification to the parent, guardian, or custodian of the student and the treasurer of the Board of Education of the expulsion. The notice must include the following:
 - a. The reasons for the expulsion;
 - b. Notification of the right to appeal to the Board of Education or its designee. The intent to appeal must be in writing and received by the Board of Superintendents within 14 days after receiving the notice.
 - c. The right to representation at all appeals;
 - d. The right to an appeal hearing before the Board or its designee;
 - e. The right to request that the hearing be held in executive session;
 - f. If the expulsion is based on one of the serious criminal offenses for which permanent exclusion is allowed, and the student is age 16 or older, the notice must also indicate the possibility that the Superintendent may seek permanent exclusion;
 - g. When the Superintendent expels a student for more than twenty days or for any period of time extending into the next semester or school year, the School shall provide, along with this notice, the student and his parent, guardian or custodian with information about services or programs offered by public and private agencies that work toward improving those aspects of the student's attitudes and behaviors that contributed to the incident giving rise to the expulsion. The information must include names, addresses, and phone numbers or the appropriate public and private agencies.

During the period of expulsion, the School may, but is not required to, continue educational services in an alternative setting.

The Superintendent is required to follow through on expellable offenses even if the student in question withdraws from the School prior to the hearing or the Superintendent's decision.

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

RC 3313.66-.662; 3321.13(B)(4); 4510.32(B); 20 USC 7151(b)(1); NCLB 4141(b)(1).

274 PERMANENT EXPULSION OF NON-DISABLED STUDENTS

In accordance with the law, the Board may seek to permanently exclude a student, sixteen (16) years of age or older, who has been convicted of or adjudicated delinquent for the reason of the following offenses:

1. carrying a concealed weapon or conveying or possessing a deadly weapon or dangerous ordinance on property owned or controlled by the Board or at an activity held under the auspices of this Board;
2. possessing, selling, or offering to sell controlled substances on property owned or controlled by the Board or at an activity under the auspices of this Board; and
3. complicity to commit any of the above offenses, regardless of where the complicity occurred.

In accordance with law, any student, sixteen (16) years of age or older, who has been convicted or adjudicated delinquent for committing the following offenses may be subject to permanent exclusion:

- A. rape, gross sexual imposition or felonious sexual penetration;
- B. murder, manslaughter, felonious or aggravated assault; and
- C. complicity to commit offenses described in paragraphs A and B, regardless of where the complicity occurs.

The above statement of policy on permanent exclusion is to be posted in a central location in each School facility as well as made available to students, upon request.

If the Superintendent has adequate evidence that a student, sixteen (16) years old or older at the time of the offense, has been convicted of or is an adjudicated delinquent resulting from any of the above offenses, s/he shall submit a written recommendation to the Board that the student should be permanently excluded from the public School by the State Superintendent of Public Instruction. The recommendation is to be accompanied by the evidence, other information required by statute, and the name and position of the person who should present the School's case to the State Superintendent. The Board, after considering all the evidence, including the hearing of witnesses, shall take action within fourteen (14) days after receipt of the Superintendent's recommendation.

If the Board adopts the resolution, the Board shall submit it to the State Superintendent, together with the required documents and the name of the person designated by the Board as its representative to present the case to the State Superintendent. A copy of the resolution shall be sent to both the student and his/her parents.

If the Board fails to pass the resolution, it shall so notify the Superintendent, in writing, who, in turn, shall provide written notification of the Board's action to both the student and his/her parents.

If the State Superintendent rejects the Board's request, the School shall re-admit the student in accordance with statute and Board guidelines. If the State Superintendent acts on the Board's request, his/her actions and those of the School shall be in accord with the procedures described in Ohio Revised Code §3313.66.

R.C. 3313.662

275 SUSPENSION/ EXPULSION OF DISABLED STUDENTS

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

Removals of Not More Than 10 Days- The 10-Day Rule

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

Removals of More than 10 Days - Change of Placement

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

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

Manifestation Determination Review (“MDR”)

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

The MDR is not required for disciplinary removals that do not constitute a change of placement, that is, less than 10 school days per incident or a series of removals accumulating to more than 10 school days in one school year that do not constitute a pattern.

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

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

- conduct a functional behavior assessment and implement a behavior intervention plan for the student, unless the School conducted a functional behavior assessment prior to the manifestation determination;
- if the IEP team already developed a behavior intervention plan, it must review and modify the plan as necessary to address the behavior; and
- return the student to the placement from which he/she was removed, 45-day rule exception applies.

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

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

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

School personnel may remove a student to an IAES for up to 45 school days, without a prior MDR or IEP meeting, when a student:

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

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

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

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

Due Process Complaint

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

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

During any due process proceedings, the student's placement, through a disciplinary action, must not change unless the parents/guardians and the School agree otherwise, or upon admissions to the School and parent/guardian consent. The School may change the student's placement when taking disciplinary actions that constitute a change of placement against students with disabilities, or students who may be eligible for IDEA services.

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

SECTION 280

STUDENT ACTIVITIES

281 SCHOOL SPONSORED PUBLICATIONS

The School may sponsor student publications as a means for students to learn, under adult direction, the rights and responsibilities of the public expression in a free society.

Such publications also play a vital role in the School's program by:

1. presenting students and the School to the community;
2. serving as a public relations media;
3. developing skills in communicating via the mass media; and
4. developing acceptable methods for preserving the constitutional provision of free speech.

In sponsoring a student publication, the School is mindful of the fact that it could be available to any student attending the School, and must, therefore, generally be suitable for all students.

Issues on which opposing points of view have been promulgated by responsible opinion may be introduced in a School sponsored publication provided equal opportunity is given to present each view and provided further that the material generally is acceptable to this community.

Advertising may be permitted in School newspapers, yearbooks, programs, etc. which are published by student organizations. Permission must be given by the Superintendent or his/her designee.

The School reserves the right to designate and prohibit the publications or productions which are not protected by the right of free expression because they violate the rights of others. Such unprotected materials are those which:

1. are grossly prejudicial to an ethnic, religious, racial, or other delineated group;
2. libel any specific person or persons;
3. seek to establish the supremacy of a particular religious denomination, sect, or point of view over any other religious denomination, sect or point of view; and
4. advocate the use or advertise the availability of any substance or material which may reasonably be believed to:
 - a. constitute a direct and substantial danger to the health of students;

- b. contain obscenity or material otherwise deemed to be harmful to impressionable students who may receive them; and
- c. incite violence, advocate the use of force or urge the violation of law or school regulations.

The School also prohibits publications and productions which:

1. fail to identify the student or organization responsible for distribution; and
2. solicit funds for non-school organizations or institutions when such solicitations have not been approved by the Board.

The decision as whether or not something is published or produced shall be made by the advisor with appeal to the Superintendent or his/her designee.

282 FIELD TRIPS

The School recognizes that field trips, when used for teaching and learning integral to the curriculum, are an educationally sound and important ingredient in the instructional program of the School. Properly planned and executed field trips should:

1. supplement and enrich classroom procedures by providing learning experiences in an environment outside the School;
2. arouse new interests among student;
3. help students relate School experiences to the reality of the world outside of School:
4. bring the resources of the community - natural, artistic, industrial, commercial, governmental, educational - within the student's learning experience;
5. afford students the opportunity to study real things and real processes in their actual environment.

For purposes of this policy, a field trip shall be defined as any planned journey by one or more students away from the School premises, which is under the supervision of a professional staff member and an integral part of a course of study.

Other School-sponsored trips shall be defined as any planned, student-travel activity which is approved as part of the School's total educational program.

The Superintendent or his/her designee shall approve all trips before taken.

Students may be charged fees for School-sponsored trips but no student shall be denied participation for financial inability, nor shall nonparticipation be penalized academically.

Students on all School-sponsored trips remain under the supervision of the School and are subject to the School's administrative guidelines and policies.

The Board does not endorse, support, or assume liability in any way for any staff member, volunteer, or parent of the School who takes students on trips not approved by the Superintendent or his/her designee. No staff member may solicit students of the School for such trips within the facilities or on the School grounds of the School without permission from the Superintendent or his/her designee. Permission to solicit neither grants nor implies approval of the trip. Such approval must be obtained in accordance with the School's Policies.

The School sets forth these guidelines for the operation of both educational and other School-sponsored trips, including athletic trips, which shall ensure the

safety and well-being of students, proper planning and follow-up, supervision and the expected behavior of the students.

A copy of each student's Emergency Medical Authorization Form should be in the possession of the staff member in charge on each trip.

A staff member shall not change a planned itinerary while the trip is in progress, except where the health, safety, or welfare of the students in his/her charge is imperiled or where changes or substitutions beyond his/her control have frustrated the purpose of the trip.

In any instance in which the itinerary of a trip is altered, the professional staff member in charge shall notify the administrative superior immediately.

**EQUAL ACCESS FOR NON-SCHOOL SPONSORED STUDENT
CLUBS
AND ACTIVITIES**

The Board will not permit the use of School facilities by non-School-sponsored student clubs and activities or School-sponsored, non-curriculum-related clubs and activities during instructional hours. During non-instructional time, to the extent allowed by any owner, landlord or lease of the School or School property, students shall be allowed an opportunity to meet, regardless of the size of the group and regardless of the religious, political, philosophical, or other content of the activity. The Board will not permit the organization of a fraternity, sorority, or secret society. The Board reserves the right to deny all non-school sponsored clubs or activities during non-instructional times.

284 STUDENT EMPLOYMENT

The Board believes that attendance at School should occupy a student's full attention and should take precedence over non-school-related employment.

If a student must work while attending School, s/he should receive counseling and assistance in seeking appropriate job opportunities and in correlating work schedules with School studies and activities. The Superintendent or his/her designee should monitor any non-school related employment in order to determine the effects on School performance.

The Superintendent or his/her designee shall prepare guidelines which will ensure that all students employed in out-of-school jobs are monitored by staff regarding School attendance and achievement in order to determine the effects on School performance of the student assuming out-of-school work commitments.

SECTION 290

MISCELLANEOUS STUDENT POLICIES

291 BOY SCOUTS AND PATRIOTIC YOUTH GROUPS

The School shall not discriminate against the Boy Scouts or the other patriotic youth groups designated in Title 36 of the United States Code in providing access to any designated open or limited public forum that are a part of or controlled by the School.

20 U.S.C. §7905(b)(1); NCLB §9525(b)(1)

292 MATERIALS REGARDING SEXUAL ACTIVITY

The School shall not develop or distribute materials or operate programs or courses of instruction that are designed to promote or encourage sexual activity, whether homosexual or heterosexual.

20 U.S.C. §7906(a)(1); NCLB §9526(a)(1)

292.1 OBSCENE MATERIALS

The School shall not distribute or aid in the distribution of legally obscene materials.

20 U.S.C. §7906(a)(2); NCLB §9526(a)(2)

292.2 SEX EDUCATION

Any sex education or HIV prevention program provided by the School shall be appropriate for the age of the students receiving such instruction and shall include instruction on the health benefits of abstinence.

20 U.S.C. §7906(a)(3); NCLB §9526(a)(3)

292.3 CONTRACEPTIVES

The School shall not distribute contraceptives to its students.

20 U.S.C. §7906(a)(4); NCLB §9526(a)(4)

293 MILITARY RECRUITMENT AND STUDENT PRIVACY

The School will provide military recruiters with the same access to its secondary school students that the School provides to post-secondary educational institutions and employers. Upon the request of a military recruiter or institution of higher education, the School will provide access to the names, addresses and telephone listings of its secondary School students.

The School will give notice to the parents of each of its secondary School students that the student or his/her parent may request that the School not release the student's name, address and telephone listing to any military recruiter or institution of higher education without the prior written consent of a parent and the School shall comply with any such request.

20 U.S.C. § 7908(a)(1); NCLB § 9528(a)(1)

20 U.S.C. § 7908(a)(2); NCLB § 9528(a)(2)

20 U.S.C. § 7908(a)(3); NCLB § 9528(a)(3)

294 OPEN RECORD POLICY: STUDENT RECORDS AND RELEASE OF INFORMATION

For the purposes of this section, "eligible students" shall include any student who is at least eighteen (18) years of age or an emancipated minor. Parents and eligible students shall receive annual notice of their rights under this section.

Parents and eligible students have the right to inspect and review the student's education records within forty-five (45) days of the receipt of a request for access to such records. Such request must be in writing and the school shall make arrangements for access to such records and shall notify the parent or eligible student of the time and place where such records may be inspected.

Parents and eligible students have the right to request in writing an amendment of a record that they believe is inaccurate. In the event the school determines that the requested amendment will not be made, the parent or eligible student shall be informed of the reasons for such decision in writing and the school shall advise the parent or eligible student of their right to a hearing regarding the request for amendment.

The School shall not permit the release of education records or personally identifiable information contained therein, other than directory information, without the written consent of a parent. This provision does not apply to disclosures in the following circumstances:

1. to school officials who have a legitimate educational interest.
2. to officials of other schools or school systems in which the student seeks or intends to enroll, upon the condition that the student's parents be notified of the transfer, receive a copy if desired and have an opportunity for a hearing to challenge the content of the record.
3. to appropriate parties in connection with an emergency if such knowledge is necessary to protect the health and safety of the student or other individuals.

The School shall provide the Ohio Department of Education ("ODE") with personally identifiable student information under the following circumstances:

1. A testing scoring company has notified ODE that the student's written response to a question on a state achievement test included threats or descriptions of harm to the student or another person and ODE needs the information to identify the student for the purpose of alerting the School of the potential for harm;
2. The School asks ODE to verify the accuracy of the student's score on an achievement test; or
3. The student has passed all but one of the Ohio Graduation Tests (OGT) and ODE must determine whether the student satisfies the alternative requirements for a high school diploma.

The School shall provide annual notice to parents and eligible students of the school's intent to make available, upon request, "directory information". Directory information may include a student's name, address, telephone listing, date and place of birth, photograph, major field of study, participation in officially recognized activities and sports, dates of attendance, date of graduation, awards received, honor rolls, and scholarships. Such information shall not be provided to any organization for profit-making purposes. Within ten (10) days of receiving notice of the intent to disclose directory information, a parent or eligible student may object to the release of such information without prior written consent, upon notification of which the school shall not release directory information without first obtaining such consent.

20 U.S.C. § 1232g.
R.C. 3319.321
R.C. 3301.0716

295 STUDENT SURVEYS

For purposes of this section, the term "eligible students" shall include any student who is at least eighteen (18) years of age or an emancipated minor

The School shall notify parents and eligible students at least annually of the potential administration of any School-approved third party surveys and parents and eligible students shall have the right to inspect any such survey upon a reasonable request.

A student shall not be required to submit to a survey, analysis or evaluation without the prior written consent of the student's parent or an eligible student that reveals any of the following information:

1. political affiliations or beliefs of the student or the student's parent;
2. mental or psychological problems of the student or the student's family;
3. sex behavior or attitudes;
4. illegal, anti-social, self-incriminating or demeaning behavior;
5. critical appraisals of other individuals with whom respondents have close family relationships;
6. legally recognized privileged or analogous relationships, such as those of lawyers, physicians and ministers;
7. religious practices, affiliations or beliefs of the student or the student's parent; or
8. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program.)

The School shall provide notice to parents and eligible students annually of the specific or approximate dates of any such survey being administered and shall not administer any survey relating to any of the above listed information to any student for which written consent has not been received from the student's parent or the student, if an eligible student.

Additionally, the School shall provide notice to parents and eligible students at least annually of the specific or approximate dates of the administration of any survey to collect, disclose or use any student personal information for the purpose of marketing or selling the information. Parents and eligible students shall have the right to inspect the survey or other documents to be used in the collection of any such personal student information and shall have the right to opt their student out of participation in such activity.

The preceding paragraph does not apply, however, to the collection, disclosure or use of personal student information for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:

1. College or other postsecondary education recruitment, or military recruitment.
2. Book clubs, magazines, and programs providing access to low-cost literary products.
3. Curriculum and instructional materials used by elementary schools and secondary schools.
4. Tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments.
5. The sale by students of products or services to raise funds for School-related or education-related activities.
6. Student recognition programs.

20 U.S.C. § 1232h

296 BIENNIAL ASSESSMENT

The School will inform the parents of its students and the public about their ability to access the data, questions and assessment instruments required or used in the biennial assessment of the state's students pursuant to the National Assessment of Educational Progress Act as amended by the No Child Left Behind Act (if applicable).

The School will inform the parents of its students selected to participate in the biennial assessment that their children may be excused from participating in the assessment for any reason.

20 U.S.C. § 9622(c)(1)(A)

20 U.S.C. § 9622(d)(2)

297 HOMELESS CHILDREN AND YOUTH POLICY

Definitions

- A. Homeless children and youth are defined as homeless children and youth who are:
- sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason (sometimes referred to as doubled-up);
 - living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations;
 - living in emergency or transitional shelters;
 - abandoned in hospitals; or
 - awaiting foster care placement;
 - children and youth who have a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings;
 - children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
 - migratory children who qualify as homeless because they are living in circumstances described above.
 - children displaced from their housing during naturally occurring disasters:
 - When children and their families are displaced from their housing as a result of a natural disaster, there is often a period of instability in which various private organizations and local, State, and Federal agencies provide assistance. The School should determine such children's eligibility for McKinney-Vento services on a case-by-case basis. In making this determination, they should take into consideration the services that are available through these other sources.

If a child or youth's living situation does not clearly fall into the situations described above, the School should consider the relative permanence of the living arrangements. Determinations of homelessness should be made on a case-by-case basis. Incarcerated children and youth and children and youth in foster care are *not* considered homeless.

- B. Unaccompanied Youth. The term unaccompanied youth includes a youth not in the physical custody of a parent or guardian. This would include youth living in runaway shelters, abandoned buildings, cars, on the streets,

or in other inadequate housing and children and youth denied housing by their families, and school-age unwed mothers, living in homes for unwed mothers, who have no other housing available.

- C. **School of Origin.** The school of origin is the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.

School Liaisons For Homeless Children

The School liaison serves as one of the primary contacts between homeless families and school staff, district personnel, shelter workers, and other service providers. The liaison coordinates services to ensure that homeless children and youth enroll in school and have the opportunity to succeed academically.

School liaisons must ensure that:

- Homeless children and youth are identified by school personnel and through coordination activities with other entities and agencies;
- Homeless students enroll in, and have full and equal opportunity to succeed in, the School;
- Homeless children and youth and their families receive educational services for which they are eligible, including Head Start, Even Start, and preschool programs administered by the School, and referrals to health, mental health, dental, and other appropriate services;
- Parents or guardians of homeless children and youth are informed of educational and related opportunities available to their children, and are provided with meaningful opportunities to participate in the education of their children;
- Parents and guardians and unaccompanied youth are fully informed of all transportation services, including transportation to and from the school of origin, and are assisted in accessing transportation services;
- Enrollment disputes are mediated in accordance with the requirements of this policy; and
- Public notice of the educational rights of homeless students is disseminated to locations where they receive services.

In meeting these responsibilities, School liaisons must assist homeless children and youth with such activities as the following:

- Enrolling in school and accessing school services;
- Obtaining immunizations or medical records;

- Informing parents, school personnel, and others of the rights of homeless children and youth;
- Working with school staff to make sure that homeless children and youth are enrollment or placement;
- Helping to coordinate transportation services for homeless children and youth; and
- Collaborating and coordinating with State Coordinators for the Education of education and related support services to homeless children and youth.

School liaisons can identify preschool-aged homeless children by working closely with shelters and social service agencies in their area. In addition, the liaison should work with school personnel, who can inquire, at the time they are enrolling homeless children and youth in school, whether the family has preschool-aged children.

The School liaison should also collaborate with the school district special education program. The Individual with Disabilities Education Act (“IDEA”) requires that highly mobile children with disabilities, such as migrant and homeless children who are in need of special education and related services, are located, identified and evaluated. Additionally, IDEA requires that homeless preschoolers and all homeless children be included in the “Child Find” process for early identification of special education needs.

School Placement and Enrollment

The School must make school placement determinations on the basis of the “best interest” of the homeless child or youth. The School must:

- Continue the child’s or youth’s education in the school of origin for the duration of homelessness when a family becomes homeless between academic years or during an academic year; or for the remainder of the academic year if the child or youth becomes permanently housed during an academic year; or
- Enroll the child or youth in any public school that non-homeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.
- In determining a child’s or youth’s best interest, the School must, to the extent feasible, keep a homeless child or youth in the “school of origin” unless doing so is contrary to the wishes of the child or youth’s parent or guardian. If the School wishes to send a homeless child or youth to a school other than the school of origin or a school requested by the parent or guardian, the School must provide a written explanation of its decision to the parent or guardian, together with a statement regarding the right to appeal the placement decision.

If a School is selected on the basis of a “*best interest determination*”, it must immediately enroll the homeless child or youth, even if the child or youth is unable to produce the records normally required for enrollment (such as previous academic records, medical records, proof of residency, birth certificates, or other documentation). The School must immediately contact the school last attended by the child or youth to obtain relevant academic or other records. If a child or youth needs to obtain immunizations, or medical or immunization records, the School must immediately refer the parent or guardian to the School homeless liaison, who must assist in obtaining the immunizations or records. The records must be maintained so that they are available in a timely fashion when the child enters a new school or school district.

- To the extent feasible, the School must educate a homeless child or youth in his or her school of origin, unless doing so is contrary to the wishes of the parent or guardian. The placement determination should be a student-centered, individualized determination. Factors that a School may consider include the age of the child or youth; the distance of a commute and the impact it may have on the student’s education; personal safety issues; a student’s need for special instruction (e.g., special education and related services); the length of anticipated stay in a temporary shelter or other temporary location; and the time remaining in the school year.
- To Facilitate Immediate Enrollment, the following practices should be considered:

1. Train all school enrollment staff, secretaries, guidance counselors, school social workers, and principals on the legal requirements regarding immediate enrollment;
2. Review all regulations and policies to ensure that they comply with this Policy;
3. Develop affidavits of residence or other forms to replace typical proof of residency. Such forms should be carefully crafted so that they do not create further barriers or delay enrollment;
4. Develop caregiver affidavits, enrollment forms for unaccompanied youth, and other forms to replace typical proof of guardianship, so as not to create further barriers or delay enrollment;
5. Establish school-based immunization clinics or other opportunities for on-site immunizations;
6. Collaborate with community-based or public agencies to provide school uniforms within a district and among neighboring districts;
7. Accept school records directly from families and youth;
8. Contact the previous school for records and assistance with placement decisions;
9. Develop short educational assessments to place students immediately while awaiting complete academic records;
10. Inform families and youth in a language they can understand or in an accessible format, as appropriate, of their right to attend either their school of origin or local school;
11. Inform families and youth in a language they can understand or in an accessible format, as appropriate, of their right to transportation and immediate enrollment;
12. Develop clear, understandable, and accessible forms for written explanations of decisions and the right to appeal; and
13. Expediently follow up on any special education and language assistance referrals or services.

- Placement disputes between a School and a parent

If a dispute arises over school selection or enrollment, the LEA must immediately enroll the homeless student in the school in which enrollment is sought by the parent or guardian, pending resolution of the dispute. Similar provisions apply to placement of unaccompanied youth.

The School must provide the parent, guardian, or unaccompanied youth with a written statement of the school placement decision and the appeal rights. The School must refer the unaccompanied youth, parent, or guardian to the School liaison, who must expeditiously carry out the dispute resolution process.

The School should consider the following strategies for effectively resolving school enrollment disputes:

1. Disputes should be resolved at the district level rather than the school level;
2. When inter-district issues arise, representatives from all involved districts and the SEA should be present to resolve the dispute;
3. A State-level appeal process, involving the State coordinator, should be available for appeals of district-level decisions and resolution of inter-district disputes;
4. The dispute resolution process should be as informal and accessible as possible, and allow for impartial and complete review;
5. Parents, guardians, and unaccompanied youth should be able to initiate the dispute resolution process directly at the school they choose, as well as at the district or LEA homeless liaison's office;
6. States should establish timelines to resolve disputes at the local and State level;
7. Parents, guardians, and unaccompanied youth should be informed that they can provide written or oral documentation to support their position;
8. Students should be provided with all services for which they are eligible while disputes are resolved;
9. Written notice should be complete, as brief as possible, simply stated, and provided in a language the parent, guardian, or unaccompanied youth can understand. The notice should include:
 - a. Contact information for the School homeless liaison and State coordinator, with a brief description of their roles;
 - b. A simple, detachable form that parents, guardians, or unaccompanied youth can complete and turn in to the school to initiate the dispute process. (The School should copy the form and return the copy to the parent, guardian or youth for their records when it is submitted);

- c. A step-by-step description of how to dispute the School's decision;
- d. Notice of the right to enroll immediately in the school of choice pending resolution of the dispute;
- e. Notice that "immediate enrollment" includes full participation in all school activities;
- f. Notice of the right to appeal to the State if the district-level resolution is not satisfactory; and
- g. Timelines for resolving district- and State-level appeals.

Prohibition Against Segregation

Homelessness alone is not sufficient reason to separate students from the mainstream school environment. Services provided with McKinney-Vento Act funds must not replace the regular academic program and must be designed to expand upon or improve services provided as part of the School's regular academic program.

- If a State receives funds under the McKinney-Vento program, every district in that State – whether or not it receives a McKinney-Vento subgrant from its SEA – is prohibited from segregating homeless students in separate schools or in separate programs within schools, based on the child's or youth's status as homeless.
- Schools may not provide services with McKinney-Vento funds on school grounds in settings that segregate homeless children and youth from other children and youth [except as necessary for short periods of time for health and safety emergencies or to provide temporary, special, and supplementary services to meet the unique needs of homeless children and youth].

Transportation

At the request of the parent or guardian (or, in the case of an unaccompanied youth, the liaison), transportation shall be provided to or from the "school of origin" in accordance with the following requirements:

- If the homeless child or youth continues to live in the area in which the school of origin is located, that School must provide or arrange for the child's or youth's transportation to or from the school of origin.
- If the homeless child or youth continues his or her education in the school of origin but begins living in an area served by another LEA, the LEA of origin and the LEA in which the homeless child or youth is living must

agree upon a method to apportion the responsibility and costs for providing the child with transportation to and from the school of origin. If the LEAs cannot agree upon a method, the responsibility and costs for transportation are to be shared equally.

Comparable and Coordinated Services

The School must provide services to each homeless child and youth that is comparable to services offered to other students in the School. Homeless children are also entitled to participate in the regular after-school program provided by the School, and the School must address all barriers to their full participation in these programs. If no after-school programs are provided by the school or the programs provided do not meet the needs of homeless children, McKinney-Vento funds may be used for after-school services for homeless children, and for non-homeless children who are at risk of failing in, or dropping out of, school.

The School must provide comparable services to a homeless student who does not attend a Title I school. School must reserve funds for homeless children who do not attend participating Title I schools and may, for instance, provide support services to children in shelters and other locations where homeless children live. Services should be provided to assist homeless students to effectively take advantage of educational opportunities.

42 U.S.C. 11431 et seq.

Education for Homeless Children and Youth Program, Title VII-B of the McKinney-Vento Homeless Assistance Act, As Amended by the No Child Left Behind Act of 2001 Non-regulatory Guidance

298 GRANDPARENT CARETAKER POLICY

A grandparent with a grandchild living with them may enroll the grandchild in the School pursuant to the Admission and Lottery Standards Policy No. 241. Such grandparent must provide a Power of Attorney and a Caretaker Authorization Affidavit.

A. Power of Attorney

A Power of Attorney is created by a parent, guardian or custodian of any student of the school, and grants to the grandparent of the child with whom the child is residing any of the parent's, guardian's or custodian's rights or responsibilities regarding the care, physical custody and control of the child, including the ability to enroll the child in school, to obtain from the school district educational and behavioral information about the child, to consent to all school-related matters regarding the child, and to consent to medical, psychological or dental treatment for the child. A Power of Attorney does not convey legal custody of the grandchild to the grandparent and does not affect the rights of a parent, guardian or custodian in any future proceedings.

B. Caretaker Authorization Affidavit

A Caretaker Authorization Affidavit may be executed by a grandparent who has made reasonable attempts to locate and contact both of the child's parents or the child's guardian or custodian, but has been unable to do so. The Caretaker Authorization Affidavit gives the grandparent the authority to exercise care, physical custody and control of the child, including authority to enroll the child in school; discuss with the school the child's educational progress; consent to all school-related matters regarding the child; and consent to medical, psychological or dental treatment for the child.

C. The execution of a Power of Attorney or Caretaker Authorization Affidavit for the purpose of enrolling the child in a school or school district so that the child may participate in the academic or inter-scholastic athletic programs provided by the school or school district is prohibited. Such falsification is a first degree misdemeanor, and voids the Power of Attorney or Caretaker Authorization Affidavit.

D. Both the Power of Attorney and the Caretaker Authorization Affidavit terminate after the following events:

- expiration of one year after execution;
- termination of the child's residence with the grandparent;
- termination by the court; or
- death of the grandparent.

R.C. 3109.52; 3109.65

299 CONSTITUTION DAY

On September 17th, 1787, the U.S. Constitution was signed. Thus, on September 17th of each year, the School shall hold an educational program pertaining to the United States Constitution, which shall be designated as Constitution Day and Citizenship Day (“Constitution Day”). Unless September 17 falls on a weekend or holiday, the program must be held on that date; otherwise, the program will be held the week prior to or after September 17th.

Consolidated Appropriations Act, 2005, Division J of Pub. L. 108-447, 118 Stat. 2809, 3344-45 (Section 111).

SECTION 3:
STAFF POLICIES/HANDBOOK

301 THE EMPLOYEE HANDBOOK

Refer to Employee Handbook for detailed descriptions of the following:

1. About This Handbook
2. About The School
3. Mission
4. Values
5. Non-Discrimination
6. Harassment Policy
7. Immigration Law Compliance Policy

SECTION 310

YOUR EMPLOYMENT AT MARITIME ACADEMY OF TOLEDO

311 EMPLOYMENT STATUS

Some Maritime Academy of Toledo employees may have an "employment-at-will" relationship. This means that the employee is free to leave Maritime Academy of Toledo at any time, with or without reason, and that the School has the same right to end its employment relationship with that employee. No one at Maritime Academy of Toledo has authority to make a contrary agreement with you except the Superintendent or his/her designee. Any such contrary agreement must be in a formal written document and signed by the Superintendent or his/her designee.

312 EMPLOYMENT CONTRACTS

Employment contracts or letters are issued to some full time employees. Supplemental contracts are issued to employee's who perform duties in addition to their regularly contracted services. Hourly-rated employees are not issued annual contracts and they are considered to be casual employees and are paid on a time sheet basis. All contracts are subject to final approval by the Board and may either be "At Will" contracts or otherwise as stated therein.

313 SALARIES

The annual salary of each employee will be paid in 24 equal twice-monthly payments unless they begin their service after the start of a new year and in that instance the salary will be paid in equal installments through the end of the year. Paydays shall be on the 15th and last day of each month. When payday falls on a weekend or a holiday, the payday will be the last regular workday before the weekend or holiday.

Fair Labor Standards Act; R.C. 4113.15(A).

314 VACATION

Amended Vacation Policy

All vacation time available pursuant to an employment agreement must be used by the employee during the contract year or it will be forfeited. Vacation time does not accumulate and carry over from year to year, nor will any unused vacation time be paid out to any employee at the end of the contract year. This policy may be amended or changed for individual employees upon board approval.

SECTION 315

EMPLOYEE QUALIFICATIONS

316 TEACHERS

Prior to employment, teaching applicants must submit the following documents:

- A. Application for employment;
- B. Evidence of a Bachelors Degree or higher;
- C. Certified transcripts from an accredited college or university attended by the teacher;
- D. Copy of the diploma issued by an accredited college or university;
- E. A current Teaching Certificate issued by the Ohio Department of Education;
- F. Evidence of a tuberculin test completed immediately prior to employment;
- G. References and recommendations for employment, and;
- H. An application for the completion of a criminal background check as required by Ohio Revised Code 109.572 and 3319.39. New employees are employed on a conditional basis pending receipt of a satisfactory background check. Every employee must undergo a criminal background check. Certain convictions as outlined in Ohio Law will prohibit an individual from being employed in a public school. A listing of the disqualifying offenses may be obtained from the School Superintendent's office or from his/her designee.

Teachers must possess physical and mental health so as to be able to fulfill the conditions of employment or the continuation of employment.

Teachers may be required to possess such other experience, training or special skills as may be required by the Board or the School administration for any specific position, including but not limited to all those required by federal and state laws.

Teacher Document Requirement

Applicants must submit the following documents:

- A. Application for employment;
- B. Evidence of a Bachelors Degree or higher;
- C. Certified transcripts from an accredited college or university attended by the teacher;
- D. Copy of the diploma issued by an accredited college or university;
- E. A current Teaching Certificate issued by the Ohio Department of Education;
- F. Written references and recommendations for employment notated in file, and;

- G. An application for the completion of a Bureau of Criminal Identification and Investigation and FBI criminal background check as required by Ohio law. New employees are employed on a conditional basis pending receipt of a satisfactory background check.

Every employee must undergo a criminal background check upon application, and then, again, by the fifth of September every five years thereafter. Certain convictions as outlined in Ohio Law will prohibit an individual from being employed in a public school. A listing of the disqualifying offenses may be obtained from the School's office.

In certain circumstances, an individual who would otherwise be disqualified may be hired if that individual's offense has been rehabilitated. Rehabilitation is limited to certain offenses; a complete list of offenses that cannot be rehabilitated may be obtained from the School's office. To be rehabilitated, (1) the offense cannot involve a victim who was a minor or a victim who was or is a student; (2) at least five years have passed since the individual was fully discharged from imprisonment, probation, or parole or since the individual entered a guilty plea; (3) the individual has not pled guilty, been found guilty by a court, or been convicted of a rehabilitative offense two or more times in separate criminal actions; (4) the individual has provided written confirmation of rehabilitation efforts and the results of those efforts; and (5) as viewed by a reasonable person, the employment of the individual will not jeopardize the health, safety, or welfare of people served by the school. The School has discretion to decide whether the offense has been rehabilitated. Teachers must possess physical and mental health so as to be able to fulfill the conditions of employment or the continuation of employment.

Teachers may be required to possess such other experience, training or special skills as may be required by the Board or the School administration for any specific position.

20 U.S.C. § 6301; R.C. 3319.30; R.C. 3313.71.

20 U.S.C. § 6301; R.C. 3319.2914; R.C. 3319.30; 3319.39; R.C. 3313.71; R.C. 3319.391; OAC 3301-20-01.

316.1 ENTRY YEAR PROGRAM

The School's Entry Year Program provides support for administrators and teachers new to the School with two years or less experience. This program is designed to provide direct assistance to the School's beginning teachers through mentors who offer the necessary support to help meet classroom challenges. All beginning teachers employed full time under a two-year provisional license must successfully complete the School's Entry Year Program and pass the performance-based assessment before they are issued a 5-year professional license, which is a license required to work as a fully credentialed teacher in Ohio schools.

Entry year support:

A formal program of support shall be a minimum of one academic year in length (i.e. a minimum of 120 school days). Entry year support shall include mentoring that is provided on an ongoing basis and that is congruent with the performance-based assessment in accordance with OAC 3301-24-04. Additionally, training may include such things as monthly mentor meetings, observation of classroom practice, review of documentation prepared by the teacher, informal interviews and seminars or other practical training.

Entry year performance-based assessment:

All beginning teachers employed full time under a two-year provisional license, must successfully complete an Entry Year Program and pass a performance-based assessment. The performance-based assessment shall be administered during the first or second year of teaching. Passage of this assessment results in eligibility for the professional license.

Teachers may attempt to complete the Entry Year requirements no more than two times under the provisional license. Failure to successfully complete the Entry Year requirements after the second attempt will result in the loss of the provisional license until such time as the candidate completes additional coursework, supervised field experiences, and/ or clinical experiences as designated by a college or university approved for educator preparation.

The Entry Year Program and assessments for beginning administrators shall be implemented based upon guidelines and timelines established by the Ohio Department of Education in consultation with practicing administrators and other stakeholders.

A. Resident educators

1. Candidates for the resident educator program shall hold a resident educator license issued pursuant to rule 3301-24-18 of the Administrative Code or an alternative resident educator license issued pursuant to rules 3301-24-19 to 3301-24-22 of the Administrative Code.
2. Beginning July 1, 2011, any individual who is employed under a resident educator license or alternative resident educator license and who meets

eligibility criteria established by the Ohio department of education (education.ohio.gov) shall be required to successfully complete a resident educator program consistent with standards established by the Ohio department of education (education.ohio.gov).

3. Any initial licensure applicant who has completed at least two years of teaching in another state as a participant in the teach for America program shall be credited by the state board of education as having completed two years of the teacher residency program. Out-of-state applicants with fewer than three years of experience in their area of preparation shall be required to complete a resident educator program pursuant to the requirements of this rule, and those out-of-state applicants who have completed one or two years of teaching in another state shall be credited by the state board of education as having completed the equivalent number of years of the teacher residency program.

B. Resident educator program

1. A resident educator program shall include a performance-based assessment of the resident educator as prescribed by the state board of education, and a formal program of support, which shall include mentoring to foster professional growth of the candidate that is congruent with the required performance-based assessment.
2. Beginning July 1, 2011, school districts, chartered community schools, and chartered non-public schools shall be required to provide a resident educator program that includes a formal structured program of support, which shall include mentoring, and the performance-based assessment as described in this rule.
3. Candidates shall be deemed to have met the requirements for a professional educator license upon documentation of the successful completion of the resident educator program.

C. Resident educator support

1. A formal program of support for resident educators shall consist of four academic years; if, however, a teacher is employed on a date after the school year begins, the resident educator program for that candidate shall consist of a minimum of one-hundred twenty school days for each of the four years.
2. Residency support for the beginning teacher shall include mentoring provided on an ongoing basis that is both congruent with the required performance-based assessment and consistent with standards established by the Ohio department of education (education.ohio.gov).

D. Resident educator performance assessment

1. The performance-based assessment of resident educators pursuant to this rule shall be administered under the authority of the state board of education.
2. The performance-based assessment of the resident educator shall be administered during the third or fourth year of teaching. Passage of the assessment results in eligibility for the professional educator license.
 - a. If the resident educator does not pass the assessment, the individual shall be required to retake the deficient portions of the assessment.

- b. Individuals who had only one opportunity to pass the performance-based assessment during the life of the resident educator license or alternative resident educator license shall be issued a one-year extension of the resident educator license or alternative resident educator license during which the individual shall be required to retake the deficient portions of the assessment.
 - c. Failure to pass the deficient portions of the performance-based assessment while teaching under a one-year extension of the resident educator license or alternative resident educator license shall result in ineligibility for a professional educator license or any additional extension of the resident educator license or alternative resident educator license for a minimum of one year. The resident educator shall be required to complete additional coursework, supervised field experiences, and/or clinical experiences as designated by a college or university approved for educator preparation.
 - d. Upon the recommendation of the college or university and re-employment of the individual as a teacher, an additional one-year extension of the resident educator license or alternative resident educator license may be issued, and the individual shall be required to retake and pass the deficient portions of the performance-based assessment in order to qualify for a professional educator license.
 - e. Continued failure to pass the deficient portions of the performance-based assessment shall result in a repeat of the process described in paragraphs (D)(2)(c) to (D)(2)(d) of this rule.
3. Candidates who fail to pass the resident educator performance-based assessment may appeal to the state board of education pursuant to procedures established by the Ohio department of education (education.ohio.gov).

Effective: 10/28/2011 R.C. 119.032 review dates: 10/28/2016

316.2 TEACHER DOCUMENT REQUIREMENT

Applicants must submit the following documents:

- A. Application for employment;
- B. Evidence of a Bachelors Degree or higher;
- C. Certified transcripts from an accredited college or university attended by the teacher;
- D. Copy of the diploma issued by an accredited college or university;
- E. A current Teaching Certificate issued by the Ohio Department of Education;
- F. Written references and recommendations for employment notated in file, and;
- G. An application for the completion of a Bureau of Criminal Identification and Investigation and FBI criminal background check as required by Ohio law. New employees are employed on a conditional basis pending receipt of a satisfactory background check.

Every employee must undergo a criminal background check upon application, and then, again, by the fifth of September every five years thereafter. Certain convictions as outlined in Ohio Law will prohibit an individual from being employed in a public school. A listing of the disqualifying offenses may be obtained from the School's office.

In certain circumstances, an individual who would otherwise be disqualified may be hired if that individual's offense has been rehabilitated. Rehabilitation is limited to certain offenses; a complete list of offenses that cannot be rehabilitated may be obtained from the School's office. To be rehabilitated, (1) the offense cannot involve a victim who was a minor or a victim who was or is a student; (2) at least five years have passed since the individual was fully discharged from imprisonment, probation, or parole or since the individual entered a guilty plea; (3) the individual has not pled guilty, been found guilty by a court, or been convicted of a rehabilitative offense two or more times in separate criminal actions; (4) the individual has provided written confirmation of rehabilitation efforts and the results of those efforts; and (5) as viewed by a reasonable person, the employment of the individual will not jeopardize the health, safety, or welfare of people served by the school. The School has discretion to decide whether the offense has been rehabilitated. Teachers must possess physical and mental health so as to be able to fulfill the conditions of employment or the continuation of employment.

Teachers may be required to possess such other experience, training or special skills as may be required by the Board or the School administration for any specific position.

20 U.S.C. § 6301; R.C. 3319.2914; R.C. 3319.30; 3319.39; R.C. 3313.71; R.C. 3319.391; OAC 3301-20-01.

316.3 OHIO TEACHER EVALUATION SYSTEM

Policy: Ohio Teacher Evaluation System (OTES) and Ohio Superintendent Evaluation System (OPES) Policy.

The Board of Education (Board) of The Maritime Academy of Toledo (District) adopts the following teacher evaluation policy in accordance with the standards-based statewide teacher evaluation framework adopted by the State Board of Education in November 2011. The Board acknowledges that this teacher evaluation policy aligns with the Standards for the Teaching Profession as set forth in State law.

The Board directs the Superintendent/Principal to implement this policy in accordance with State law. The requirements of this policy prevail over any conflicting provisions of a collective bargaining agreement entered into on or after September 24, 2012.

Definition of “Teacher”

This policy applies to District employees who meet one of the following categories:

1. A teacher working under a license issued under Ohio Revised Code (ORC) Sections 3319.22, 3319.26, 3319.222 or 3319.226 who spends at least 50% of his/her time providing content-related student instruction; or
2. A teacher working under a permanent certificate issued under ORC 3319.222 as existed prior to September 2003 who spends at least 50% of his/her time providing content-related student instruction; or
3. A teacher working under a permanent certificate issued under ORC 3319.222 as it existed prior to September 2006 who spends at least 50% of his/her time providing content-related student instruction; or
4. A teacher working under a permit issued under ORC 3319.301 who spends at least 50% of his/her time providing content-related student instruction.

Principals and assistant principals shall be evaluated in accordance with the principal evaluation policy adopted by the Board in accordance with ORC 3319.02.

This policy does not apply to the superintendent, assistant superintendent(s), business manager, treasurer or “other administrator” as defined by ORC 3319.02. This policy also does not apply to substitute teachers or instructors of adult education.

Assigning an Effectiveness Rating

Each evaluation will result in an effectiveness rating of “Accomplished,” “Proficient,” “Developing,” or “Ineffective.” An effectiveness rating is based on the following two categories: 1) Teacher Performance; and 2) Student Growth Measures. Fifty percent (50%) of the evaluation will be attributed to teacher performance and fifty-percent (50%) will be attributed to multiple measures of student growth.

The Maritime Academy of Toledo will use The Teacher Performance Evaluation Rubric provided by ODE as presented in Exhibit A.

Teacher Performance and Student Growth Measures ratings shall be combined to reach the summative teacher effectiveness rating. The Evaluation Matrix is attached hereto as Exhibit A and incorporated herein.

The Board shall annually submit to the Ohio Department of Education (ODE), in accordance with ODE guidelines, the number of teachers assigned an effectiveness rating, aggregated by the teacher preparation programs from which, and the years in which, the teachers graduated.

Calculating Teacher Performance

Teacher Performance is evaluated during the two cycles of formal observations and periodic classroom walkthroughs. Fifty-percent (50%) of the effectiveness rating will be attributed to Teacher Performance through a holistic process based upon the following Ohio Standards for the Teaching Profession and training for credentialed evaluators:

1. Understanding Student Learning and Development and Respecting the Diversity of the Students they Teach;
2. Understanding the Content Area for which they have Instructional Responsibility;
3. Understanding and Using Varied Assessment to Inform Instruction, Evaluate and Ensure Student Learning;
5. Planning and Delivering Effective Instruction that Advances Individual Student Learning;
6. Creating Learning Environments that Promote High Levels of Learning and Student Achievement;
7. Collaborating and Communicating with Students, Parents, Other Educators, District Administrators and the Community to Support Student Learning; and
8. Assuming Responsibility for Professional Growth, Performance and Involvement.

The Superintendent/designee shall select or develop, in consultation with teachers, evaluation tools to be used in calculating the Teacher Performance fifty-percent (50%), which must be aligned to the Ohio Standards for the Teaching Profession and the Ohio Teacher Evaluation System Performance Rubric.

Calculating Student Growth Measures

For purposes of the Ohio Teacher Evaluation System (OTES), “student growth” means the change in student achievement for an individual student between two or more points in time. This component of the evaluation includes some combination of the following: 1) Teacher-level Value-Added Data; 2) ODE-Approved Assessments; and/or 3) Locally-determined Measures. Draft ODE Model Teacher Evaluation

Policy

1. 25%: Teacher-level Value-Added: “Value-Added” refers to the value-added methodology provided by ODE. Where value-added data for grades 4-8 for English language arts and mathematics exists (via state-provided assessments), value-added data must be one of the multiple measures used in calculating student growth.

Teacher-level value-added data shall be used in proportion to the part of a teacher’s schedule of courses or subjects for which the value-added data is applicable. For the 2013-14 school year, the majority of the student academic growth factor of the evaluation shall be based on the value-added data for a teacher who’s schedule is comprised only of courses or subjects for which teacher-level value-added data is applicable. For the 2014-15 school year and each school year thereafter, the entire student academic growth factor of the evaluation shall be based on the value-added data for a teacher whose schedule is comprised only of courses or subjects for which teacher-level value-added data is applicable.

1. 25% ODE Approved List of Assessments: RttT ODE approved Assessments will be utilized by the district and will be included as one of the multiple measures of student growth. Assessments utilized will be included when calculating the fifty percent (50%) attributed to student growth measures. The Superintendent/designee, in consultation with teachers and subject to Board approval, will utilize these assessments on the approved list as he/she deems necessary and appropriate.
2. 50% Locally-determined Measures: For courses of instruction in which neither teacher level value-added data nor ODE-approved assessments are available, the Superintendent/designee, in consultation with teachers and subject to Board approval, shall establish a process in accordance with ODE guidance to create Student Learning Objectives (SLOs) to measure student growth in the courses of instruction.

In the calculation for student academic growth, a student who has sixty or more unexcused absences for the school year will not be included.

Data from these multiple measures will be scored on five levels in accordance with ODE guidance and converted to a score in one of three levels of student growth: 1) “Above”; 2) “Expected”; and 3) “Below.” Draft ODE Model Teacher Evaluation Policy

Evaluation Timeline

District administrators shall conduct an evaluation of each teacher subject to this policy at least annually. Each evaluation shall include: 1) Two (2) cycles of formal observations of at least thirty (30) minutes each; and 2)

Periodic classroom walkthroughs by the evaluator. All teacher evaluations shall be completed by the first day of May and each teacher subject to this policy shall be provided with a written copy of the evaluation results by the tenth day of May.

The Maritime Academy of Toledo will implement the ODE recommended timeline as presented in Exhibit B.

For those teachers who are on limited or extended limited contracts pursuant to ORC 3319.11 and who are under consideration for nonrenewal, one evaluation consisting of at least three formal observations must be conducted annually by the first day of May. Each teacher on a limited or extended limited contract shall be provided with a written copy of the evaluation results by the tenth day of May.

The Board elects to evaluate a teacher receiving an effectiveness rating of “Accomplished” on the teacher’s most recent evaluation conducted pursuant to this policy once every two years. Any biennial evaluation conducted under this provision must be conducted and completed by the first day of May, and the teacher shall be provided with a written copy of the evaluation results by the tenth day of May.

The Board elects to evaluate a teacher receiving an effectiveness rating of “Accomplished” on the teacher’s most recent evaluation conducted pursuant to this policy, via one formal observation provided the teacher completes a project that has been approved by the Board to demonstrate the teacher’s continued growth and practice at the Accomplished level. The teacher must submit a proposed project to the Superintendent no later than March 1st of each academic year in order for the Superintendent to obtain the necessary Board approval.

Credentialed Evaluators

The Board will adopt a list of approved credentialed evaluators. Each teacher evaluation conducted under this policy shall be conducted by a person: 1) who is eligible to be an evaluator in accordance with ORC 3319.111(D); and 2) who holds a credential established by ODE for being an evaluator. Every evaluator must complete state-sponsored evaluation training and is required to pass an online credentialing assessment.

Professional Growth and Improvement Plans

1. Teachers must develop professional growth or improvement plans based on the Teacher Performance Evaluation Rubric as presented in Exhibit A. Teachers who meet Above-Expected levels of student growth must develop a professional growth plan and choose their credentialed evaluator for the evaluation cycle from the Board-approved list.

3. Teachers who meet Expected levels of student growth must develop a professional growth plan collaboratively with a credentialed evaluator for the evaluation cycle from the Board-approved list. The teacher will have input on the selection of a credentialed evaluator for the evaluation cycle.
4. Teachers who meet Below-Expected levels of student growth must comply with an improvement plan developed by the credentialed evaluator assigned by the Superintendent/designee for the evaluation cycle from the Board-approved list.

Testing for Teachers in Core Subject Areas

Beginning with the 2015-16 school year, teachers who teach in a “core subject area” are required to register for and take all written examinations of content knowledge selected by ODE if the teacher has received an effectiveness rating of “Ineffective” on evaluations for two of the three most recent school years. “Core subject area” means reading and English language arts, mathematics, science, foreign language, government, economics, fine arts, history, and geography.

Teachers who receive a rating of “ineffective” on evaluations for two of the three most recent school years will be terminated.

Retention and Promotion Decisions

Retention and promotion decisions will be based upon teacher’s evaluation ratings each year.

1. Contracts for teachers who receive a rating of “Accomplished or Proficient” will automatically be renewed and will be eligible to receive a bonus and/or increase in salary.
2. Contracts for teachers who receive a rating of “Developing” may or not may not be renewed.
3. Contracts for teachers who receive a rating of “Ineffective” will not be renewed.

The Board adopts the following procedures to be used by district administrators in making retention and promotion decisions:

The Maritime Academy of Toledo will review a composite of all of the following data which will determine all retention and promotion decisions:

1. Assigning an Effectiveness Rating
2. Calculating Teacher Performance
3. Calculating Student Growth Measures
4. Professional Growth and Improvement Plans

Seniority shall not be a basis for making retention decisions, except when making a decision between teachers who have comparable evaluations.

Removal of Poorly-Performing Teachers

The Board adopts the following procedures to be used by district administrators in removing poorly-performing teachers:

The board authorizes the Principal/designee to immediately remove poorly performing teachers, without consideration for length of service or time of year.

Professional Development

The Board's plan for the allocation of financial resources to support professional development is as follows:

1. Financial resources will be expended from High Schools That Work, Race to the Top, and Title II: Improving Teacher Quality grants and from general funds.
2. Staff professional development will be on-going and related to the specific needs and goals of each staff member.

Legal References: ORC 3319.111; 3319.112; 3319.58

Legislative Reference: Am. Sub. HB 153 (September 29, 2011); Sub. SB 316 (September 24, 2012); Am. Sub. HB 555 (March 22, 2013)

316.4 END OF COURSE EXAM: AMERICAN HISTORY & AMERICAN GOVERNMENT

Policy: Senate Bill 165 Interim End-of-Course Exam Timeline, American history and American government courses: The school board has adopted an interim end-of-course examination for American history and American government which will be used until the state end-of-course examinations are selected.

317 EDUCATIONAL ASSISTANTS/PARAPROFESSIONALS

An educational assistant/paraprofessional is a nonteaching employee who directly assists a teacher by performing duties for which a teaching license is not required.

Educational assistants/paraprofessional applicants must submit the following documents:

- A. Application for employment;
- B. Written references and recommendations for employment;
- C. Copy of a valid educational aide permit or paraprofessional license issued by the State Board of Education;
- D. An application for the completion of a Bureau of Criminal Identification and Investigation and FBI criminal background check as required by Ohio law. New employees are employed on a conditional basis pending receipt of a satisfactory background check.

Every employee must undergo a criminal background check upon application, and, by the fifth of September every five years thereafter. Certain convictions as outlined in Ohio Law will prohibit an individual from being employed in a public school. A listing of the disqualifying offenses may be obtained from the School's office.

In certain circumstances, an individual who would otherwise be disqualified may be hired if that individual's offense has been rehabilitated. Rehabilitation is limited to certain offenses; a complete list of offenses that cannot be rehabilitated may be obtained from the School's office. To be rehabilitated, (1) the offense cannot involve a victim who was a minor or a victim who was or is a student; (2) at least five years have passed since the individual was fully discharged from imprisonment, probation, or parole or since the individual entered a guilty plea; (3) the individual has not pled guilty, been found guilty by a court, or been convicted of a rehabilitative offense two or more times in separate criminal actions; (4) the individual has provided written confirmation of rehabilitation efforts and the results of those efforts; and (5) as viewed by a reasonable person, the employment of the individual will not jeopardize the health, safety, or welfare of people served by the school. The School has discretion to decide whether the offense has been rehabilitated.

An educational assistant/paraprofessional must be under the supervision and direction of an assigned teacher at all times in the performance of their duties, although such duties need not necessarily be performed in the physical presence of the teacher except as otherwise stated in this policy. An educational assistant/paraprofessional working for the School in a Title I supported program may be assigned to duties consistent with any of the following:

- providing one-on-one tutoring for eligible students during times when the teacher would not otherwise be instructing the student;
- assisting with classroom management, such as organizing instructional and other materials;

- providing assistance in a computer laboratory;
- providing support in a library or media center;
- conducting parental involvement activities;
- acting as a translator;
- providing instructional services to students, if working under the direct supervision of a teacher.

An educational assistant/paraprofessional will be considered to be working under the “direct supervision” of a teacher if:

- the teacher plans the instructional activities that the educational assistant/paraprofessional carries out;
- the teacher evaluates the achievement of the students with whom the educational assistant/paraprofessional is working; and
- the educational assistant/paraprofessional works in close and frequent physical proximity to the teacher.

Nonteaching employees whose functions are solely secretarial and clerical and who do not perform duties as educational assistants are not required to hold a license even though they work under the direction of a teacher.

Educational assistants/paraprofessionals are prohibited from divulging personal information concerning any pupil in the school which was obtained or obtainable while employed, except to the teacher to whom assigned, or the school administrator in such teacher’s absence, or when required to testify in a legal proceeding.

R.C. 3319.088; R.C. 3319.291; R.C. 3319.39; R.C. 3319.391; O.A.C. 3301-20-01.

318 OTHER EMPLOYEES

Prior to employment applicants for other positions must submit the following documents:

Application for employment;

Written references and recommendations for employment;

Copies of any specific license or certificate as may be required by law or by the Board or the School administration for the position sought;

An application for the completion of a Bureau of Criminal Identification and Investigation and FBI criminal background check as required by Ohio law. New employees are employed on a conditional basis pending receipt of a satisfactory background check. Every employee must undergo a criminal background check at the time of application and then by the fifth of September every five years thereafter, unless the applicant is a bus driver, in which case every six years thereafter. Certain convictions as outlined in Ohio Law will prohibit an individual from being employed in a public school. A listing of the disqualifying offenses may be obtained from the School's office.

In certain circumstances, an individual who would otherwise be disqualified may be hired or retained as an employee if that individual's offense has been rehabilitated. Rehabilitation is limited to certain offenses; a complete list of offenses that cannot be rehabilitated may be obtained from the School's office. To be rehabilitated, (1) the offense cannot involve a victim who was a minor or a victim who was or is a student; (2) the individual has provided written confirmation of rehabilitation efforts and the results of those efforts; and (3) as viewed by a reasonable person, the employment of the individual will not jeopardize the health, safety, or welfare of people served by the school. The School has discretion to decide whether the offense has been rehabilitated.

To qualify as rehabilitated, bus drivers must also establish that (1) at least five years have passed since the individual was fully discharged from imprisonment, probation, or parole or since the individual entered a guilty plea, and (2) the individual has not pled guilty, been found guilty by a court, or been convicted of a rehabilitative offense two or more times in separate criminal actions.

Employees must possess both physical and mental health to be able to fulfill the duties of employment or the continuation of employment.

Employees may be required to possess such other experience, training or special skills as may be required by the Board or the School administration for the position.

R.C. 3319.291; R.C. 3319.39; R.C. 3327.10(J); R.C. 3319.391; O.A.C. 3301-20-03; O.A.C. 3301-20-03; O.A.C. 3301-83-23 (Bus Drivers).

319 SUBSTITUTE TEACHERS

Substitute teachers must possess a valid substitute teacher certificate issued by the Ohio Department of Education. If an applicant can provide evidence that application for a substitute teacher certificate has been made, that person may be employed conditionally for up to 60 days pending receipt of the certificate. If a certificate is not obtained within that period of time, employment will be terminated.

All substitute teachers must complete an application for the completion of a Bureau of Criminal Identification and Investigation and FBI criminal background check as required by Ohio law. New employees are employed on a conditional basis pending receipt of a satisfactory background check.

Every employee must undergo a criminal background check once upon application, and then by the fifth of September every five years thereafter. Certain convictions as outlined in Ohio Law will prohibit an individual from working in a public school. A listing of the disqualifying offenses may be obtained from the School's office.

In certain circumstances, an individual who would otherwise be disqualified may be hired if that individual's offense has been rehabilitated. Rehabilitation is limited to certain offenses; a complete list of offenses that cannot be rehabilitated may be obtained from the School's office. To be rehabilitated, the offense (1) cannot involve a victim who was a minor; (2) cannot involve a victim who was or is a student; (3) the individual has not pled guilty, been found guilty by a court, or been convicted of a rehabilitative offense two or more times in separate criminal actions; (4) the individual has provided written confirmation of rehabilitation efforts and the results of those efforts; (5) the individual has provided written confirmation of rehabilitation efforts and the results of those efforts; and (6) as viewed by a reasonable person, the employment of the individual will not jeopardize the health, safety, or welfare of people served by the school. The School has discretion to decide whether the offense has been rehabilitated.

R.C. 3319.226; R.C. 3319.36; R.C. 3319.101; 1964 O.A.G. No. 903; R.C. 3319.391; OAC 3301-20-01.

SECTION 320

EMPLOYMENT STATUS/PERSONNEL FILES

321 FULL-TIME EMPLOYEE

A full-time employee is one who is expected to regularly work an average of no less than 40 hrs. per week.

Fair Labor Standards Act; R.C. 3319.086.

322 PART-TIME EMPLOYEE

A part-time employee is one who is expected to work less than 40 hrs/week on average.

Based upon scheduling needs and fluctuating work demands Maritime Academy of Toledo may employ temporary or seasonal employees. While all policies and procedures will apply equally to temporary and seasonal employees, no fringe benefits are offered unless specifically indicated upon hire.

Fair Labor Standards Act (29 USC § 201 et. seq.); R.C. 3319.086.

323 OUTSIDE ACTIVITIES

During School hours employees are prohibited from engaging in personal, activities and associations that may be in conflict with the interests of the Maritime Academy of Toledo. Examples of such activities include, but are not limited to private enterprises, campaigning for a candidate for political or elected office, and soliciting fees for private tutoring of students. Staff members who have any question regarding a potential conflict of interest should confer with the Superintendent or his/her designee.

324 ACCESS TO PERSONNEL FILES

Maritime Academy of Toledo maintains personnel files on each Employee. These files will contain the following information: application for employment; resume; copies of personal references; job evaluations; professional credentials or certification; copies of performance appraisals, disciplinary warning notices, letters of commendation, and any reports related to the Employee.

To ensure that personnel files are up-to-date at all times, it is the responsibility of each Employee to promptly notify management of any changes in name, telephone number, home address, marital status, change in legal name, addition or deletion of dependents, change in beneficiaries, change in Federal or State tax deductions, scholastic achievements, the individuals to notify in case of an emergency, or other relevant personal information.

Personnel files are the property of Maritime Academy of Toledo, and access to the information they contain is restricted. Generally, management personnel of Maritime Academy of Toledo who have legitimate reason to review information in a file are allowed to do so.

Employees who wish to review their own file should contact the Superintendent or his/her designee. With reasonable advance notice, Employees may review their own personnel file with advance notice and by appointment.

Ohio Privacy Act; R.C. 1347; R.C. 149.43.

325.1 PUBLIC RECORDS

Public records are recorded accounts or information that are kept by the School for the conduct of School business and instruction. Any person may inspect the public records of the School during regular business hours of the office in which such records are kept, provided adequate advance notice is given to the custodian of the records. A School employee or representative will be present during the inspection of the records. A person may purchase copies of the School's public records upon payment of a fee, which is equal to the exact cost of making the copies. The School's public records may not be removed from the School except by a School employee who is authorized to do so.

R.C. 149.43.

See also Policy No. 147 Public Records Policy and Policy No. 147.1 Records Retention and Disposal Policy.

325.2 STUDENT RECORDS

Student records will be collected and maintained in the School office. These records shall be available only to students, their parent, legal guardians, School personnel who have an educational or instructional purpose for the records. Both parents shall have equal access to their child's records unless a court has ordered otherwise. Upon receiving notification that a student has transferred and the new School requests student records, the School will forward the records to the new School. Copies may be made of a student's record if requested by a parent or court appointed guardian. The Superintendent or his/her designee shall maintain a log of persons who have accessed School records and the specific record(s) which were inspected or copied. A School employee shall be present during the inspection of the records.

R.C. 3319.321.

See also Policy No. 294 Student Records and Release of Information and **Appendix S** Authorization to Release Information Form.

325.3 CONFIDENTIALITY OF RECORDS

If the Maritime Academy of Toledo receives information as confidential from a public agency the School will maintain the confidentiality of such information unless directed to do otherwise by a court of law, to the fullest extent permitted by law.

R.C. 149.43.

See also Policy No. 147 Public Records Policy; Policy No. 147.1 Records Retention and Disposal Policy; Policy No. 294 Student Records and Release of Information and **Appendix S** Authorization to Release Information Form.

326 BOARD-STAFF COMMUNICATIONS

Staff members report directly to the Superintendent or his/her designee regarding administrative and instructional issues. The Superintendent or his/her designee reports to the Board of on all issues, which affect the operation of the School, and on any other concerns regarding the School.

All communications from Maritime Academy of Toledo staff members to the Board should be submitted through the Superintendent or his/her designee. This procedure shall not deny any employee the right to appeal to the Board through established procedures. The appropriate forms to initiate a communication or an employee grievance may be obtained from the Superintendent or his/her designee. Issues directly involving the Superintendent may be brought to the attention of the Chairman of the School Board.

327 EMPLOYEE REFERENCE CHECKS

All new employees shall have a minimum of three reference checks. Prior to employment, three employee references shall be secured and the results shall be on file.

20 U.S.C. § 6301; R.C. 3319.30; R.C. 3313.71.

SECTION 330

ETHICAL BEHAVIOR

330 ETHICAL BEHAVIOR

The Maritime Academy of Toledo requires exemplary moral and ethical standards of conduct by its employees. The Board also requires that all employees maintain high standards in interpersonal relationships with other employees, parents, visitors and with students.

A public school teacher may not (1) authorize or use his/her position as a teacher to secure authorization of a contract of the Board in which he/she or their family members or business associates have an interest (2) profit from a School contract he/she authorize unless it was awarded to the lowest and best bidder after a competitive bid, or, (3) have an interest in the profits or benefits of a School contract other than his/her own employment contract.

R.C. 102.04(C), R.C. 2921.42, R.C. 2921.43.

See also Policy No. 114 Ethics and Conflicts Policy.

331 USE OF ALCOHOL AND DRUGS

Persons subject to the terms of this policy and the testing procedures are as follows:

- A. All employees of the School and its subsidiaries.
- B. All employees of temporary employee agencies or employee leasing services assigned to perform work for or on behalf of the School or its subsidiaries.
- C. All employees of contractors providing services at School locations or at other locations on behalf of the School.
- D. All applicants for employment with the School and its subsidiaries.

The policy of the School prohibits possession of, use of, or being under the influence of alcohol or illegal drugs or other controlled substances during working hours, on School property at School programs, or School activities, in any facility maintained by the School, or in School-supplied vehicles.

Employees of the School and its subsidiaries are its most valuable resource and for that reason, their health and safety is of paramount concern. The School will not tolerate any alcohol or drug use which imperils the health and well-being of its employees or threatens its business. The use of illegal drugs and abuse of other controlled substances, on or off duty, is inconsistent with the law-abiding behavior expected of all our employees. Employees who use illegal drugs or abuse other controlled substances, on or off duty, pose a risk to their own health and safety, as well as that of other employees. Such employees also tend to be less productive, less reliable, and prone to greater absenteeism resulting in the potential for increased cost, delay, and risk in the School's business. Employees have the right to work in a drug-free environment. In addition, alcohol and drug abuse inflicts a toll on the nation's productive resources and the health and well-being of American workers. The School is, therefore, committed to maintaining a safe workplace, free from the influence of alcohol and drugs.

U.S. Const. Amend. IV, XIV; Oh. Const. Art. 1 §14; R.C. 2925.03; R.C. 3319.20; R.C. 4123.34.

331.1 USE OF OVER-THE-COUNTER MEDICINE AND AUTHORIZED USE OF PRESCRIPTION MEDICINE

Employees using over-the-counter medication or medication prescribed by a physician are expected to discuss potential side effects with a physician. An employee using any drug which may alter his or her physical or mental ability must report this treatment to the Superintendent or his/her designee, who will determine whether the School should temporarily change the employee's job assignment during the period of treatment.

331.2 PROHIBITIONS

The School's policy prohibits the following:

- A. Use, possession, manufacture, distribution, dispensation, or sale of illegal drugs, alcoholic beverages, and tobacco products on School premises or School business, in School-supplied vehicles, or during working hours.
- B. Unauthorized use or possession, or any manufacture, distribution, dispensation, or sale of a controlled substance on School premises or any facility maintained by the School, in School-supplied vehicles, or during working hours.
- C. Use, manufacture, distribution, dispensation, possession, storage, or any sale of alcohol or illegal drugs or controlled substances on School premises or School business, in School-supplied vehicles, or during working hours.
- D. Being under the influence of alcohol or a controlled substance or illegal drugs on School premises or School business or at any facility maintained by the School, in School-supplied vehicles, or during working hours.
- E. Use of alcohol off School premises that adversely affects the individual's work performance, his own or others' safety at work, or which the School regards as adversely affecting its reputation in the community or with its customers.
- F. Possession, use, manufacture, distribution, dispensation, or sale of illegal drugs off School premises.
- G. Switching or adulterating any urine, blood, or other sample submitted for testing.
- H. Refusing consent to testing or to submit a urine, blood, or other sample for testing when requested by management.
- I. Refusing to submit to a search when requested by management in accordance with this policy.
- J. Failure to adhere to the requirements of any alcohol or drug treatment or counseling program in which the employee is enrolled.
- K. Arrest or conviction under any criminal drug law.

- L. Arrest or conviction under any law prohibiting driving under the influence of alcohol or other drugs.
- M. Failure to notify the School of any arrest or conviction under any criminal drug law or laws prohibiting driving under the influence of alcohol or other drug, within five (5) days of the arrest or conviction.
- N. Refusing to sign a statement agreeing to abide by the School's Alcohol and Drug Abuse Policy.
- O. Refusing consent or refusing to submit to pre-employment testing.

R.C. 2925; R.C. 2925.03.

331.3 SEARCHES

- A. Whenever the School has reason to believe that an employee's work performance or on-the-job behavior may be affected by alcohol or drugs, the School may search the employee, the employee's locker, desk, or other School property under the control of the employee, as well as the employee's personal effects or automobile on School property or any facility maintained by the School.

- B. Whenever the School has reason to believe that an employee possesses alcohol or drugs on School premises, the School may search the employee, the employee's locker, desk, or other School property under the control of the employee, as well as the employee's personal effects or automobile on School property or any facility maintained by the School.

U.S. Const. Amend. IV, XIV; Oh. Const. Art. 1 §14.

331.4 CONSEQUENCES FOR VIOLATION OF THIS POLICY

- A. Violation of the School's Alcohol and Drug Abuse Policy may result in severe disciplinary action, including discharge, at the School's sole description.
- B. In addition to any disciplinary action, the School may, in its sole discretion, refer the employee to a treatment and counseling program for alcohol or drug abuse. The Superintendent shall determine whether an employee it has referred for alcohol or drug treatment and counseling should be temporarily reassigned to another position.
- C. The School will promptly terminate any employee who tests positive for alcohol or drugs while undergoing treatment and counseling for alcohol or drug abuse, regardless of whether such treatment and counseling is voluntary or required by the School.
- D. The results of, or an employee's refusal to submit to, any chemical/drug/alcohol test described herein may, in addition to any disciplinary action imposed, disqualify an employee from receiving compensation and benefits under Ohio's workers' compensation laws.

331.5 TESTING

- A. Whenever the School has reason to believe that an employee's work performance or on-the-job behavior may be affected in any way by alcohol or drugs, the School may require the employee to submit a urine, blood, or other sample for testing.
- B. The School will afford employees subject to testing the opportunity, prior to testing, to list all prescription and non-prescription drugs they have used in the last thirty (30) days and to explain the circumstances surrounding the use of such drugs.
- C. Employees subject to testing must sign an approved form consenting to the testing and consenting to the release of the test results to the School. Refusal to sign the consent form will be considered refusal to be tested and will result in discharge and may result in denial of workers' compensation benefits.
- D. The School, prior to taking any action, will give all applicants and employees who test positive the opportunity to explain in writing the test results.

331.6 TYPES OF TESTING

All employees are subject to the following types of testing:

A. Post-Accident Testing

1. Alcohol and drug testing is required of employees whose performance either contributed to an accident or cannot be completely discounted as a contributing factor to an accident. Because alcohol does not remain in the body for extended periods of time, testing will be done as soon as possible.
2. Reportable accidents that require testing include:
 - a. Death of any person.
 - b. Bodily harm to any person resulting in one or more of the following:
 - (i) Loss of consciousness
 - (ii) Necessity to carry person from the scene
 - (iii) Necessity for medical treatment (beyond first-aid)
 - (iv) Disability which prevents the discharge of normal duties or pursuit of normal activities beyond the day of the accident
 - c. Explosion or fire.
 - d. Serious damage to the property of the School or others.
 - e. Any event that is serious in the judgment of the School requires testing.
3. If any employee who is subject to post-accident testing is conscious, and refuses to be tested, that person will immediately be placed on suspension, pending further disciplinary action.

B. Other Testing

1. Alcohol and drug testing of employees will be conducted when there is reason to believe the employee is impaired from the use of alcohol or drugs. A decision to test will be based on specific physical, behavioral, or performance indicators of possible alcohol or drug use. For example, repeated errors on the job, regulatory or School rule violations, or unusual time and attendance patterns, could provide evidence to test an employee based on reasonable cause.
2. Any employee who is tested will immediately be placed on suspension pending test results.
3. The School may conduct pre-employment testing.

R.C. 4123.651.

331.7 MEDICAL EXAMINATIONS

Employees may be required to undergo medical examinations from time to time during their employment if, in the judgment of the School, such examinations are shown to be job-related and consistent with business necessity. A School-designated health care provider may perform examinations or the employee may be required to provide results of a medical examination from the employee's health care provider. The School will maintain employee medical records in a file separate from other personnel records, and access to such medical information will be restricted as allowed or required by law.

R.C. 149.43; R.C. 1347; R.C. 4123.651.

332. PHYSICAL EXAMINATION

Tuberculin Testing — All Employees- **UPDATED 3/9/09**

- A. New employees shall:
 - 1. present documented evidence of having a negative tuberculin test (Mantoux Test 5 TU PPD preferred) within ninety (90) days before the first day of work;
 - 2. if a known positive reactor, have a chest X ray and other appropriate examinations revealing the absence of tuberculosis in a communicable state within ninety (90) days before the first day of work.

- A. Currently employed teachers, administration or staff shall:
 - 1. present documented evidence of having a negative tuberculin test (Mantoux 5 TU PPD preferred) performed no earlier than September 1, 1974, and every third year thereafter;
 - 2. if a known positive reactor, have a chest X ray annually or if the person has completed a course of preventative therapy or adequate chemotherapy in accordance with guidelines prescribed by the Superintendent or his/her designee of the Ohio Department of Health, have a chest X ray at three (3) year intervals;
 - 3. have additional tuberculosis screening at more frequent intervals at the discretion of the local board of health.

42 USC 12112(d); R.C. 3313.71; OAC 3701-15-02-(A) and (B).

333 WEAPONS IN THE WORKPLACE

Objective

To create a safe working environment for our employees and students by prohibiting the possession and/or use of weapons in the workplace. The School will not tolerate any weapon possession or use.

Scope

Persons subject to the terms of this policy are as follows:

- A. All employees of the School.
- B. All substitute teachers working in the School.
- C. All employees of contractors providing services on behalf of the School.
- D. All applicants for employment with the School.
- E. All other persons, including visitors, vendors, subcontractors, students, etc.
- F. This policy applies to all persons, except law enforcement personnel on official business, regardless of whether the person is licensed to carry a weapon.

Policy

This policy prohibits possession and/or use of prohibited weapons at any time on School grounds, a School vehicle, or at a School sponsored event.

Prohibited weapons include any form of weapon and any form of explosive restricted under local, state or federal regulation. This includes all firearms, illegal knives or other weapons restricted by the law. If you have a question about whether an item is covered by this policy, please contact the Superintendent or his/her designee. You will be held responsible for making sure beforehand that any potentially covered item you possess is not prohibited by this policy.

R.C. 2923.122; R.C. 2923.126.

Prohibitions

The School's policy prohibits:

- A. Use or possession of weapons on School grounds, on a School vehicle, or at a School sponsored event.
- B. Use or possession of weapons while performing any task on the School's behalf.
- C. Refusing to submit to a search when requested by the School in accordance with this policy.
- D. Refusing to sign a statement agreeing to abide by the School's Weapons in the Workplace Policy.
- E. Failing or refusing to report a known violation of this policy.
- F. Failing or refusing to cooperate with any investigation relating to a possible violation of this policy.

Searches

The School reserves the right to conduct searches of any person, vehicle or object on School property at any time and for any reason. Pursuant to this provision, the School is authorized to search lockers, desks, purses, briefcases, baggage, toolboxes, lunch sacks, clothing, vehicles parked on School property, and any other personal effect or item in which a weapon may be hidden. Additionally, the School may search a vehicle owned by it and used by a School employee, a vehicle owned by an employee that is being used to transport students on behalf of the School, and any other vehicle on School grounds or recently on School grounds, regardless of whether the vehicle is located on School grounds at the time of the search or request. The Superintendent or his/her designee may conduct searches. To the extent the search is requested by the Superintendent or his/her designee or his or her designee, the employee may refuse the search; provided, however that such refusal is a violation of this policy and may result in disciplinary action including termination of employment for refusal to cooperate. The School reserves the right to conduct searches on School grounds and to authorize searches by law enforcement on School grounds without the employee present.

Consequences For Violation of This Policy

- A. Violation of the School's Weapons Policy may result in severe disciplinary action, including discharge, at the School's sole discretion.
- B. Using or possessing a weapon on School grounds in violation of this policy will be considered an act of criminal trespass and will be grounds for immediate removal from School grounds and may result in criminal prosecution.

If you become aware of anyone violating this policy, take no action and immediately report it to your supervisor or to the Superintendent or his/her designee.

R.C. 2923.122; R.C. 2923.126.

See also Policy No. 421 Dangerous Weapons and **Appendix X** Notice Regarding Weapons in the Workplace.

334 MANDATORY REPORTING OF MISCONDUCT BY LICENSED EMPLOYEES

The Board recognizes its responsibility to effectively address employee misconduct.

Definitions

"Licensed professional staff member" refers to employees who hold an educator's license or certification with the Ohio Department of Education ("ODE") (including the Treasurer and Business Manager), educational assistants (aides with a permit and paraprofessionals with a license from ODE), employee holding a one (1) year conditional teaching permit in the area of intervention specialist or seeking an alternative educator license, and those employees who do not hold a valid educator's license but who are employed by the Board under a Pupil Activity Program Permit. For purposes of this policy, licensed professional staff member will be referred to as "employee."

"Conduct unbecoming the teaching profession" is defined to mean:

- A. crimes or misconduct involving minors;
- B. crimes or misconduct involving school children;
- C. crimes or misconduct involving academic fraud;
- D. crimes or misconduct involving the school community;
- E. making, or causing to be made, any false or misleading statement or concealing a material fact in obtaining the issuance or renewal of any educator licensing documents;
- F. the violation of the terms and conditions of a consent agreement with the State Board of Education;
- G. a plea of guilty to or a finding of guilt or conviction upon any offense enumerated under R.C. 3319.39.

The complete rule adopted by the State Board of Education is in Appendix 335-A.

Reporting Professional Misconduct

The School's Superintendent is responsible for reporting teacher misconduct to ODE. If the Superintendent is the employee who must be reported, the Board president or chairperson must make the report. The School's Superintendent must report misconduct by an employee of an operator who is working in the School.

Reports

Reports must be filed about School and/or operator's employees working in the School under the following circumstances:

- A. When the Superintendent, Board president or chairperson knows that an employee has a **guilty plea or conviction**, or has been found to be eligible for intervention in lieu of conviction, or for a pre-trial diversion program concerning a disqualifying or other criminal offense applicable to teachers;
- B. When the Superintendent or Board president or chairperson has initiated **termination or nonrenewal** proceedings against, has terminated, or has not renewed the contract of the employee because the Superintendent or Board president or chairperson has reasonably determined that the employee has committed an act that is unbecoming to the teaching profession or a disqualifying criminal offense or other criminal offense applicable to teachers.
- C. When the employee has **resigned under threat** of termination or nonrenewal for an act that is unbecoming to the teaching profession or a disqualifying or other criminal offense applicable to teachers.
- D. When the employee has **resigned because of or in the course of an investigation** by the Board regarding whether the employee has committed an act that is unbecoming to the teaching profession or a disqualifying or other criminal offense applicable to teachers.

The report must be made to ODE and must include the name and social security number of the employee in question together with a factual statement. The making of a report does not itself create any legal presumption that the described misconduct or any related crime has in fact occurred. The form for reporting misconduct is in **Appendix 335-B**.

A report must be kept in the employee's personnel file. The State Board of Education may proceed to conduct an investigation to determine whether further action is warranted. If, after an investigation, ODE determines that the results of that investigation do not warrant initiating action, the Board must move such reports from the employee's personnel file to a separate public file.

R.C. 3314.40-3314.403, R.C. 3314.99.

Licensure Code of Professional Conduct for Ohio Educators

Educators are entrusted by the public with the responsibility of providing a high-quality education to every student. Through various roles, these professionals devote themselves to providing a safe and nurturing environment in which all students can learn. In alignment with the Standards for Ohio Educators and the Ohio Academic Content Standards for Students, our state's educators strive for excellence through high expectations that they hold for themselves and their students. The professional conduct of every educator affects attitudes toward the profession. Educators are trustees of the profession and share with the broader community the responsibility of providing high-quality public education.

Aware of the importance of maintaining the confidence and trust of students, parents, colleagues, and the public, Ohio educators maintain the highest degree of professional conduct for themselves and their peers. The Licensure Code of Professional Conduct for Ohio Educators serves as the basis for decisions on issues pertaining to licensure that are consistent with applicable law, and provides a guide for conduct in situations that have professional implications for all individuals licensed by the State Board of Education, such as teachers, principals, superintendents, and other persons serving schools (e.g., school nurses, coaches, substitute teachers),

Ohio is nationally known as a state that produces high-quality educators and recognizes that its 250,000 practicing educators hold the fundamental beliefs defined in the following eight principles:

1. Educators behave in a professional manner, realizing that one's actions reflect directly on the status and substance of the profession.
2. Educators maintain a professional relationship with all students at all times, both in and outside the classroom.
3. Educators accurately report information required by the local board of education or governing board, state education agency, federal agency or state or federal law.
4. Educators adhere to federal, state and local laws and statutes regarding 'criminal activity.
5. Educators comply with state and federal laws related to maintaining confidential information.
6. Educators serve as positive role models and do not use, possess or unlawfully distribute illegal or unauthorized drugs.
7. Educators ensure that school property, public funds or fees paid by students or the community are used in the best interest of students and not for personal gain.
8. Educators fulfill all of the terms and obligations in their employment contract.

As education is a public trust, the Ohio Department of Education pursues allegations of unprofessional conduct. By law, educators are entitled to all due process rights, with each circumstance considered on a case by case basis to determine appropriate action. The Licensure Code of Professional Conduct for

Ohio Educators includes the presumptive range of applicable disciplinary actions involving any individual licensed by the State Board of Education.

1. Professional Behavior

Educators shall behave as professionals realizing that their actions reflect directly on the status and substance of the education profession.

An educator serves as a positive role model to both students and adults and is responsible for preserving the dignity and integrity of the teaching profession - and for practicing the profession according to the highest ethical standards.

Conduct unbecoming to the profession includes, but is not limited to, the following actions:

- a. Failing to adhere to the Licensure Code of Professional Conduct for Ohio Educator&
- b. Committing any violation of state or federal laws, statutes, or rules, although the conduct may not have resulted in a criminal charge, indictment, prosecution or conviction. (This does not include traffic violations.)
- c. Disparaging a colleague, peer or other school personnel while working in a professional setting (e.g., teaching, coaching, supervising, or conferencing) on the basis of race or ethnicity, socioeconomic status, gender, national origin, sexual orientation, political or religious affiliation, physical characteristics, age, disability or English language proficiency.
- d. Failing to complete a criminal background check as required by state or federal law
- e. Violating local, state or federal procedures related to the security of standardized tests, test supplies or resources.
- f. Being disciplined by another state educational entity or other professional licensing board or entity for unethical conduct.
- g. Using technology to intentionally host or post improper or inappropriate material that could reasonably be accessed by the school community.

2. Professional Relationships

Educators shall maintain a professional relationship with all students at all times, both in and out of the classroom.

An educator's responsibility includes nurturing the intellectual, physical, emotional, social, and civic potential of all students and providing a safe environment free from harassment, intimidation and criminal activity. An educator creates, supports, and maintains an appropriate learning environment for all students and fulfills the roles of trusted confidante, mentor and advocate for students' rights. An educator must serve as a champion against child abuse and be cognizant of student behaviors that suggest abuse or neglect

3. Conduct unbecoming includes, but is not limited to, the following actions:

- a. Committing any act of sexual abuse of a student or minor engaging in inappropriate sexual conduct with a student or minor.

- b. Committing an act of cruelty to children or an act of child endangerment (e.g., physical abuse, mental injury, or emotional abuse).
- c. Soliciting, encouraging, engaging or consummating an inappropriate relationship with a student or minor.
- d. Disparaging a student on the basis of race or ethnicity, socioeconomic status, gender, national origin, sexual orientation, political or religious affiliation, physical characteristics, academic or athletic performance, disability or English language proficiency.
- e. Using inappropriate language, gestures or signs at any school-related activity such as racial slurs, biased, lewd or lascivious expressions.
- f. Provoking an altercation between students, or provoking or engaging in a physical altercation with students, that is not for the purpose of ensuring the health, safety, and welfare of students.
- g. Failing to provide appropriate supervision of students, within the scope of the educator's official capacity, which risks the health, safety, and welfare of students or others in the school community.
- h. Knowingly contributing to or knowingly failing to intervene in the harassment, intimidation or bullying of a student.
- i. Using technology to promote inappropriate communications with students.

3. Accurate Reporting

Educators shall accurately report information required by the local board of education or governing board, state education agency, federal agency or state or federal law.

An educator communicates appropriate representation of facts concerning qualifications for professional practice, student information, school board policy, and other educational matters. An educator must report, to the superintendent or designee, conduct by a licensed educator that substantially impairs his or her ability to function professionally or any conduct that is detrimental to the health, safety, and welfare of students.

Conduct unbecoming includes, but is not limited to, the following actions:

- a. Falsifying, intentionally misrepresenting, willfully omitting or being negligent in reporting information submitted to federal, state, and other governmental agencies such as professional qualifications, criminal history and information submitted in the course of an official inquiry or investigation, college or professional development credit and/or degrees, academic awards, and employment history when applying for employment and/or licensure, or when recommending an individual for employment, promotion or licensure.
- b. Falsifying, intentionally misrepresenting, willfully omitting or being negligent in reporting reasons for absences or leaves.
- c. Falsifying, intentionally misrepresenting, willfully omitting or being negligent in reporting information regarding the evaluation of students and/or personnel.
- d. Intentionally failing to report to superintendent or designee conduct that substantially impairs an educator's ability to function professionally in his or her position or any conduct that is detrimental to the health, safety, and welfare of students.

- e. Intentionally failing to make a mandated report of any violation of state or federal law.

4. Criminal Acts

Educators shall adhere to federal, state and local laws and statutes.

An educator shall not engage in criminal activity as evidenced by a criminal conviction, guilty plea, finding of guilt, or participation in a court-ordered diversion or treatment in lieu of conviction program.

Conduct unbecoming includes, but is not limited to, the following actions:

- a. A criminal offense that is an offense of violence, theft, drug abuse, or sexually-oriented offense as defined in Ohio Administrative Rule 3301-20-01 (e.g., murder, rape, drug trafficking, kidnapping, robbery, felonious assault),
- b. A criminal offense that requires an educator to meet the rehabilitation standards as defined in Ohio Administrative Code Rule 3301-20-01 (e.g., assault, passing bad checks, fraud, domestic violence, possession of drugs).
- c. A criminal offense that is not identified as an absolute bar offense or offense requiring rehabilitation pursuant to Ohio Administrative Code Rule 3301-20-01, and the offense involves a student, a minor or an offense involving a school district or school personnel.
- d. Conveying or possessing a deadly weapon or dangerous ordnance in a school safety zone, on school premises, or at a school-related activity unless authorized by state or federal law.

A criminal offense that is not identified as an absolute bar offense or offense requiring rehabilitation pursuant to Ohio Administrative Code Rule 3301-20-01, and the offense does not involve a student, a minor, a school district or school personnel. (This does not include traffic violations.)

5. Confidentiality

Educators shall comply with state and federal laws related to maintaining confidential information.

An educator is entrusted with information that could be misused to embarrass or damage a student's reputation or relationship with others. Therefore, the educator has the responsibility to keep information about students confidential unless disclosure serves professional purposes, affects the health, safety, and welfare of students and others, is required by law, or parental permission has been given. An educator maintains the security of confidential information such as academic and disciplinary records, personal confidences, photographs, health and medical information, family status and/or income.

Conduct unbecoming includes, but is not limited to, the following actions:

- a. Willfully or knowingly violating any student confidentiality required by federal or state laws, including publishing, providing access to, or altering confidential student information on district or public web sites such as grades, personal information, photographs, disciplinary actions, or individual educational plans (IEPs) without parental consent or consent of students 18 years of age and older.
- b. Using confidential student, family, or school-related information in a non-professional way (e.g., gossip, malicious talk or disparagement).

6. Use, Possession, or Unlawful Distribution of Alcohol, Drugs and Tobacco

Educators shall not possess or unlawfully distribute illegal or unauthorized drugs.

Educators shall not use alcohol during any school activity involving students, minors or underage persons. Educators shall not use tobacco during any school activity except in a designated area. Educators shall not furnish, provide or encourage students or underage persons to use, possess or unlawfully distribute alcohol, tobacco, illegal or unauthorized drugs.

An educator is entrusted with protecting the health, safety, and welfare of students at any school event. The use of alcohol, illegal or unauthorized drugs causes impairment of professional judgment that may potentially harm others. A professional educator must serve as a positive role model and refrain from the illegal use of tobacco on any school grounds or at any school activity.

Conduct unbecoming includes, but is not limited to, the following actions:

- a. Being under the influence of, possessing, using or consuming illegal or unauthorized drugs.
- b. Being on school premises in an official capacity (e.g., teaching, coaching, supervising, or conferencing) or at any school activity involving students, minors or underage persons while under the influence, possessing, or consuming alcoholic beverages.
- c. Furnishing or providing tobacco, alcohol or illegal/unauthorized drugs to any student, minor or underage person.
- d. Being on school premises or at any school activity involving students, minors or underage persons while using tobacco except in a designated area.
- e. Promoting the use of steroids, stimulants, or nutritional supplements to accelerate physical growth or contribute to the control of weight loss or weight gain to enhance physical performance.

7. Accepting Compensation for Self Promotion or Personal Gain

Educators shall ensure that school property, public funds or fees paid by students or the community are not used for personal gain. Educators shall not make decisions based upon gifts, gratuities, favors or the socioeconomic status of parents, family members, community members or businesses.

An educator is entrusted with public funds and school property in the course of performing job duties and maintains a high level of honesty, accuracy and accountability to ensure that institutional privileges are not used for personal gain. An educator maintains integrity with students, colleagues, parents, families, community or businesses when accepting gifts, gratuities or favors. To avoid bias or prejudice, an educator needs to ensure that decisions made about students or school policy are not negatively influenced by the socioeconomic status of parents, family members, community members or businesses.

Conduct unbecoming includes, but is not limited to, the following actions:

- a. Soliciting students or parents of students to purchase equipment, supplies, or services or to participate in activities that financially benefit the educator without notifying the superintendent or designee and/or not in accordance with local board policy.
- b. Accepting gifts from vendors or potential vendors for personal use or gain exceeding \$25.00 in value.
- c. Tutoring students in one's district for profit without notifying the superintendent or

- designee and/or not in accordance with local board policy.
- d. Coaching and/or promoting athletic or artistic camps, off season leagues, etc. in one's district for profit without notifying the superintendent or designee and/or not in accordance with local board policy.
 - e. Failing to account for funds related to school activities collected from students, parents, family members, community members, staff or peers in accordance with local board policy.
 - f. Co-mingling public or school-related funds with personal funds or checking accounts.
 - g. Submitting fraudulent requests for reimbursement of expenses.
 - h. Using School property without the approval of the superintendent or designee and/or not in accordance with local board policy (e.g., technology, copy machines, vehicles).

8. Commitment to Contract

Educators shall fulfill all of the terms and obligations detailed in their employment contract with the local board of education or educational agency for the duration of the contract.

An educator knows and understands the rights and responsibilities as outlined in the employment contract and adheres to the terms and conditions of the agreement by fulfilling responsibilities and duties required of the position.

Conduct unbecoming includes, but is not limited to, the following actions:

- a. Abandoning the contractual agreement for professional services without prior release from the contract by the Board of Education or designee according to Ohio Revised Code 3319.15.
- b. Willfully refusing to perform services and duties required by the contract except as outlined in the Ohio Revised Code Chapter 4117.
- c. Violating or interfering with due process as outlined in the contractual agreement.

SECTION 340

EMPLOYEE AND STUDENT CARE AND SAFETY

341 STAFF STUDENT RELATIONSHIP

Professional and support staff members because of their proximity to students are frequently confronted with situations which, if handled incorrectly, could result in liability to the School and personal liability to the professional staff member. Compliance with the following guidelines will minimize that possibility.

1. Each staff member shall maintain a standard of care for supervision, control, and protection of students commensurate with assigned duties and responsibilities.
2. A staff member should not voluntarily assume responsibility for duties s/he cannot reasonably perform. Such assumption carries the same responsibilities as assigned duties.
3. A staff member shall provide proper instruction in the safety matters presented in assigned curriculum guides.
4. Each staff member shall immediately report to the Superintendent or his/her designee any accident or safety hazard s/he detects.
5. A staff member shall not send students on any personal errands.
6. A staff member shall not associate with students at any time in a manner which gives the appearance of impropriety, including, but not limited to, the creation or participation in any situation or activity which could be considered abusive or sexually suggestive or involve illegal substances such as tobacco, alcohol, or drugs.

This provision should not be construed as precluding a professional or staff member from associating with students in private for legitimate or proper reasons.

7. If a student comes to a staff member to seek advice or to ask questions regarding a personal problem related to sexual behavior, substance abuse, mental or physical health, and/or family relationships, the staff member may help the student make contact with certified or licensed individuals in the community or the facility who specialize in the assessment, diagnosis, and treatment of the student's problem. Under no circumstances should a staff member attempt, unless properly licensed and authorized to do so, to counsel, assess, diagnose, or treat the student's problem or behavior.
8. A staff member shall not transport students in a private vehicle without the approval of the Superintendent or his/her designee.
9. A student shall not be required to perform work or services that may be detrimental to his/her health.

10. Possession of weapons or any device designed to inflict bodily harm by any School employee, student or visitor while on School grounds, on a School vehicle, or at a School sponsored event is prohibited and shall result in suspension or dismissal of the student or the employee.

Pursuant to the Ohio laws, each staff member shall report immediately to the Superintendent or his/her designee any sign of suspected child abuse or neglect. The Superintendent or his/her designee shall follow required procedures for reporting suspected child abuse or neglect to proper legal authorities.

342 GENERAL SAFETY RULES

The School has written and posted fire, tornado and emergency safety procedures. These procedures are reviewed with students and staff members on a regular basis.

Students shall not be left unattended. If a teacher leaves the classroom for a short time either a teacher aide or another staff person must be left in charge.

In-class projects, experiments and similar activities, which could have some measure of potential danger, must first be approved by the Superintendent or his/her designee. If approved the teacher must provide intensive close supervision of the project.

Chemicals and chemical products shall be secured and placed in locked storage units. (See School procedure manual for further specific actions to be taken regarding hazardous chemicals).

See also Policy No. 424 Emergency Preparedness and Evacuation of School Buildings, **Appendix GG** Health Plan Emergency Drills and Safety Drills; Policy No. 429 Bomb Threat Procedures; **Appendix II** Bomb Threat Form and Call Checklist; Policy No. 441 OSHA Compliance/Risk Reduction Programs; Policy No. 444 Hazard Communication Program; Policy No. 445 Toxic Hazards and Asbestos Hazards; Policy No. 448 School Safety Plan.

343 REPORTING ACCIDENTS

All accidents on School property, on School transportation and at School--sponsored events must be reported to the Superintendent or his/her designee immediately. An accident report form must be completed as soon as possible following the accident and turned into Superintendent or his/her designee. These reports will be compiled, summarized and submitted to the Board quarterly.

344 INJURIES

The main office, shall have a first aid kit for treating minor injuries. Minor scratches and cuts may be attended to in the classroom or School office. When a student is more seriously injured, the Superintendent or his/her designee shall contact the parent or guardian. If medical treatment is indicated, appropriate steps shall be taken. The child's health form should be taken from the file and be available for examination. Teachers shall not administer medication to students.

Once the squad is called, they have the authority to determine if transport to a hospital is needed. The School shall notify the parent or guardian regarding the accident and the action taken.

345 SPECIAL MEDICAL NEEDS

Parents are responsible for notifying School officials if a student has any special medical needs. Maritime Academy of Toledo personnel will not address any needs requiring the services of a trained professional. In most instances, the special medical needs will result in limited participation in certain activities and classes rather than any treatment being administered. In all instances the Superintendent or his/her designee will make the final decision as to how the School will handle any special needs requests.

346 STUDENT ABUSE AND NEGLECT

Any employee who knows or suspects child abuse or neglect shall immediately report the suspicions to the Superintendent or his/her designee. The Superintendent or his/her designee shall then investigate and, if necessary, contact the appropriate authorities. The identity of the staff member shall be kept confidential. The identity of the student and any information pertaining to the situation shall be kept confidential.

R.C. 2151.421; R.C. 3319.073.

See also Policy No. 229 Child Abuse and Neglect.

347 STUDENT TRANSPORTATION BY PRIVATE VEHICLE

Employees may only transport Maritime Academy of Toledo students in their private vehicles if a consent and waiver has been signed by the parent and authorized by the Superintendent or his/her designee.

348.1 EMERGENCY SCHOOL EVACUATION

The School has a written and posted set of procedures which will insure the health and safety of students and employees in the event an evacuation of the School is necessary.

See also Policy No. 424 Emergency Preparedness and Evacuation of School Buildings; **Appendix GG** Health Plan Emergency Drills and Safety Drills; Policy No. 429 Bomb Threat Procedures; **Appendix II** Bomb Threat Form and Checklist; and Policy No. 448 School Safety Plan.

348.2 EMERGENCY SCHOOL CLOSING/INCLEMENT WEATHER

The School will follow the decisions of the Superintendent or his/her designee regarding weather-related closings. Information about the School closing will be posted on the automated telephone system and through TV station reporting. The Superintendent or his/her designee may close the School, delay the opening of the School, or dismiss School early when such actions are required for the protection of the health and safety of students and employees. In the event School is closed no School related activities will be held. Staff are required to report for work unless a Level II or III Snow Emergency is reported.

SECTION 350

SCHOOL STAFFING, ORGANIZATION AND TRAINING

351 GENERAL POLICY

On a regular basis the Superintendent or his/her designee will review the staffing, training and organization needs of the Maritime Academy of Toledo for the purpose of recommending changes, if needed, to the Board.

352 STAFF DEVELOPMENT

The teaching staff of the Maritime Academy of Toledo is encouraged to continue their professional growth through a variety of activities. Teachers and Teacher Aides will attend all in-service training which is conducted throughout the School year. Absence requests must be submitted to the Superintendent or his/her designee for prior approval.

353 PERFORMANCE EVALUATION OF STAFF

See section

Every staff member, both certificated and non-certificated will receive one formal performance evaluations during the year which will incorporate all ongoing assessments (observations) made frequently throughout the year. Such assessments will include, but not limited to, the student performance outcomes.

The performance evaluation process is designed to provide the information employees need in order to maintain or improve their performance. The results of the performance evaluation will be used to assess continued employment and the level of compensation for the following year. All evaluation documents shall be dated and signed by the evaluator and the person being evaluated.

Teacher Evaluation Policy

The Board of Education (Board) of The Maritime Academy of Toledo (District) adopts the following teacher evaluation policy in accordance with the standards-based statewide teacher evaluation framework adopted by the State Board of Education in November 2011. The Board acknowledges that this teacher evaluation policy aligns with the *Standards for the Teaching Profession* as set forth in State law.

The Board directs the Superintendent/Superintendent to implement this policy in accordance with State law. The requirements of this policy prevail over any conflicting provisions of a collective bargaining agreement entered into on or after September 24, 2012.

Definition of “Teacher”

This policy applies to District employees who meet one of the following categories:

1. A teacher working under a license issued under Ohio Revised Code (ORC) Sections 3319.22, 3319.26, 3319.222 or 3319.226 who spends at least 50% of his/her time providing content-related student instruction; or
2. A teacher working under a permanent certificate issued under ORC 3319.222 as existed prior to September 2003 who spends at least 50% of his/her time providing content-related student instruction; or
3. A teacher working under a permanent certificate issued under ORC 3319.222 as it existed prior to September 2006 who spends at least 50% of his/her time providing content-related student instruction; or
4. A teacher working under a permit issued under ORC 3319.301 who spends at least 50% of his/her time providing content-related student instruction.

Superintendents and assistant principals shall be evaluated in accordance with the principal evaluation policy adopted by the Board in accordance with ORC 3319.02.

This policy does not apply to the superintendent, assistant superintendent(s), business manager, treasurer or “other administrator” as defined by ORC 3319.02. This policy also does not apply to substitute teachers or instructors of adult education.

Assigning an Effectiveness Rating

Each evaluation will result in an effectiveness rating of “Accomplished,” “Proficient,” “Developing,” or “Ineffective.” An effectiveness rating is based on the following two categories: 1) Teacher Performance; and 2) Student Growth Measures. Fifty percent (50%) of the evaluation will be attributed to teacher performance and fifty-percent (50%) will be attributed to multiple measures of student growth.

The Maritime Academy of Toledo will use The Teacher Performance Evaluation Rubric provided by ODE as presented in Exhibit A.

Teacher Performance and Student Growth Measures ratings shall be combined to reach the summative teacher effectiveness rating. The Evaluation Matrix is attached hereto as Exhibit A and incorporated herein.

The Board shall annually submit to the Ohio Department of Education (ODE), in accordance with ODE guidelines, the number of teachers assigned an effectiveness rating, aggregated by the teacher preparation programs from which, and the years in which, the teachers graduated.

Calculating Teacher Performance

Teacher Performance is evaluated during the two cycles of formal observations and periodic classroom walkthroughs. Fifty-percent (50%) of the effectiveness rating will be attributed to Teacher Performance through a holistic process based upon the following *Ohio Standards for the Teaching Profession* and training for credentialed evaluators:

1. Understanding Student Learning and Development and Respecting the Diversity of the Students they Teach;
2. Understanding the Content Area for which they have Instructional Responsibility;
3. Understanding and Using Varied Assessment to Inform Instruction, Evaluate and Ensure Student Learning;
4. Planning and Delivering Effective Instruction that Advances Individual Student Learning;
5. Creating Learning Environments that Promote High Levels of Learning and Student Achievement;

6. Collaborating and Communicating with Students, Parents, Other Educators, District Administrators and the Community to Support Student Learning; and
7. Assuming Responsibility for Professional Growth, Performance and Involvement.

The Superintendent/designee shall select or develop, in consultation with teachers, evaluation tools to be used in calculating the Teacher Performance fifty-percent (50%), which must be aligned to the *Ohio Standards for the Teaching Profession* and the Ohio Teacher Evaluation System Performance Rubric.

Calculating Student Growth Measures

For purposes of the Ohio Teacher Evaluation System (OTES), “student growth” means the change in student achievement for an individual student between two or more points in time. This component of the evaluation includes some combination of the following: 1) Teacher-level Value-Added Data; 2) ODE-Approved Assessments; and/or 3) Locally-determined Measures. Draft ODE Model Teacher Evaluation

Policy

1. 25%: Teacher-level Value-Added: “Value-Added” refers to the value-added methodology provided by ODE. Where value-added data for grades 4-8 for English language arts and mathematics exists (via state-provided assessments), value-added data must be one of the multiple measures used in calculating student growth.

Teacher-level value-added data shall be used in proportion to the part of a teacher’s schedule of courses or subjects for which the value-added data is applicable. For the 2013-14 school year, the majority of the student academic growth factor of the evaluation shall be based on the value-added data for a teacher who’s schedule is comprised only of courses or subjects for which teacher-level value-added data is applicable. For the 2014-15 school year and each school year thereafter, the entire student academic growth factor of the evaluation shall be based on the value-added data for a teacher whose schedule is comprised only of courses or subjects for which teacher-level value-added data is applicable.

2. 25% ODE Approved List of Assessments: RttT ODE approved Assessments will be utilized by the district and will be included as one of the multiple measures of student growth. Assessments utilized will be included when calculating the fifty percent (50%) attributed to student growth measures. The Superintendent/designee, in consultation with teachers and subject to Board approval, will utilize these assessments on the approved list as he/she deems necessary and appropriate.
3. 50% Locally-determined Measures: For courses of instruction in which neither teacher level value-added data nor ODE-approved assessments are

available, the Superintendent/designee, in consultation with teachers and subject to Board approval, shall establish a process in accordance with ODE guidance to create Student Learning Objectives (SLOs) to measure student growth in the courses of instruction.

In the calculation for student academic growth, a student who has sixty or more unexcused absences for the school year will not be included.

Data from these multiple measures will be scored on five levels in accordance with ODE guidance and converted to a score in one of three levels of student growth: 1) “Above”; 2) “Expected”; and 3) “Below.” Draft ODE Model Teacher Evaluation Policy

Evaluation Timeline

District administrators shall conduct an evaluation of each teacher subject to this policy at least annually. Each evaluation shall include: 1) Two (2) cycles of formal observations of at least thirty (30) minutes each; and 2) Periodic classroom walkthroughs by the evaluator. All teacher evaluations shall be completed by the first day of May and each teacher subject to this policy shall be provided with a written copy of the evaluation results by the tenth day of May.

The Maritime Academy of Toledo will implement the ODE recommended timeline as presented in Exhibit B.

For those teachers who are on limited or extended limited contracts pursuant to ORC 3319.11 and who are under consideration for nonrenewal, one evaluation consisting of at least three formal observations must be conducted annually by the first day of May. Each teacher on a limited or extended limited contract shall be provided with a written copy of the evaluation results by the tenth day of May.

The Board elects to evaluate a teacher receiving an effectiveness rating of “Accomplished” on the teacher’s most recent evaluation conducted pursuant to this policy once every two years. Any biennial evaluation conducted under this provision must be conducted and completed by the first day of May, and the teacher shall be provided with a written copy of the evaluation results by the tenth day of May.

The Board elects to evaluate a teacher receiving an effectiveness rating of “Accomplished” on the teacher’s most recent evaluation conducted pursuant to this policy, via one formal observation provided the teacher completes a project that has been approved by the Board to demonstrate the teacher’s continued growth and practice at the Accomplished level. The teacher must submit a proposed project to the Superintendent no later than March 1st of each academic year in order for the Superintendent to obtain the necessary Board approval.

Credentialed Evaluators

The Board will adopt a list of approved credentialed evaluators. Each teacher evaluation conducted under this policy shall be conducted by a person: 1) who is

eligible to be an evaluator in accordance with ORC 3319.111(D); and 2) who holds a credential established by ODE for being an evaluator. Every evaluator must complete state-sponsored evaluation training and is required to pass an online credentialing assessment.

Professional Growth and Improvement Plans

1. Teachers must develop professional growth or improvement plans based on the Teacher Performance Evaluation Rubric as presented in Exhibit A. Teachers who meet Above-Expected levels of student growth must develop a professional growth plan and choose their credentialed evaluator for the evaluation cycle from the Board-approved list.
2. Teachers who meet Expected levels of student growth must develop a professional growth plan collaboratively with a credentialed evaluator for the evaluation cycle from the Board-approved list. The teacher will have input on the selection of a credentialed evaluator for the evaluation cycle.
3. Teachers who meet Below-Expected levels of student growth must comply with an improvement plan developed by the credentialed evaluator assigned by the Superintendent/designee for the evaluation cycle from the Board-approved list.

Testing for Teachers in Core Subject Areas

Beginning with the 2015-16 school year, teachers who teach in a “core subject area” are required to register for and take all written examinations of content knowledge selected by ODE if the teacher has received an effectiveness rating of “Ineffective” on evaluations for two of the three most recent school years. “Core subject area” means reading and English language arts, mathematics, science, foreign language, government, economics, fine arts, history, and geography.

Teachers who receive a rating of “ineffective” on evaluations for two of the three most recent school years will be terminated.

Retention and Promotion Decisions

Retention and promotion decisions will be based upon teacher’s evaluation ratings each year.

1. *Contracts for teachers who receive a rating of “Accomplished or Proficient” will automatically be renewed and will be eligible to receive a bonus and/or increase in salary.*
2. *Contracts for teachers who receive a rating of “Developing” may or not may not be renewed.*
3. *Contracts for teachers who receive a rating of “Ineffective” will not be renewed.*

The Board adopts the following procedures to be used by district administrators in making retention and promotion decisions:

The Maritime Academy of Toledo will review a composite of all of the following data which will determine all retention and promotion decisions:

Assigning an Effectiveness Rating
Calculating Teacher Performance
Calculating Student Growth Measures
Professional Growth and Improvement Plans

Seniority shall not be a basis for making retention decisions, except when making a decision between teachers who have comparable evaluations.

Removal of Poorly-Performing Teachers

The Board adopts the following procedures to be used by district administrators in removing poorly-performing teachers:

The board authorizes the Superintendent/designee to immediately remove poorly performing teachers, without consideration for length of service or time of year.

Professional Development

The Board's plan for the allocation of financial resources to support professional development is as follows:

1. Financial resources will be expended from High Schools That Work, Race to the Top, and Title II: Improving Teacher Quality grants and from general funds.
2. Staff professional development will be on-going and related to the specific needs and goals of each staff member.



Signature of Board President

Policy Adoption Date: June 10, 2013

Legal References: ORC 3319.111; 3319.112; 3319.58

Legislative Reference: Am. Sub. HB 153 (September 29, 2011); Sub. SB 316 (September 24, 2012); Am. Sub. HB 555 (March 22, 2013)

354 PERFORMANCE COACHING

Following an employee evaluation, if the Superintendent or his/her designee determines that the employee's performance does not meet the standards of the Maritime Academy of Toledo the Superintendent or his/her designee may engage the employee in the Performance Coaching Process. This process shall not interfere with the School's right to terminate an employee.

1. The Superintendent or his/her designee will meet with the employee to discuss the performance concern(s) and to identify ways to improve the employee's performance. This discussion must be documented and include specific measurable performance objectives that the staff member must meet within a specified time. The date and time of the next meeting will be established before the meeting is concluded.
2. If the employee does not meet the objectives by the time of the second meeting or if improvement is not sustained, then at the discretion of the Superintendent or his/her designee, a second plan similar to the first may be devised or the Superintendent or his/her designee may elect to proceed to step 3 (below). This meeting also must be documented.
3. If the employee's performance still does not improve or is not sustained at a level satisfactory to the Superintendent or his/her designee, then appropriate action may be taken which could include termination.

355 REDUCTION OF STAFF

The Board reserves the right to eliminate positions and reduce staff as deemed necessary. The Superintendent or his/her designee shall make recommendations for staff reduction and report them to the Board.

SECTION 360

EMPLOYEE MISCONDUCT, DISCIPLINE AND TERMINATION

361 EMPLOYEE DISCIPLINE

The School is committed to establishing and maintaining supervisory practices and procedures that support effective operations in the interest of the organization and its employees. Such procedures may include the administration of disciplinary action to assist employees in overcoming work-related problems, performance deficiencies, or behavior that violates the School's policies, practices, and procedures.

Although the School maintains a progressive disciplinary procedure, circumstances may warrant disciplinary action outside of the progressive procedure. For example, the progressive procedure may not be appropriate: (1) when the conduct at issue involves severe performance deficiencies, performance problems related to skill or ability, or certain types of inappropriate conduct; (2) when the initial steps of progressive discipline do not assist the employee in correcting the problem; (3) when the employee occupies a position requiring the exercise of effective management and leadership; or (4) when the employee's actions, or inactions, may seriously impair the School's ability to carry out its mission. If the School determines that these, or similar circumstances exist, the School may determine that the progressive disciplinary procedure is inappropriate. Moreover, under certain circumstances, a supervisor may determine that although the procedure should be utilized, certain steps in the procedure should be omitted or repeated.

R.C. 124.34.

362 DISCIPLINARY PROCEDURE

Step 1: Oral Discussions and Warning

The initial step of the progressive disciplinary procedure is for the supervisor to discuss the problem with the employee as soon as possible after the incident or awareness of the problem occurs. The supervisor should discuss the problem, suggest ways to improve or to correct the problem, and identify a time period for corrective action.

Step 2: Written Warning

The second step is for the supervisor to provide the employee with a written warning. The step is generally taken when the initial step does not correct the problem, although a supervisor may determine that a written warning is warranted as the initial step. When a written warning is given an employee, the supervisor should meet with the employee, outline the problem, suggest ways to improve or correct the problem and identify a time period for corrective action. The specifics of this discussion should be documented in a letter or memorandum that is provided to the employee and forwarded to the Superintendent or his/her designee of the School for placement in the employee personnel file. A copy of the letter or memorandum should also be initialed by the employee. If the employee refuses to sign it, this should be documented by the supervisor.

Step 3: Suspension

Although not generally a step in the progressive disciplinary procedure, suspension may be appropriate as the third step. If utilized at all, suspension is generally limited to two circumstances. First, a supervisor may determine that suspension should be used as a corrective measure to emphasize the seriousness of a problem. Second, suspension may be used because discharge appears warranted but the supervisor needs time for an investigation to be conducted to determine if discharge is actually warranted. In any event, suspension is for a specified period and, except for exceptional circumstances, without pay.

Step 4: Discharge

If prior measures fail to correct a problem, the final step in the progressive discipline procedure is termination. If the supervisor is satisfied that discharge is appropriate, and the Superintendent or his/her designee concur, discharge should be initiated. The circumstances that led to the decision to discharge the employee should be documented by the supervisor.

R.C. 124.34.

363 TERMINATION

In certain circumstances, Maritime Academy of Toledo will choose to be an "At Will" employer and as such an employee may be terminated without cause. Whether an employee is "at will," or, serving under a contract that requires cause for termination, listed below are some reasons which may result in an employee being terminated. This list is not intended to contain all possible reasons for termination.

- Theft or Dishonesty;
- Intentional destruction or unauthorized use of School property;
- Falsification of School Records;
- Unacceptable work performance, including irregular or tardy attendance;
- Willful violation of School policies or property;
- Unacceptable attendance record;
- Providing inappropriate assistance to students on standardized tests and proficiency tests;
- Threatening, harassing, assaulting or abusing any student, employee or visitor;
- Fighting, physical violence and verbal abuse;
- Possession of firearms or explosives;
- Violation of the drug, alcohol and/or smoking policies;
- Intoxication or use of alcohol on School property;
- Use, sale or possession of unlawful drugs on School property
- Sleeping on duty;
- Neglect of duty and disruption of others;
- Insubordination;
- Abuse or inappropriate access of confidential information;
- Willful violation of School safety or security regulations.

364 RESIGNATION

When an employee wishes to resign he/she must submit their resignation in writing at least 30 days prior to the effective date.

365 WHISTLEBLOWER POLICY

The Ohio Revised Code prohibits employers from taking any disciplinary or retaliatory action against an employee for making a report of a violation of any state or federal statute which an employee believes is:

- (1) a criminal offense that is likely to cause either an imminent risk of physical harm to persons or a hazard to public safety,
- (2) is a felony;
- (3) an improper solicitation for a contribution.

In order to receive the protection afforded by the Revised Code, the employee must orally notify his or her supervisor of the violation and subsequently file a written report with the supervisor that provides sufficient detail to identify and describe the violation. If the employee is unable to report the violation to his or her supervisor, the oral and written reports must be made to the Board. Employees must make a reasonable and good faith effort to determine the accuracy of any information that is reported verbally or in writing.

If the employer does not correct the violation or make a reasonable and good faith effort to correct the violation within twenty-four hours after the oral notification or the receipt of the report, whichever is earlier, the employee may file a written report that provides sufficient detail to identify and describe the violation with the prosecuting authority of the county or municipal corporation where the violation occurred, with a peace officer, with the inspector general if the violation is within the inspector general's jurisdiction, or with any other appropriate public official or agency that has regulatory authority over the employer and the industry, trade, or business in which the employer is engaged.

The employer will not retaliate or take part in any form of reprisal against the employee bringing the complaint. Employees who believe they may have been subject to retaliation should report suspected retaliation to the Board President.

An employee may be subject to discipline if it is determined that the report of wrongdoing was knowingly fabricated by the employee or was, knowingly distorted, exaggerated or minimized to either injure someone else or, to protect the reporting party or others.

Complaints of harassment will be handled in accordance with the anti-harassment policy.

R.C. 4113.51, et seq.

SECTION 370

COMPENSATION AND BENEFITS

371 GENERAL POLICY

The School strives to establish pay levels that are competitive with those of similar Schools in our area. The School's goal is to attract excellent staff-one of our School's most valued assets. Adjustments may be made by the Board, taking into consideration past performance, experience, market availability, job responsibilities, etc.

372 SCHEDULING

The hours worked will be established and changed as necessary to meet the needs of the School and its students. A general description of School and work hours will be announced at the beginning of the School year. This schedule may change from time to time as necessary.

373 RECORDING WORK TIME

All hourly employees are responsible for keeping accurate time records in accordance with School procedure. Instructions will be given by the Superintendent or his/her designee as to how to complete your time slip. You are not to complete any other employees' time slip nor permit/direct someone else to complete yours.

20 USC 211(c).

374 OVERTIME PAY

As defined by law, nonexempt employees receive overtime pay for hours worked beyond 40 in a workweek. Overtime is defined as any hours in excess of 40 hours accumulated during the normal work week which is Sunday through Saturday. Overtime hours are paid at time and one half. A substantial amount of overtime is available to employees with good attendance and work performance.

Under federal law, exempt employees-generally speaking, salaried executive, professional, and administrative employees, as defined by law, and outside sales persons, as defined by law are exempt from the law requiring payment for overtime work. Exempt employees are responsible for working as many hours as necessary to get the job done and are not offered overtime pay. At hire you will be notified of your exempt or non-exempt status.

29 U.S.C. 207(a)(1) – (2); R.C. 4111.03.

375 SALARY DEDUCTION POLICY

It is our policy to comply with the “salary basis” requirements of the Fair Labor Standards Act. Therefore, we prohibit the School from making any improper deductions from the pay of exempt employees. We want employees to be aware of this policy and that the School does not allow deductions that violate the FLSA.

Deductions from pay are permissible when an exempt employee: is absent from work for one or more full days for personal reasons other than sickness or disability; for absences of one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness; to offset amounts employees receive as jury or witness fees, or for military pay; or for unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions. Also, the School is not required to pay the full salary in the initial or terminal week of employment; for penalties imposed in good faith for infractions of safety rules of major significance, or for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act. In these circumstances, either partial day or full day deductions may be made.

If you believe that an improper deduction has been made from your salary, you should immediately report this information to the Superintendent. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed for any improper deduction made.

29 C.F.R. § 531, et. seq.

SECTION 380

TIME OFF FROM YOUR JOB

381 PERSONAL LEAVE

Each full time employee is given *two (2)* paid days per year. Personal leave not used may not be carried over to the next year. Employees who are terminated or resign are not paid for unused personal leave.

Use of paid time off should be requested as far in advance as possible. An employee absent due to illness must notify the Superintendent or his/her designee as soon as possible and no later than 1-1/2 hours prior to the opening of School.

R.C. 124.386.

382 PAID SCHOOL HOLIDAYS

Administrator receive paid School holidays as determined by the School calendar including federal/state holidays, winter break and spring break.

383 MEDICAL LEAVE OF ABSENCE

If an employee is unable to physically or mentally perform his or her job they may request an unpaid medical leave of absence. This should be done in concert with the recommendations of a physician(s). Medical leaves of absence must be reported to the Board. While on medical leave the employee shall not accumulate personal leave, health insurance shall not be continued by the Board and the employee shall not take other employment. Employees may elect to pay the cost of health insurance during a period of approved leave.

384 CHILD CARE LEAVE

Requests for unpaid leave for pregnancy, child birth, adoption or other child care related circumstances may be requested without pay for up to six (6) weeks or the remainder of the School year, whichever is shorter. With the approval of the Superintendent or his/her designee accumulated personal and sick leave may be used in conjunction with child care leave if the employee so requests. Health insurance will not be paid by the Board during the term of such leaves. Employees may elect to pay the cost of health insurance during the period of approved leave.

29 U.S.C. 2601; R.C. 3313.20.

384.1 JURY DUTY LEAVE

Full time employees who are selected for jury duty will be excused for the duration of the leave and receive their normal pay for each day they serve, **for** up to two weeks. The employee may also keep their jury duty pay.

R.C. 2313.18; R.C. 3313.211.

384.2 MILITARY LEAVE

Maritime Academy of Toledo observes all applicable laws concerning military leave and re-employment rights following military training and service.

38 U.S.C. 4301; R.C. 3319.085; R.C. 5923.05.

385 FAMILY LEAVE (FMLA)

An employee is eligible under the Federal Family and Medical Leave Act (FMLA) if:

1. The employee has been employed by the School for at least twelve (12) months;
2. The employee has worked a minimum of 1250 hours during the twelve (12) month period before the leave is requested; *and*
3. The employee is employed at a School worksite which employs fifty (50) or more employees, or the total number of employees within 75 miles of the worksite is fifty (50) or more at the time the request is made.

Even though the School may be a covered employer, employees must meet all three requirements to be eligible.

An employee may take a total of twelve (12) weeks of unpaid leave during the twelve (12) month period described below for any one or more of the following reasons:

1. The birth of a son or daughter of the employee and in order to care for such son or daughter;
2. The placement of a son or daughter with the employee for adoption or foster care;
3. To care for the spouse, son, daughter, or parent of the employee if such spouse, son, daughter, or parent has a serious health condition; or
4. A serious health condition that makes the employee unable to perform the functions of his/her position.

The twelve (12) month period is defined as a "rolling" 12-month period measured backward from the date an employee begins using any FMLA leave.

A "serious health condition" is an illness, injury, impairment, or physical or mental condition which involves:

1. Any period of incapacity or treatment in connection with or consequent to inpatient care in a hospital, hospice, or residential medical care facility;
2. Any period of incapacity requiring absence from work, school, or other regular daily activities of more than three (3) calendar days, that also involves continuing treatment by a health care provider; or

3. Continuing treatment by, or under the supervision of, a health care provider for a chronic or long-term health condition that is incurable or so serious that, if not treated, would likely result in a period of incapacity for more than three (3) calendar days, or for prenatal care.

A leave taken by an employee for the birth or placement of a son or daughter must be taken in one continuous segment, up to twelve (12) weeks, and must be taken within twelve (12) months of the birth or placement of the son or daughter. An employee is required to give thirty (30) days written notice of his/her intent to take leave, unless such leave is unforeseeable. In such a case, the employee must give notice as soon as practicable.

Leave taken to attend to the serious health condition of the employee or the employee's family member may be taken in one continuous segment, up to twelve (12) weeks, or may be taken on an intermittent or reduced leave, if medically necessary. The employee must make a reasonable effort to schedule his/her leave so as not to unduly interrupt School operations and must give thirty (30) days written notice of his/her intent to take leave, if practicable.

Intermittent or reduced leave will be allowed only for serious health conditions when medically necessary and properly validated or certified. An employee is not entitled to take an intermittent leave or a leave on a reduced schedule for the birth or placement of a child.

If an employee chooses to take intermittent or reduced leave, the School may require the employee to transfer temporarily to another position in the School for which he/she is qualified, and which would provide equivalent pay and benefits and a better accommodation for the employee's recurring periods of leave.

The employee will remain covered by the School-sponsored health care benefits while on leave. However, he/she is required to continue payment of any required contribution for insured benefits. If the employee does not return to work after the leave period, the School will require the employee to repay the health care premiums paid by the School during the leave period, unless the employee does not return due to a serious health condition as defined in this policy or due to other circumstances beyond the employee's control.

An employee on leave does not lose any benefit which has accrued prior to the first day of leave and the leave period will be treated as continued service for purposes of determining vesting and eligibility to participate in pension, 401(k), and other School retirement plans. However, an employee does not accrue any other benefits during the leave period, nor does the leave period entitle the employee to any greater rights than he/she would have had if he/she had remained in the workplace.

If an employee takes any under this policy, accrued paid time will be applied to the leave period until such paid time off is exhausted. The remainder of the leave will be unpaid.

An employee returning from leave will be reinstated to the same position or an equivalent position, with equivalent pay, benefits, and other terms of employment, unless the employee would not otherwise have been so employed at the time reinstatement is requested.

Any employee returning from a medical leave, whether under this policy or not, may be required to present certification of the employees fitness to return to work and identifying any restrictions relating to the leave of absence.

Certain higher level employees may be denied reinstatement and the Human Resources Coordinator should be consulted if the employee is believed to be within the highest paid 10% of workers employed within 75 miles of the employee's workplace.

An employee who requests leave to care for his/her own serious health condition or the serious health condition of a family member must provide a certification by his/her care provider which justifies the leave.

This certification must be provided by the employee within fifteen (15) days of the request for leave, unless it is not practicable to do so. Failure to provide the required certification on time may affect the employee's ability to take leave as requested.

The School also may require an employee on leave to check in periodically with management to inform them of his/her status and intent to return to work. A check-in schedule should be arranged between the employee and the Human Resources Administrator before leave is taken.

The School may also require a second opinion as to a serious health condition at its own expense. This opinion shall not be given by a medical professional regularly used by the School.

In the event of a conflict between the two opinions, the School may, at its own expense, require a third opinion from a medical professional jointly designated by the School and the employee whose decision shall be binding on the School and the employee.

Finally, an employee returning from leave taken for his/her own serious health condition must provide certification from his/her care provider that he/she is able to resume work.

29 U.S.C. § 2601.

SECTION 390

MISCELLANEOUS POLICIES

391 INSURANCE

391.1 HEALTH INSURANCE AND ANNUITIES

The Board provides health insurance for all full time employees. Hourly employees may be provided paid health, dental, and vision insurance. The amount contributed by the Board is determined annually prior to the start of a new School year. From time to time the Board may have several contracts with companies who provide tax-sheltered annuities to employees who wish to contribute. These are paid entirely by the employee. Employee contributions shall be made through payroll deductions. If an employee is given a leave of absence for a period of time the Board will not pay the employee's health insurance except as required for eligible parties under the FMLA (see policy no. 384 above). The employee may elect to pay the premiums for such time as they are on an approved leave. An employee who resigns prior to the end of their contract year will have Board paid health insurance only through the end of the month in which their resignation is effective. If a teacher or teacher aide resigns at the end of their contract year the Board will continue to pay their health insurance premium through the month of August. Other staff members who resign at the end of their contract will have their health insurance paid through the end of the month immediately following the end of the contract.

R.C. 9.90; R.C. 3313.202.

391.2 WORKERS' COMPENSATION INSURANCE

As required by law, all employees are covered by Workers' Compensation Insurance, which may provide benefits for injuries or illness that occur as a result of employment at Maritime Academy of Toledo. Any injury, regardless of its apparent seriousness must be reported immediately to your supervisor. Failure to immediately report an on the job injury will result in discipline up to and including discharge.

R.C. 4123.01; R.C. 4123.83.

391.3 STRS/SERS

By law, many Staff may be covered by the State Teachers Retirement System or the State Employee Retirement System. Some contractors may not be eligible for such benefits. Determinations will be made based on law, facts and circumstances, in conjunction with applicable professional advisors and governmental agencies.

R.C. 145.03.

391.4 UNEMPLOYMENT COMPENSATION

By law, most workers are insured for unemployment compensation, which provides income payment in certain conditions for a period of weeks if you lose your job under certain conditions.

R.C. 4141.01.

392 STAFF DRESS AND GROOMING/STAFF SCHOOL UNIFORM

School employees are expected to set an example for students to follow regarding dress and grooming. Employees shall dress and conduct themselves in a manner which reflects the discipline, respect and dignity associated with the image of the School.

393 STUDENT ACTIVITIES

The formation of all student activities (clubs, teams, groups etc) must first be approved by the Superintendent or his/her designee. The Superintendent or his/her designee will give consideration to all factors in determining the potential value to students before final approval is given. Copies of all the necessary forms, rules and regulations pertaining to the establishment of a student activity are available from the Superintendent or his/her designee.

393.1 ATHLETIC UNIFORM POLICY

The following Maritime Academy of Toledo Sports/Athletic Program Policies and Procedures apply to all Sports and Athletic Programs:

1. Your uniform is the property of The Maritime Academy of Toledo.
2. Your uniform may not be worn without your coach's permission.
3. Your uniform must be taken home after every game and washed in accordance with washing, drying, and care instructions as noted on the uniform tag.
4. When taken home, your uniform may not be worn outside of your home.
5. Your uniform must be returned to The Maritime Academy of Toledo upon completion of your sport season.
6. Your uniform must be returned immediately to The Maritime Academy of Toledo if you are dismissed from the team.

394 FUND RAISING ACTIVITIES AND PROJECTS

All fund raising activities conducted at or on behalf of the School must be approved in advance of the proposed activity by the Superintendent or his/her designee. Copies of the forms and rules and regulations are available from the Treasurer. There is a potential personal liability associated with maintaining proper and accurate records, safeguarding and depositing funds and assuming responsibility for conducting and overseeing a fund raising project. Staff members are advised to carefully follow all rules, regulations and policies governing fund raising activities.

395.1 PURCHASE OF SUPPLIES AND MATERIALS, EQUIPMENT

The following procedures **MUST** be adhered to for every purchase, whether or not it is a grant you received, a donation you gave, or any other monies deposited into a TMAT account. Failure to follow this procedure causes difficulties in vendors receiving prompt payment, administrative staff who process your reqs, and with the auditors who, by law, are required to monitor our purchasing procedures.

Staff members may request the purchase of supplies and materials provided the Superintendent or his/her designee approves the purchase and there are adequate funds in the budget to cover the cost. All staff members must follow the following rules, regulations and procedures when making a purchase.

1. Verbal approval by any administrator itself is **never** acceptable when making a purchase or placing an order. A requisition form must first be completed and then signed by the appropriate supervisor and the Superintendent or his/her designee and then sent to the Treasurer. The Treasurer must then determine if there are adequate funds available in the budget for the transaction and if so, will only then issue a written purchase order and either, return the requisition to the sender to make the purchase or send it directly to the vendor for the purchase.
2. Upon receipt of the supplies and materials the staff member who made the request will be responsible to verify that all items ordered have been received and are acceptable for use. If there are any problems with the items received contact vendor on how to resolve any concerns. Carbon copy the supervisor and the Superintendent and/or his/her designee.
3. When an invoice for payment is received the Treasurer will make a copy of the invoice and send it to the staff member who placed the order. The staff member will date, sign and write on the copy "OK to pay" and return it to the Superintendent or his/her designee. The Superintendent or his/her designee has the authority to approve up to \$2,500 for any one purchase, subject to any budget constraints, before having to receive Board approval of a purchase.

See also Policy No. 148.1 Purchasing and Policy No. 148.4 Property Obtained with Federal Title I Grants Policy.

395.2 LEASES AND CONTRACTS

All leases and contracts must be initiated by a School administrator and approved by the Board. No staff member, School administrator, consultant, parent or any other person has the authority to sign a lease or contract without Board approval.

396 STAFF GIFTS

Students and their parents are discouraged from the routine presentation of gifts to School employees on occasions such as religious holidays. Where a student feels a spontaneous desire to present a gift to a staff member, the gift should not be elaborate or unduly expensive. The Board considers as always welcome, and in most circumstances more appropriate, the writing of letters to staff members, expressing gratitude or appreciation.

397 CARE OF MATERIALS, EQUIPMENT AND SCHOOL PROPERTY

When materials and equipment are issued for use in the classroom, the staff member is responsible to assure the items are not misused or mistreated. If an item is damaged, the staff member shall be responsible for reporting the condition to the Superintendent or his/her designee. If an item is stolen the staff member shall notify the Superintendent or his/her designee that the item is missing and the Superintendent or his/her designee shall, with information supplied by the staff member, make a formal police report. When the report has been made it shall be turned over to the Superintendent or his/her designee for appropriate action regarding inventory adjustments as well as determining if an insurance claim should be filed.

Staff members shall report School cleanliness needs and School maintenance needs in writing on the appropriate form and submit the form to the Superintendent or his/her designee with a copy being sent to the Superintendent or his/her designee. The Superintendent or his/her designee shall forward the form to either the custodian or maintenance staff for appropriate action.

See also Policy No. 232 Technology and Internet Acceptable Use (to be signed by Staff as well as Students).

397.1 USE OF ELECTRONIC EQUIPMENT

To ensure that the School's electronic equipment is used only for lawful and appropriate purposes and to further its business interests, the School has adopted the following Policy which applies to all employees. Each employee and student having access to the electronic equipment of the School is required to abide by this Policy. The School will strictly enforce this Policy.

397.2 ACCEPTABLE USES OF THE SCHOOL'S EQUIPMENT

Software and business equipment, including telephones, facsimile machines, computers, the School's electronic mail system, the School's Internet access, and copy machines (collectively, the "Equipment") are intended to be used for business purposes only. The Equipment is the exclusive property of the School, and its sole purpose is to facilitate the business of the School. Each student and employee has the responsibility to maintain and enhance the public image of the School and to use the Equipment in a productive and appropriate manner.

397.3 UNACCEPTABLE USES OF THE SCHOOL'S EQUIPMENT

The School's Equipment may not be used for transmitting, receiving, or storage of any communications of a defamatory, discriminatory, or harassing nature, or materials that are sexually explicit, pornographic, or obscene. Harassment of any kind is prohibited. No messages with derogatory or inflammatory remarks about an individual's race, sex, age, disability, religion, national origin, or physical attributes shall be transmitted through the School's Equipment. The School will not tolerate actions that may create a hostile environment. Equipment may not be used for any purpose which is illegal or against the School's policies or contrary to the School's best interest. Sensitive or confidential information respecting the School or its students or vendors should not be transmitted via the Internet or over facsimile machines without the consent of the School. Solicitation of non-School business, or any use of the School's Equipment for personal gain, is prohibited.

See also Policy No. 232 Technology and Internet Acceptable Use (to be signed by Staff as well as Students).

398 COMMUNICATIONS

Students and employees are responsible for the content of all information that they transmit over the School's equipment. All electronic communications must correctly identify the student or employee responsible for the communication. Any information sent to an individual outside of the School via the School's Equipment are statements that reflect on the School. All communications sent by students and employees via the School's Equipment must comply with this and other School policies.

398.1 SOFTWARE AND COPYRIGHT ISSUES

To prevent computer viruses from being transmitted through the School's Equipment, there will be no downloading or copying of any software onto the School's Equipment without prior approval of the School. No files of any kind will be downloaded from the Internet without prior approval of the School. License agreements relating to any software, whether individually owned or owned by the School, will be strictly complied with. Any student or employee desiring to reproduce or store information of any sort downloaded from the Internet should contact the Superintendent or his/her designee to determine whether the intended use is permissible. Copyright laws are very complex and can apply even to information that appears to be freely available for any use. No copyrighted material will be copied illegally on the School's Equipment or transmitted through the School's Equipment.

The Board encourages teachers and staff assigned to the School to make judicious use of appropriate printed materials, sound recordings, and electronic programs in the curriculum but recognizes that Federal law, applicable to public school districts, protects authors and composers from the unauthorized use of their copyrighted work.

The copyright law of the United States (Title 17, USC) governs the making of photocopies or other reproductions of copyrighted materials. According to the copyright law, it is illegal to copy or reproduce on disk or paper, by use of school equipment or any other means, materials for which the person reproducing or the School does not own the copyright, unless the written permission of the copyright owner has been obtained, or unless the activity is within some of the limited exceptions to the copyright laws. Copyright infringement carries with it serious civil and criminal penalties under law.

Title 17, Section 107, regarding the Fair Use of copyrighted work, reads in pertinent part:

- . . . [T]he fair use of a copyrighted work, including such use by reproduction in copies or photo-records or by any other means specified by that section, for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research, is not an infringement of copyright. In determining whether the use made of a work in any particular case is a fair use the factors to be considered shall include B
- (1) the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
 - (2) the nature of the copyrighted work;
 - (3) the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
 - (4) the effect of the use upon the potential market for or value of the copyrighted work.

398.2 SECURITY

No student or employee may use a pass code or voice-mail access code that has not been issued to that employee by the School. The School has the technical means, and the legal right, to monitor all office electronic mail and Internet communications sent to or from the School's Equipment. The School will exercise this right as deemed necessary by the School. There are several legitimate business reasons for the School monitoring the use of its Equipment including: (1) ensuring that the sole use of the Equipment is to further its business purposes; (2) preventing inappropriate and unprofessional comments, or even illegal activity, via its Equipment; (3) preventing and controlling the spread of viruses in its Equipment; (4) the need for supervision, control, and the efficient operation of the workplace; and (5) controlling costs.

In some respects, communication via the Internet is not completely private. For instance, certain information with regard to sender's name, receiver's name, and subject matter is tracked and recorded automatically at various stages of the transmission process. In addition to these automatic tracking features of Internet communications, the School has the added capability, as well as the right, to monitor and record all information with regard to Internet communications into and out of the School, as well as all internal e-mail communications. Despite certain equipment features that may give the appearance of creating privacy, such as passwords and the ability to delete and purge messages, students and employees have no expectation of privacy with regard to any communications or data transfer utilizing the School's Equipment. **By using the School's Equipment, students and employees consent to the monitoring of their activities on the School's Equipment and forfeit any expectation of privacy.**

398.3 VIOLATIONS

Any student or employee who abuses the privilege of using the School's Equipment will be subject to appropriate disciplinary action. The School also reserves its right to advise appropriate authorities of any illegal use of the School's Equipment.

SECTION 4:
HEALTH AND SAFETY POLICIES

SECTION 400

GENERAL HEALTH AND WELFARE

401 HEALTH SERVICES

Prior to November 1 of the school year in which a child is enrolled for the first time in either kindergarten or first grade, the child shall be screened for disorders in hearing, vision, speech and communication, for general health or medical problems, and for developmental disorders. This screening, or any of its elements, may be provided directly by the School or by contract with another person or governmental entity. The School may also establish a list of approved providers of screening services and request the parents to utilize one of these providers.

Prior to August 1, the parents or guardians of any child entering school for the first time must be provided with information about the screening program. If the School has determined that screening is to be obtained by the parents or guardians, it must prepare a list of providers together with information about screening services available in the community to those who cannot afford them. A parent or guardian may reject the requested screenings by signing a written statement to the effect that he/ she does not wish to have his/ her child screened.

If the results of any health screening reveal the possibility of special learning needs, the School is required to conduct further assessment in accordance with Ohio's handicapped education laws.

R.C. §§ 3313.673; 3314.03.

402 USE OF MEDICATIONS POLICY

The School shall not be responsible for the diagnosis and treatment of student illness. The administration of prescribed medication and/or medically prescribed treatments to a student during school hours will be permitted only when failure to do so would jeopardize the health of the student, or the student would not be able to attend school if the medication or treatment were not made available during school hours, and, only if a physician's request is completed. See

Physician's Request for Medication Form.

In the case of an emergency, only the custodial parent can authorize treatment or designate alternative individuals to make those decisions in his or her absence. However, if all reasonable measures to contact the custodial parent and his/her designees have failed, the School may seek authorization from an involved non-custodial parent (i.e. a parent who has rights of unsupervised visitation with the child).

For purposes of this policy, "medication" shall include all medicines including those prescribed by a physician and any non-prescribed (over-the-counter) drugs, preparations, and/or remedies. "Treatment" refers both to the manner in which a medication is administered and to health-care procedures which require special training, such as catheterization.

The total responsibility for dispensing or administering any medication or treatment shall rest solely with the parent(s) and their child. Before any medication or treatment may be administered to any student during school hours, the School shall require the written prescription from the child's physician with detailed instructions, written promises of the physician and the parent to forward any changes in the prescription or instructions to the school immediately upon change and to ensure delivery to the appropriate staff. This must be accompanied by the written authorization and waiver of the parent. This document shall be kept on file in the main office of the School with the secured medical files.

Only medication in its original prescription bottle labeled with the date of prescription, student's name, and exact dosage will be administered and only in the presence of another adult. Parents, or students authorized in writing by physician and parents, may administer medication or treatment but only in the presence of an adult staff member assigned for that purpose.

Only Staff Members who are licensed health professionals or who have completed a Board-approved drug administration program conducted by a licensed health professional, may administer to a student a drug prescribed for the student. They may also assist a student with self-administration of medications by doing the following (1) remind the student when it is time to take a medication and observe to ensure that the student follows the directions on the container; (2) assist the student in the self-administration of medication by taking the medication in its container from the area where it is stored and handing the container with the medication in it to the student; (3) assist upon request by or with the consent of, a physically impaired but mentally alert student, in removing oral or topical medication from the container and in taking or

applying the medication. If a staff member is physically unable to place a dose of medicine in a student's mouth without spilling or dropping it, an unlicensed staff member may place the dose in another container and place that container to the mouth of the student.

A licensed health professional, or a Staff Member who has completed a Board-approved drug administration program conducted by a licensed health professional, may administer any medication requiring intravenous or intramuscular injection or the insertion of a device into the body when both the medication and the procedure are prescribed by a licensed health professional authorized to prescribe drugs, and the nurse/Staff Member has completed any and all necessary training.

Students who may require administration of an emergency medication may have such medication, identified as stated above, locked and stored in the School Secretary's office and administered in accord with this policy. The Superintendent or his/her designee may prepare and distribute administrative guidelines to ensure the proper implementation of this policy.

R.C. 3313.711; 3313.712; 3313.713; OAC 4723-13-04.

403 USE OF INHALER/EPINEPHRINE AUTOINJECTOR

A student may possess and use a metered dose inhaler or a dry powder inhaler to alleviate asthmatic symptoms, or before exercise to prevent the onset of asthmatic symptoms, and/or an epinephrine autoinjector to treat anaphylaxis at School, any School-related activity, event, or program sponsored by the School or in which the School participates, if both of the following conditions are satisfied:

1. The student has the written approval of the student's physician and, if the student is a minor, the written approval of the parent, guardian, or other person having care or charge of the student. The physician's written approval shall include at least all of the following information:
 1. the student's name and address;
 2. the names and dose of the medication contained in the inhaler;
 3. the date the administration of the medication is to begin;
 4. the date, if known, that the administration of the medication is to cease;
 5. circumstances in which the inhaler and/or autoinjector should be used;
 6. acknowledgement that the prescriber has determined the student is capable of possession and using the inhaler and/or autoinjector appropriately and has provided the student with training in the proper use;
 7. written instructions that outline procedures School personnel should follow in the event that the asthma medication does not produce the expected relief from the student's asthma attack; and/or in the case of an epinephrine autoinjector, the Student is unable to administer the medication or the medication does not produce the expected relief from the student's anaphylaxis;
 8. any severe adverse reactions that may occur to the student using the inhaler and that should be reported to the physician;
 9. any severe adverse reactions that may occur to another student, for whom the inhaler is not prescribed, should such a student receive a dose of the medication;
 10. at least one (1) emergency telephone number for contacting the physician in an emergency;

11. at least one (1) emergency telephone number for contacting the parent, guardian, or other person having care or charge of the student in an emergency;
 12. any other special instructions from the physician.
2. The Executive Director or his/her designee has received copies of the written approvals required by Subparagraph 1 of this section.

If these conditions are satisfied, the student may possess and use the inhaler at School or at any activity, event, or program sponsored by or in which the student's School is a participant.

The School, a member of the Board or the Board's representatives, or any Staff or employee is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from a Staff Member's prohibiting a student from using an inhaler because of a Staff Member's good faith belief that the conditions of Subparagraphs 1 and 2 of this Section had not been satisfied. The School, a member of the Board, the Board's representatives, or any Staff or employee is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from a Staff Member's permitting a student to use an inhaler because of a Staff Member's good faith belief that the conditions of Subparagraphs 1 and 2 of this Section had been satisfied. Furthermore, when the School is required by this Section to permit a student to possess and use an inhaler because the conditions of Subparagraphs 1 and 2 of this Section have been satisfied, the School, any member of the Board, or the Board's representatives, or any Staff or employee is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from the use of the inhaler by a student for whom it was not prescribed.

This Section does not eliminate, limit, or reduce any other immunity or defense that a School, member of a Governing Authority, or Staff or employee may be entitled to under Chapter 2744. or any other provision of the Revised Code or under the common law of this state.

R.C. 3314.14; R.C. 3314.141; R.C. 3313.716

404 HEALTH EXAMINATIONS AND IMMUNIZATIONS

Students enrolled in the School are required to have, at the time of initial entry into School and at the beginning of each School year thereafter, written evidence on file that they have been immunized against diphtheria, tetanus, pertussis, poliomyelitis, measles, mumps, chicken pox and rubella, as required by Ohio law and applicable Ohio Department of Health regulations and guidelines (collectively laws, rules, regulations or guidelines). Adequate written evidence of such required immunizations shall consist of: (1) a signed physician's statement indicating that the student has received the required immunizations, including the immunizations received and the date of receipt; or (2) a signed statement by the parent indicating that the student has received the required immunizations, including the immunizations received and the date of receipt. In the case of a parent's statement, the Superintendent, in his/her sole discretion, may require any other evidence as s/he believes is needed to determine compliance with this policy including, but not limited to, a physician's statement.

No student may remain in School for more than fourteen (14) days after initial admission or, for a student not being initially admitted, more than fourteen (14) days after the beginning of the school year unless: (1) the student has received the required immunizations or the student is "in the process" of receiving the required immunizations, as defined in Ohio law and this policy and (2) the student's parent has submitted adequate written evidence of the required immunizations as set forth in this policy. Students who do not comply with this policy and any other immunization requirements of laws, rules, regulations or guidelines, shall be excluded from School no later than the fifteenth day after admission or, for students not being initially admitted, no later than the fifteenth day after the beginning of the school year.

Any student who is admitted or commences a school year who is "in the process" of receiving the required immunizations, pursuant to Ohio law, and who does not complete the required immunizations, shall be excluded from School no later than the fifteenth day of the following school year.

Any student who is excluded for failure to comply with this policy shall be readmitted upon submission, to the Superintendent, of adequate written evidence, as set forth herein above, of compliance with this policy and the immunization requirements of laws, rules, regulations or guidelines.

Students may be exempted from required immunizations, subject to any requirements of laws, rules, regulations or guidelines under the following circumstances:

1. A parent may present a written statement to the Superintendent of objection to immunization for good cause, including religious convictions.

2. A parent may present a written statement signed by a physician certifying that certain or all required immunizations are medically contraindicated.
3. A parent may present a written statement from the parent or physician that the student has a history of measles (rubeola), mumps, and/or chicken pox and need not be immunized against the disease(s) for which the history so exists.
4. Pursuant to Ohio Department of Health regulations and guidelines, a parent may present laboratory testing results signed by a physician demonstrating that detectable rubella antibody is present in the student and the student need not be immunized against German measles (rubella).
5. Any other circumstances required by laws, rules, regulations or guidelines.

The School may deny admission to a pupil otherwise exempted from the chicken pox immunization requirement, if the Director of the State Department of Health notifies the School's Superintendent that a chicken pox epidemic exists in the School's population. The denial of admission shall cease when the Director notifies the Superintendent that the epidemic no longer exists. It is the policy of the School that the academic standing of a student who is denied admission during a chicken pox epidemic may be preserved. The prescribed methods for determining whether the academic standing of a student who is denied admission during a chicken pox epidemic will be preserved is in accordance with the admission, testing and other policies of the School and subject to Superintendent and Board approval.

In any case of requested exemption from required immunizations, the Superintendent may require any other evidence s/he believes is needed to consider a request for exemption. It is in the sole discretion of the Superintendent to determine whether to grant an exemption to required immunizations.

The Board and School shall follow the requirements and recommendations of Ohio law and the Ohio Department of Health with regard to tuberculosis testing of students.

R.C. 3313.67; R.C. 3313.671; R.C. 3313.71; OAC 3701-15-02.

405 EMERGENCY MEDICAL PROCEDURES

Serious Illness Requiring Medical Attention

If a staff member or student is seriously ill or injured, and needs medical attention, that employee or student, or any employee or student who believes another person is seriously ill or injured, and needs medical attention, shall notify the Superintendent or his/her designee or a staff member immediately.

If a staff member is unsure about the severity of a person's condition or unable to evaluate the situation, he/she shall call the Superintendent's Office or his/her designee and:

1. Provide the name of person who is ill or injured.
2. Indicate where the injured or ill person is located.
3. Describe the main symptoms observed.
4. Request medical assistance.
5. Indicate whether it will be necessary to call the Rescue Squad.
6. Stay with the person and do not attempt to move him or her.
7. Be sure there is a person posted to route the Rescue Squad to the ill employee or student.
8. Be sure the area is clear of unnecessary traffic and on-lookers.
9. Call 911.

406 EMERGENCY MEDICAL AUTHORIZATION

The School will annually distribute to parents or guardians of all students the "Health & Fitness Parental Consent Form" and the "Emergency Medical Authorization Form." In the event emergency medical treatment for a student is necessary, the School will adhere to the instructions on the authorization form.

Emergency Medical Authorizations will be kept in a separate, easily accessible file in the care of the Superintendent or his/her designee during the school year. At the end of the school year, the authorizations will be stored until being replaced the following school year.

Any time a student or a group of students are taken away from the School's facilities as participants in a school event, the staff in charge of the event must take the Emergency Medical Authorizations for those students. This includes, and is not limited to, music trips, athletic trips, field trips, and academic contest participants. This does not include student spectators at events.

Whenever it is necessary for staff members to use emergency procedures in order to care properly for a student, they are to take standard safety precautions, follow the procedures described in the Emergency Medical Procedures policy (policy no. 405), and are not to abide by any "Do Not Resuscitate" (DNR) agreement that may exist for a student, unless ordered to do so by a court of law.

407 CONTROL OF COMMUNICABLE DISEASES

The School recognizes that control of the spread of communicable disease is essential to the well-being of the school community and to the efficient operation of the School.

For purposes of this policy, "communicable diseases" shall include smallpox, chicken pox, diphtheria, scarlet fever and other strep infections, whooping cough, mumps, typhoid fever, measles, rubella, and acquired immune deficiency syndrome, or any other designated by Federal authority.

In order to protect the health and safety of the students, school personnel, and the community at large, the School shall follow all State and Federal laws and Board of Health regulations which pertain to communicable disease.

On the recommendation of a physician or a nurse, a teacher may exclude from the classroom and the Superintendent or his/her designee may exclude from the building or isolate in the School, any student who appears to be ill or has been exposed to a communicable disease.

The School shall:

1. instruct teaching staff members in the detection of disease and measures for its prevention and control;
2. remove from School property to the care of a responsible adult any student identified and excluded in accordance with this policy;
3. prepare standards for the readmission of a student who has recovered from communicable disease; and
4. file reports as required by law and the State Department of Health.

407.1 SCARLET FEVER

Related concepts: Scarlatina, Strep throat rash

Introduction:

A rash as rough as sandpaper, a high fever, a child who looks quite ill ... When parents learn that it is scarlet fever, tragic images from the past may be conjured up. Thankfully, with the right medicine, this one is now easy to treat.

What is it?

Scarlet fever is a Streptococcus infection causing a high fever and a characteristic rash. It is one of the classic childhood exanthems. Unlike the others, however, it does require treatment with antibiotics. Scarlet fever is also called scarlatina, although sometimes the term scarlatina is used for milder forms of the same disease, or even just for the rash. Scarlet fever is almost always associated with a strep throat infection, although occasionally it can arise from strep in another location, such as in a wound. There are many strains of strep; some of them produce one of the three toxins that can lead to the rash. The rash is thought to be an allergic reaction to these toxins.

Who gets it?

Scarlet fever is most common in children between the ages of 5 and 15. It is unusual in children before the third birthday, partly because it takes time for allergies to the toxins to develop. Scarlet fever is most common in the late fall, winter, and early spring, perhaps because children are in closer contact with each other during those months.

What are the symptoms?

People get sick an average of 3 days after they are exposed (range, 2-5 days). Illness usually begins suddenly, with a high fever that peaks at 103°F or 104°F on the second day. Many children also have sore throat, headache, stomachache, nausea, or chills. The characteristic rash usually appears within 12 to 48 hours while the fever is still present (unlike roseola and fifth disease, in which the fever usually has subsided before the rash appears).

The rash is usually red and has the feel of coarse sandpaper. It fades briefly when you press on it. The rash may begin in the armpits or groin but spreads to cover most of the body. The face usually does not feel rough, but the cheeks are reddened and a pale ring develops around the mouth. The rash usually peels 1 to 6 weeks later.

The tongue may be covered with a white coat, through which red taste buds are visible (a white strawberry tongue). Later, the tongue itself may be reddened and swollen (a red strawberry tongue).

The throat and tonsils are often swollen and beefy red, covered in a gray/white/yellow coat. There may be red or purple spots on the roof of the mouth. Lymph nodes in the neck may be tender.

In some people, scarlet fever is very mild, with only a few of these symptoms. Others are seriously ill, collapsing from the raging illness.

Is it contagious?

Scarlet fever spreads by droplet and by contact transmission. Fomites and airborne transmission are rarely involved. Close contact is necessary to get the infected secretions from one person to the next. To become infected, children need to get the secretions from a sick child into their own mouths. Children are most contagious during the fever.

How is it diagnosed?

A strep test can assist in the diagnosis, along with the appropriate history and physical findings. In the absence of the test, scarlet fever is sometimes confused with the other classic childhood exanthems (measles, rubella, fifth disease, roseola) or with mononucleosis, Staphylococcus infection, enteroviral infections, or Kawasaki disease.

How is it treated?

Antibiotics are used to treat scarlet fever and to prevent its complications. Ibuprofen can help these children feel much better while the antibiotic is taking effect.

How can it be prevented?

Treatment involves avoiding close contact with those who are contagious. Children should be kept out of school or daycare until they have been on antibiotics for 24 hours. Most people are no longer contagious 24 hours after starting the antibiotic. I also recommend getting a new toothbrush for children after they are no longer contagious but before they finish the antibiotics, to prevent re-infection.

Scarlet Fever

What is scarlet fever?

Scarlet fever is a term used for strep throat with a rash. Strep throat is a throat infection caused by a type of streptococcal bacteria.

What causes scarlet fever?

Scarlet fever is caused by streptococcal (strep) bacteria, the same bacteria that cause strop throat. There are many different strains of strep bacteria, some of

which cause more serious illness than others. The type of strep that infects the throat and causes scarlet fever is called group A beta-hemolytic streptococcus (GABS).

What are the symptoms of scarlet fever?

Symptoms that may occur before the rash include:

- Fever of 101 °F (38.33 °C) or higher.
- Sore throat and difficulty swallowing.
- White or yellow spots or coating on the throat and tonsils.
- Swollen lymph nodes in the neck.

Other symptoms, especially in children, may include general body aches, headache, stomachache, nausea, vomiting, or listlessness. Scarlet fever usually doesn't occur with cold symptoms, such as sneezing, runny or stuffy nose, or cough.

Red spots begin to appear on the roof of the mouth (palate) about 2 to 3 days after symptoms first appear. Bright red spots may appear on the tongue, giving it an appearance called "strawberry tongue."

The most noticeable symptom of scarlet fever is a rough, red rash that feels like fine sandpaper. The rash begins on the chest and abdomen and then spreads over the rest of the body within 24 hours. The rash and redness are more apparent in skin folds, especially in the groin, armpits, and elbow creases. It usually fades in about a week, and at that time the skin may begin to peel.

How is scarlet fever diagnosed?

Diagnosis of scarlet fever is usually based on a medical history, an examination of the throat, and a rapid strep test or throat culture to test for strep bacteria. One or both of these tests are needed to confirm infection with strep bacteria.

How is scarlet fever treated?

Scarlet fever and the strep infection that causes it are treated with antibiotics.

What are the complications of scarlet fever?

Complications of scarlet fever include infection of the middle ear sinusitis, and pneumonia. In rare cases, a more serious infection may develop, such as rheumatic fever or rheumatic heart disease. Most cases of scarlet fever can be cured without any permanent complications.

Who is affected by scarlet fever?

Scarlet fever is most common in children ages 2 to 10, but it can affect people of any age.

408 PREVENTION AND CONTROL OF NON-CASUAL-CONTACT COMMUNICABLE DISEASES

The School seeks to provide a safe educational environment for both students and staff. It is the School's intent to ensure that any student or member of the staff who contracts a communicable disease that is not communicated through casual contact will have his/her status in the School examined by a panel of the Board and the Superintendent or his/her designee, and that the rights of both the affected individual and those of other staff members and students will be acknowledged and respected.

For purposes of this policy, "non-casual-contact communicable disease" shall include.

1. AIDS - Acquired Immune Deficiency Syndrome;
2. ARC - AIDS Related Complex;
3. persons infected with HIV (human immunodeficiency) ;
4. Hepatitis B, C; and
5. other like diseases that may be specified by the State Board of Health.

In its effort to assist in the prevention and spread of communicable diseases of any kind, the School has established policies on Immunization. Hygienic Management, and Control of Casual-Contact Communicable Diseases. The purpose of this policy is to protect the health and safety of the students, School personnel, and the community at large from the spread of the above-mentioned diseases.

The School seeks to keep students and staff members in School unless there is definitive evidence to warrant exclusion. When the Superintendent or his/her designee learns that a student or School employee may be infected with a non-casual-contact communicable disease, the Superintendent or his/her designee shall immediately convene a review panel consisting of appropriate Board members and the Superintendent or his/her designee, the infected person's physician, and the County Health Department to determine if the initial evidence warrants exclusion.

If the evidence is not sufficient to justify exclusion, the person shall remain in his/her current school environment unless there exists a threat to the person's health or safety through exposure to other communicable diseases.

If the review panel and/or County Health Officer determines the evidence indicates the person should be excluded from the School environment, the person shall be excluded in accordance with applicable laws. An appeal process shall be established as necessary to address any concerns regarding exclusion.

The School shall provide an alternative education program for any student excluded from the school setting as a consequence of the panel's decision.

When the Superintendent or his/her designee learns that a disabled student may be infected with a non-casual-contact communicable disease, the IEP team or its designated member will serve as the Board's representative on the communicable disease review panel which shall be immediately convened.

The rights of any affected student, as well as those of any affected staff member, shall be protected in accordance with Federal and State laws on privacy, confidentiality, and due process.

The Board directs the Superintendent or his/her designee to develop an educational program in accordance with Ohio law that will ensure proper instruction of students, professional staff, and support staff on the principle means by which non-casual-contact communicable diseases are transmitted, as well as how they are not transmitted, and the more effective methods for restricting and/or preventing these diseases.

The Superintendent or his/her designee shall include in this program those educational materials which advocate prevention through abstinence.

409 CONTROL OF BLOOD-BORNE PATHOGENS

The School seeks to protect those staff members who may be exposed to blood-borne pathogens and other potentially-infectious materials in their performance of assigned duties at the School.

The School will:

1. identify those categories of employees whose duties create a reasonable anticipation of exposure to blood and other infectious materials;
2. provide for inoculation of the Hepatitis B vaccine at no cost to the staff member and in accordance with Federally-mandated scheduling;
3. ensure proper training in the universal precautions against exposure and/or contamination including the provision of appropriate protective supplies and equipment;
4. establish appropriate procedures for the reporting, evaluation, and follow-up to any and all incidents of exposure;
5. provide for record-keeping of all of the above which complies with both Federal and State laws; and
6. develop an exposure control plan. (See Policy No. 446)

410 HEAD LICE INFESTATIONS

When a suspected case of head lice is brought to the Superintendent or his/her designee's attention, the student will be examined to determine whether the child is indeed infected. When the examination positively notes the presence of head lice and/or nits (lice eggs) in the scalp and hair, the following procedures will be observed.

1. Parents will be informed of the infestation and of immediate exclusion from classes. The parents will be advised to immediately remove their child from school for proper pediculicide treatment.
2. A copy of the first letter and the informational sheet will be shared with the parent upon arrival to pick up their child(ren). They should be encouraged consult with their medical advisor regarding proper treatment(s) of the problem.
3. Inform the parent that the child(ren) may return to school only after the treatment has been completed and all evidences of head lice and/or live or dead nits have been eliminated.
4. When the child has been treated and is ready to return to school, the Superintendent or his/her designee or school nurse shall again examine the child to see that the child is free of lice or nits. If the child is nit free, he/she may attend classes. If the child is not nit free, the child will be sent back home with the parents.
5. A second letter will be given to the parents if their child(ren) are not nit free. They will be advised that another treatment and combing must be performed. When the child is free of nits, he/she may again be admitted to class.
6. Parents shall be advised to:
 - examine the head and scalp behind each ear and at the nape of the neck daily for the next ten (10) days;
 - administer a second shampooing after six (6) days to eliminate nits which may have incubated since the first shampooing; and
 - follow the prescribed shampooing directions precisely.
7. If brothers or sisters attend School, the Superintendent or his/her designee or school nurse shall also check their scalps and hair to look for possible infestation.
8. When positive infestation is found in a classroom, the rest of the class will be examined by the Superintendent or his/her designee or school nurse to note possible presence of lice or nits.
9. When three or more of any classroom have been observed to be infested, the Superintendent or his/her designee shall send the informative materials home with each class member.

411 INFECTIOUS DISEASE POLICY

Viral infections may be present in human blood or other bodily fluids. Therefore, the following routine procedures should be used when providing care that will expose the care giver to human blood, bodily fluids and excrement. These procedures are necessary to safeguard against caretaker infection and the spread of infection within the classroom environment.

1. The caretaker should observe good hand washing after any exposure to blood, bodily fluids and/or before caring for another child.
2. Disposable gloves must be worn to protect against possible open lesions on the caretaker's hands.
3. Any open lesion on the child's body must be covered.
4. Any pregnant caretaker should wear a surgical mask when providing care involving exposure to a child's excrement.
5. Surfaces soiled with blood, urine, feces, vomits, etc., must be thoroughly washed with soap and water and then be disinfected with the disinfectant agent provided (MATAR or its equivalent). Use per manufacturer's recommendation.
6. Personnel cleaning the spill must wear disposable gloves and wash hands thoroughly after removal of contaminated gloves.
7. Mops and towels must be thoroughly rinsed in the disinfecting agent and properly stored if they are to be reused. If further use will not occur, they must be properly double bagged and disposed with other waste materials.

412 AIDS POLICY

The School will not discriminate with respect to compensation, terms, conditions, benefits, or privileges of employment against applicants and employees because they have Acquired Immune Deficiency Syndrome (AIDS), Human Immunodeficiency Virus (HIV) or related conditions, as long as the applicant or employee is able to meet work performance standards and perform essential job functions (with or without reasonable accommodation).

The School will take steps needed to maintain confidentiality and to address student and employee safety issues, and will comply with all applicable laws regarding persons with AIDS, HIV or related conditions.

412.1 CONTROL OF AIDS:

Recognizing the ongoing research on AIDS and such diseases as Hepatitis B, the Board maintains an ongoing commitment to educating staff, while continually reviewing policies to ensure that they reflect the most current research. This policy must be used when dealing with infectious diseases of students which are passed through direct contact of body fluids.

Educational Commitment

The Board recognizes that the most effective way to handle the issue of venereal diseases such as AIDS and other infectious diseases is through the educational process. The first line of defense is prevention. Therefore, teachers may include material appropriate to the age and grade of the children with whom they are working, regarding the transmission of AIDS and other diseases such as Hepatitis B. If the parent or guardian of a student provides a written request to be excused from taking venereal disease instruction, then the student shall not receive the instruction.

Recommendations

1. Decisions regarding the type of educational setting for (HTLV-III/LAV) infected children should be based on the behavior, neurological development and physical condition of the student and the expected type of interaction with others in that setting. These decisions are best made using the team approach including the student's physician, the student's parents and personnel associated with the proposed educational setting. In each case, risks and benefits to both the infected student and to others in the setting should be weighed.
2. For most infected school-aged children, the benefits of an unrestricted setting would outweigh the risks of their acquiring potentially harmful infections in the setting and the apparent nonexistent risk of transmission of HTLV-III/LAV. These students should be allowed to attend school.
3. For some students infected with HTLV-III/LAV who lack control of their body secretions, or who display behavior such as biting, or who have uncoverable, oozing lesions, a more restricted environment may be advisable until more is known about transmission in these settings. Such students should be cared for and educated in settings which minimize exposure of other students to blood or body fluids.

4. The School should follow the routine procedures listed below when providing care involving exposure to a student's body fluids and excrement:

- a. The caretaker should observe good hand washing after exposure to blood and body fluids and before caring for another student.
 - b. Gloves shall be worn on the caretaker's hands.
 - c. Any open lesions on the student's person should be covered.
 - d. Any pregnant caretaker should wear a surgical mask and gloves when providing care involving exposure to a student's excrement.
- . Use any other precautionary measures required or recommended by the County Health Department or other medical authorities.

5. The School should follow the routine procedures listed below in dealing with spills involving blood or other body fluids.

- a. Surfaces soiled with blood, urine, feces, vomits, etc. should be thoroughly washed with soap and water, then disinfected with a 10% solution of household bleach and water (1 part bleach to 9 parts water). This solution should be freshly prepared for each use.
- b. Personnel cleaning the spill shall wear gloves and wash hands thoroughly when finished.
- c. Disposable towels should be used whenever possible.
- d. Mops should be thoroughly rinsed in the disinfectant solution.

Evaluation to assess the need for a restricted environment should be performed regularly based on current medical information.

6. Mandatory screening as a condition for school entry is not warranted based on available data.

Persons involved in the care and education of HTLV-III/LAV infected children should respect the student's right to privacy, including maintaining confidential records. The number of personnel who are aware of the student's condition should be kept to the absolute minimum needed to assure proper care of the student and to detect situations where the potential for transmission may occur, (e.g. bleeding injury).

SECTION 420

PERSONAL SAFETY

421 DANGEROUS WEAPONS

Any visitor found possessing a weapon or other device designed to inflict serious bodily harm on School premises or on property being used by the School for School purposes may be charged with a felony. This restriction applies to visitors licensed to possess firearms unless serving as an authorized security officer.

The Superintendent or his/her designee shall ensure that any visitor possessing a weapon or other device designed to inflict serious bodily harm is reported immediately to the appropriate law enforcement agency.

A weapon may be brought on School property for educational purposes under controlled circumstances when authorized by the Superintendent or his/her designee.

See also Policy No. 333 Weapons in the Workplace
20 USC 7151; R.C. 2923.122.

422 PUBLIC CONDUCT ON SCHOOL PROPERTY

No person shall assault, strike, threaten, or menace a teacher, instructor, or person in charge of a class of students, or any employee while in the performance of their duties, or disrupt, disturb, or interfere with any activity conducted in or on the School premises, or unlawfully assault, strike, threaten, menace, follow, pursue, or lay hands upon a student or other person in or on the School premises, or on the way to or from School or School-sponsored activity.

School officials have the authority to call a law enforcement officer if any individual violates this policy or other posted regulations, or does not leave School property when requested to do so.

423 FACILITY SECURITY

It is in the best interest of the School to protect the School's facility adequately. The areas, buildings and equipment owned or leased by the School may be protected from theft and vandalism in order to maintain the optimum conditions for carrying out the educational programs.

The Superintendent or his/her designee shall develop and supervise a program for the security of the School facility and equipment. Such a program may include video surveillance equipment in appropriate public areas in and around the School.

Every effort shall be made to apprehend those who knowingly cause serious physical harm to the School facility and to require such persons to rectify the damage or pay a fee to cover repairs. A reward may be offered for apprehending such persons.

Appropriate authorities may be contacted in the case of serious offenses.

The Superintendent or his/her designee shall report to the Board each major case of vandalism at the School and the extent of the damage. Issues of School or facility security may be addressed in a properly called Executive Session of a public Board meeting.

See also Policy No. 429 Bomb Threat Policy and Policy No. 424 Emergency Preparedness and Evacuation.

424 EMERGENCY PREPAREDNESS AND EVACUATION

The safety of employees and students includes preparedness and planning for possible natural and manmade disasters.

The Board authorizes a system of emergency preparedness which shall insure that the health and safety of students and staff are safeguarded.

All threats to the safety of the School shall be identified by appropriate personnel and responded to promptly in accordance with the plan for emergency preparedness.

All bomb threats shall require the immediate evacuation of the school building or location threatened.

The Superintendent or his/her designee shall develop procedures for the handling of school emergencies which include:

1. a plan for the prompt and safe evacuation of any School building which shall be practiced monthly in fire drills conducted in accordance with law;
2. the designation of appropriate locations to shelter students in case of tornado;
3. procedures for the safe dispersal of students from School property and, if necessary, a plan for the sequestration of students in a safe place other than the School;
4. design of a communications system;
5. instructions in safety precautions to be taken in case of tornado alert or warning;
6. procedures to follow whenever any employee becomes aware of an emergency or impending emergency; and
7. cooperation with such local officials and agencies such as the fire marshal and law enforcement.

425 USE OF EQUIPMENT

Portable electric equipment must be handled carefully to avoid damage. Flexible electric cords connected to equipment should not be used for raising or lowering the equipment. Flexible cords must not be stapled or hung in a fashion that could damage the outer jacket or insulation.

Portable cord- and plug-connected equipment as well as extension cords must be visually inspected for external defects and internal defects before use.

A flexible cord used with grounding-type equipment must contain an equipment grounding conductor.

In highly conductive work areas, such as those inundated with water or other conductive liquids or job locations where employees or students are likely to come in contact with water or conductive liquids, the location must be approved if portable electrical equipment and flexible cords will be used.

If energized equipment is being used, employees or student's hands must not be wet when plugging and unplugging flexible cords and cord- and plug-connected equipment.

Insulating protective equipment must be used to handle energized plug and receptacle connections if there is any chance that the connection could provide a conducting path to the employee's hand.

426 ACCIDENTS TO STUDENTS

Every accident in a School facility, on School grounds, at practice sessions, or at any event sponsored by the School must be reported immediately to the person in charge and to the Superintendent or his/her designee. An accident report must be completed for each accident. Accident forms are available in the School.

427 VISITORS, VOLUNTEERS AND GUESTS

The Board welcomes and encourages visits to School programs by parents, other adults, and interested educators. But in order for the educational program to continue undisturbed when visitors are present and to prevent the intrusion of disruptive persons, it is necessary to invoke visitor controls. All visitors, including parents and volunteers, must report to the School office upon entering the School building and sign the guest register. Authorized visitors must also wear a visitor's pass during the length of their stay. This procedure has been adopted for the safety of our students and staff. Children from other schools may not visit during the school day. Exceptions may be made at the Superintendent or his/her designee's discretion for families who are considering enrollment.

The Superintendent or his/her designee has the authority to prohibit the entry of any person, including but not limited to parents, other adults and/ or educators, to a program of the School or to expel any person when there is reason to believe the presence of such person would be detrimental to the good order of the program. If such an individual refuses to leave the School grounds or creates a disturbance, the Superintendent or his/her designee is authorized to request from the local law enforcement agency whatever assistance is required to remove the individual.

The Superintendent or his/her designee may promulgate such administrative guidelines as are necessary for the protection of students and staff from disruption to the educational program or the efficient conduct of their assigned tasks.

All volunteers (both new and current) having unsupervised access to students on a regular basis are hereby notified that the School may at any time require a set of fingerprints for purposes of making a criminal records check. If a criminal records check is conducted on a volunteer, and the records check reveals one of the prohibited violations, the School may no longer utilize the volunteer in a position involving unsupervised access to children on a regular basis, unless a notice is sent out to the parent or guardian of each child served by the School. The notice must be in writing, name the volunteer and indicate that the volunteer has been convicted of or entered a guilty plea to one or more of the prohibited violations. The notice must be sent to the parent or guardian on the date the School commences providing services to the child or on the date the School decides to accept the person as a volunteer after receiving the report of the result of the criminal records check, whichever is later.

R.C. 109.575

428 BOMB THREAT POLICY

A bomb threat may be received by phone, mail or a personal message.

Any employee receiving a bomb threat by phone should ask the caller to give the message to the Superintendent or his/her designee. If the caller refuses, then the employee who received the call should attempt to engage the caller in conversation on the phone. Obtain as much information as possible as suggested on the Bomb Threat Form. Get the nearest person's attention so that management can be notified. Call the Police on another outside line and have a tracer place on the caller if time permits.

If management determines, the building should be evacuated. Notify all building occupants of the decision to evacuate.

Account for all building occupants at the determined evacuation point. Report any missing individuals to management and the emergency responders.

Note unusual or unfamiliar objects in your area as you evacuate. Report such objects to your supervisor. **DO NOT TOUCH OR MOVE SUCH OBJECTS.**

All interior doors should remain open to minimize possible structural and compression damage.

429 CRISIS MEDIA SITUATIONS

Any School crisis such as injury, school bus accident or suicide should be reported to the Superintendent or his/her designee office immediately along with as many details, names, etc. as possible.

In a crisis situation, it is important to have one person providing facts to the media, and ideally only after parents have been notified. No one is to report the nature or extent of injury at any time.

Depending on the situation, the Superintendent or his/her designee will go immediately to the site. A building employee should be present also for parental contact and incoming inquiries.

No reporter should be allowed to roam freely in a crisis situation. He/she should be personally escorted to a designated area, and not allowed to video and interview students who are injured or in an otherwise crisis situation.

See also Policy No. 145 Media Policy.

430 VESSEL SAFETY: VESSEL SAFETY PROGRAM, VESSEL OPERATORS, AND/OR CONDUCTING RESEARCH ON OR NEAR WATER

The following standard operating procedures are in place and will be further enhanced and expanded as the school's vessel is utilized and we learn more about it and as boating activities are expanded.

All Vessel Operators Will:

- Be certified by the National Association of State Boating Law Administrators (NASBLA)
- On a regularly scheduled basis, conduct safety drills, including man over board, fire, abandon ship
- Ensure that all first aid kits, fire & safety equipment and apparatus are in good working condition and stowed in their proper positions
- Ensure that all State and Federal navigational rules be followed
- Lead or direct all persons aboard in vessel familiarization
- Lead or direct all persons aboard in a vessel safety orientation
- Keep an accurate log of all vessel activities

All Persons (Teachers/ Cadets/ Guests) Conducting Research Near Deep Water Will Wear A Personal Flotation Device (PFD).

All Persons (Teachers/ Cadets/ Guests) Boarding Vessels Will:

- Follow the directions of the boat operator
- Wear Personal Flotation Devices (PFD's) for the entire trip
- Prior to departure, undergo a vessel familiarization
- Prior to departure, undergo a vessel safety orientation
- Practice environmental responsibility
- Remain **seated at all times unless otherwise directed by the operator**

SECTION 440

ENVIRONMENTAL HEALTH AND SAFETY

441 OSHA COMPLIANCE/RISK REDUCTION PROGRAMS

The School believes that the employees and students of the School, as well as visitors, are entitled to function in an environment as free from hazards as can reasonably be provided. In this regard and in accordance with law, the School will provide reasonable and adequate protection to the lives, safety, and health of its employees and students, in compliance with Federal and State laws and regulations.

The Superintendent or his/her designee shall be responsible for the maintenance of standards in the facilities to prevent accidents and to modernize their consequences. She/he shall designate an employee who shall conduct periodic audits of health and safety conditions within the facilities of the School and take appropriate action on any violations thereof to the Superintendent or his/her designee.

The Superintendent or his/her designee shall ascertain that the employees and students of the School are aware of their rights to an environment free of recognized hazards, that they are properly trained in safety methods, that protective devices and equipment are available to meet safety standards, and that proper rules and records are maintained to meet the requirements of the law and the regulations of the Public Employees Risk Reduction Advisory Commission. In the event an inspection is made by a representative of the State, the Superintendent or his/her designee shall report the results thereof to the Board at the meeting following the receipt of the State report.

442 PROPERTY, EQUIPMENT AND SUPPLIES

It is necessary for everyone to utilize property, supplies, and equipment in the course of doing their jobs. Staff should take care of these items and should know how to use them properly. Damaged equipment should be reported to the Superintendent or his/her designee immediately so that it can be repaired.

The Board requires Staff and Students to be economical, in part, by turning off unnecessary lighting, turning off appliances and other equipment not in use, closing doors and windows that allow cool or warm air to escape, not running water needlessly and reporting to Superintendent or his/her designee, any unnecessary use of water, gas, or electrical power. A small amount of waste by each employee or student equals a large amount of waste overall. The ability to save time and materials can contribute to the overall success of the School.

443 HAZARD COMMUNICATION PROGRAM

The Superintendent or his/her designee will provide information about chemical hazards and other hazardous substances and how to control those hazards in the Hazard Communication Program.

The Program includes the following objectives:

1. Container labeling;
2. Material Safety Data Sheets; and
3. Employee Training.

The following program outlines how the School will accomplish these objectives.

Container Labeling

It is the policy of the School that no container of hazardous substances will be released for use until the following label information is verified:

1. Containers are clearly labeled as to the contents
2. Appropriate hazard warnings are noted
3. The name and address of the manufacturer is listed

The responsibility for label verification has been assigned to the Superintendent or his/her designee. To further ensure that employees are aware of the hazards of material used it is the School's policy to label all secondary containers.

The responsible staff shall ensure that all secondary containers are labeled with either an extra copy of the original manufacturer's label or with generic labels which have a block for identity and blocks for the hazard warning.

Material Safety Data Sheets (MSDS)

Copies of MSDS for all hazardous substances to which employees and students may be exposed are kept in each area where the substances are used as well as in a book in the School office. The Superintendent or his/her designee will be responsible for obtaining and maintaining the data sheet system.

The Superintendent or his/her designee will review incoming material safety data sheets for new and significant health/safety information. She/he will see that any new information is passed on to the employees.

MSDS will be reviewed for completeness by the Superintendent or his/her designee. If an MSDS is missing or obviously incomplete, a new MSDS will be requested from the manufacturer. MSDS will be available to all employees in their work area for review. If MSDS are not available or new hazardous substance(s) in use do not have MSDS, please contact the Superintendent or his/her designee immediately.

Staff Information and Training

Staff will attend a health and safety orientation set up by the Superintendent or his/her designee, for information and training on the following:

- An overview of the requirements contained in the Hazard Communication Regulation, including their rights under the Regulation.
- How to lessen or prevent exposure to these hazardous substances through usage of control plans, work practices and personal protection equipment.
- Steps the School has taken to lessen or prevent exposure to these substances.
- How to read labels and review MSDS to obtain appropriate hazard information.

When new hazardous substances are introduced, the Superintendent or his/her designee will call a meeting and distribute information related to the new material.

Hazardous Substances

Information on all hazardous substances within the School can be found in the MSDS book located in the School office.

Hazardous Non-Routine Tasks

Periodically, staff is required to perform hazardous non-routine tasks. Prior to starting work on such projects, each affected employee will be given information by the Superintendent or his/her designee, or the affected employee

shall request such information, about hazards to which they may be exposed during such an activity.

This information will include:

1. Specific hazards:
2. Protective/safety measures which must be utilized;
3. Measures the School has taken to lessen the hazards including ventilation, respirators, presence of another employee and emergency procedures.

TOXIC HAZARDS AND ASBESTOS HAZARDS

The School is concerned for the safety of the students and staff members and will comply with applicable Federal and State statutes and regulations to protect them from hazards that may result from industrial accidents beyond the control of School officials or from the presence of asbestos materials used in previous construction.

Toxic Hazards

These hazards exist in chemicals and other substances used in the school setting such as in laboratories, science classrooms, kitchens, and in the cleaning of rooms and equipment.

The Board appoints the Superintendent or his/her designee to serve as Toxic Hazard Preparedness (THP) Officer. The THP Officer will:

1. identify potential sources of toxic hazard in cooperation with material suppliers who shall supply the THP Officer with material safety data sheets (MSDS's):
2. conduct a training program for all School employees to include such topics as detection of hazards, explanation of the health hazards to which they could be exposed in their work environment, and the School's plan for communication, labeling, etc.

In fulfilling these responsibilities, the THP Officer may enlist the aid of county and municipal authorities and, if possible, the owners or operators of identified potential sources of toxic hazard.

Asbestos Hazards

In its efforts to comply with Asbestos Hazard Emergency Response Act (AHERA), the School recognizes its responsibility to:

1. inspect School buildings owned by the School for the existence of asbestos or asbestos-containing materials;
2. take appropriate actions based on the inspections;
3. maintain a program of periodic surveillance and inspection of facilities or equipment containing asbestos; and
4. comply with EPA and State regulations governing the transportation and disposal of asbestos and asbestos-containing materials.

The Superintendent or his/her designee shall appoint a person to develop and implement the School's Asbestos-Management Program which will ensure proper compliance with Federal and State laws and the appropriate instruction of staff and students.

The School shall also ensure that, when conducting asbestos abatement projects, each contractor employed by the School agrees to comply with all applicable laws and regulations.

Nothing in this policy should be construed in any way as an assumption of liability by the School or by the Board for any death, injury, or illness that is the consequence of an accident or equipment failure or negligent or deliberate act beyond the control of the School, the Board or its officers and staff or employees.

445 OSHA REGULATIONS EXPOSURE CONTROL PLAN

These guidelines suggest procedures designed to help employees comply with OSHA Regulations. Personnel within each job category should be trained in and will be responsible for practicing these procedures in the event of exposure to blood and/or to bloody body fluids spills.

Custodians

1. List of equipment to include:
 - Appropriate cleaning supplies and equipment;
 - Equipment for handling broken glass and other sharps;
 - Personal protective equipment to be worn when bloody body fluid spills are handled.

2. Procedures for area clean up which includes:
 - Assessment of spill problem
 - Utilization of appropriate personal protective equipment
 - Method of disposal of bloody waste in Biohazard labeled bag
 - Degloving procedure and hand washing
 - Disposal of Biohazard bagged waste
 - Written report of exposure to bloody body fluids to supervisor*
 - Medical evaluation of personal exposure to bloody body fluids to begin within two (2) hours of actual exposure

*Personal Exposure to Bloody Body Fluids includes splash of blood or bloody body fluid into the eye(s) or mouth, or, exposure to blood or bloody body fluid or bloodied cleaning products through broken skin (i.e. cut, abrasion, puncture).

Van, Bus Driver and Bus Aides

List of equipment to include:

- Appropriate cleaning materials (may be a specific spill kit so designed)
- Personal protective equipment available for handling bloody body fluid spills (may be included in the spill kit so designed for this purpose)

Procedure for bloody body fluid spill clean up includes:

- Assessment of injury/body fluid spill
- Utilization of appropriate personal protective equipment
- Procedure for cleaning with appropriate materials
- Method of disposal of bloody waste in Biohazard labeled bag
- Degloving and hand washing
- Disposal of Biohazard bagged waste when bus routings completed

- Written report of bloody body fluid spill on the bus to supervisor
- Routine check of Bloody Body Fluid Spill Kit by driver prior to each bus route
- Written report to supervisor if personally exposed to bloody body fluid
- Medical evaluation of personal exposure to bloody body fluids to begin within two (2) hours of actual exposure

* Personal Exposure to Bloody Body Fluids includes splash of blood or bloody body fluid into the eye(s) or mouth, or, exposure to blood or bloody body fluid or bloodied cleaning products through broken skin (i. e. cut, abrasion, puncture).

Food Service Workers, if applicable

1. List of equipment includes:

- Appropriate First Aid supplies and their location(s)
- Appropriate cleaning materials
- Personal protective equipment available for handling bloody body fluid spills (i. e. gloves, gauze squares, absorbent materials, etc.)

2. Procedure for handling bloody body fluid spill(s) include(s):

- Assessment of injury/body fluid spill
- Utilization of appropriate personal protective equipment
- Procedure for First Aid in handling the injury/body fluid spill
- Procedure for cleaning with appropriate materials if authorized
- Method of disposal of bloody waste in a Biohazard labeled bag
- Degloving and hand washing
- Disposal of Biohazard bagged waste materials
- Procedure for written injury/accident report to supervisor
- Report to supervisor if personally exposed to bloody body fluids
- Medical evaluation of personal exposure to bloody body fluid to begin within two (2) hours of actual exposure.

* Personal Exposure to Bloody Body Fluids includes splash of blood or bloody body fluid into the eye(s) or mouth, or, exposure to blood or bloody body fluid or bloodied cleaning products through broken skin (i. e. cut, abrasion, puncture).

Health Care: First Responders

This category of personnel includes those designated in the School's policies, procedures, administrative guidelines, etc.

1. List of equipment includes:
 - Appropriate First Aid supplies and their location(s)
 - Appropriate cleaning materials
 - Personal protective equipment available for handling bloody body fluid spills (i.e. gloves, gauze squares, absorbent materials, etc.)
 - Sharps container

2. Procedure for handling bloody body fluid spill(s) include(s):
 - Assessment of injury/body fluid spill
 - Utilization of appropriate personal protective equipment
 - Procedure for First Aid in handling the injury/body fluid spill
 - Procedure for safe transfer of injured person to First Aid station
 - Procedure for cleaning with appropriate materials if so authorized to perform
 - Method of disposal of bloody waste in a Biohazard labeled bag
 - Procedure for storage and disposal of sharps
 - Procedure for sanitizing equipment and sharps containment utilized
 - Degloving and hand washing
 - Disposal of Biohazard bagged waste materials
 - Procedure for written injury/accident report to supervisor
 - Report to supervisor if personally exposed to blood fluids*
 - Medical evaluation of personal exposure to bloody body fluids to begin within two (2) hours of actual exposure.

3. Establish and maintain a sharps injury log for recording of percutaneous injuries from contaminated sharps.

4. Annual Review and Update
The School shall take into account innovations in medical procedure and technological developments that reduce the risk of exposure to bloodborne pathogens; and document annually, consideration and implementation of appropriate commercially-available, and effective safer devices. The School shall also solicit and document input from School personnel responsible for patient care, who are potentially exposed to injuries from contaminated sharps in the identification evaluation and selection of effective engineering and work practice controls, and should document the solicitation in the Exposure Control Plan.

* Personal Exposure to Bloody Body Fluids includes splash of blood or bloody body fluid into the eye(s) or mouth, or, exposure to blood or bloody body fluid or bloodied cleaning products through broken skin (i.e., cut, abrasion, puncture).

446 PREVENTION OF LEAD POISONING

Exposures to lead in doses much smaller than previously thought represent a definable risk to children's health and their ability to learn.

The School will attempt to control the use and maintenance of lead-bearing building products and avoid the use of any educational or maintenance procedures or products which may create lead exposures.

The School assures that a parent or guardian outreach program will be implemented to properly communicate information regarding risks from lead and other heavy metals in an attempt to help prevent exposures.

R.C. Chapter 3742.

447 SCHOOL SAFETY PLAN

The School will develop and adopt a comprehensive school safety plan for each school building under its control. In accordance with Ohio law, the School will examine the environmental conditions and operations of the building(s) to determine potential hazards to student and staff safety and propose operating changes to prevent dangerous circumstances. Community law enforcement and safety officials, parents, and school employees will be involved in developing the plan. The plan shall be updated at least every three years and whenever a major modification to the school building necessitate changes in the plan's procedures. A copy of the plan along with a copy of the school building floor plan will be filed with the each law enforcement agency having jurisdiction over the school building(s), as well as with the Attorney General. Upon request, the plan will be filed with the fire department serving the political subdivision in which the building is located.

The School will grant access to school buildings so that law enforcement personnel may hold emergency response training sessions. The training sessions must occur outside of student instructional hours and an employee of the school must be present during the sessions.

The Maritime Academy of Toledo maintains a Comprehensive School Safety Plan. The Plan is ever-evolving and at the present time includes the following:

Accident / Emergency Form

Family and emergency medical information forms are included in the enrollment packet and are updated at the beginning of each academic year. These must be filled out and returned immediately. Two local contact persons are listed on the form in case the school is unable to reach a parent/guardian. If a child becomes ill or injured while at school, the parent(s) will be contacted promptly. It is extremely important that these forms be kept current. Please contact the school during the school year with any changes in information.

Building Security

1. Parents are encouraged to visit their child's classroom whenever possible.
2. Parents are asked to contact the teacher or principal regarding arrangements for visits.
3. Visits by children who are friends or relatives of students are not permitted.
4. All visitors to schools must report to the school office prior to visiting classrooms or school grounds.
5. Students may not leave the school building or campus once they have arrived at school.

Child Abuse or Neglect Policy

The following is the child sexual, physical, and emotional abuse / neglect policy for The Maritime Academy of Toledo:

1. In compliance with Ohio state law, teachers and school staff will immediately report any known or suspected instance of child abuse or neglect.
2. Sexual, physical, or emotional abuse is a crime.
3. Background checks on the Directors of the Board and all employees of The Maritime Academy of Toledo will help to protect all involved.
4. All employees will be briefed annually on the school's child abuse / neglect policy

Closed Campus

The Maritime Academy of Toledo has a closed campus policy. Students are not permitted to leave the school building during the school day without permission. All campus visitors must have a visitor's pass to be in the school building or on school property. Authorized visitors are supervised by staff.

Conflict Resolution

Students and staff are trained in how to resolve conflicts peacefully.

Fire, Tornado, Lockdown Safety

1. Fire drills are held monthly.
2. Tornado drills are held once each Spring and Fall in place of the monthly fire drill.
3. Lockdown drills are held every November and March in addition to the fire/tornado drills.

Property Damage

Parents are held financially responsible if a child deliberately destroys or defaces school property.

Safety Before & After School

Parents are encouraged to become involved in safety programs at the school and to discuss personal safety with their students when traveling to and from the school.

TMAT School Safety Policy Addendums:

Please review the following scenarios and corresponding action plans for board-approval as addendums to the existing board-approved School Safety Plan:

Student Fleeing Campus

Action Plan:

1. In the event a student flees campus, the Superintendent and Superintendent (or his/her designee) will be notified immediately by the attending faculty member.

2. Toledo Police will be called by the Superintendent/Superintendent and/or his/her designee and notified that a student has fled the campus.
3. The parent will then be notified that his/her child has fled campus and the proper authorities have been called.
4. Student Fleeing Staff Member

Student Fleeing Campus

Action Plan:

1. In the event a student flees from a staff member, the Superintendent and Superintendent (or his/her designee) will be notified immediately.
2. Administration/Office staff will locate the missing student.
3. If the student is found, the student will be directed to report an administrator's office for disciplinary action.
4. If the student is not located within the building, Toledo Police will be called by the Superintendent/Superintendent and/or his/her designee and notified that a student has fled the campus.
5. The parent will then be notified that his/her child has fled campus and the proper authorities have been called.
5. Student Insubordination

Student Insubordination

Action Plan:

- a. Per the TMAT Employee Handbook Student Discipline Procedure (pg.39), if a student becomes insubordinate and/or commits a Class B, C, or D violation that warrants immediate removal from class, the teacher/staff member will call the main office and/or the direct line of the Superintendent or Dean of Discipline and ask for a student escort.
- b. The student will then be directed by the Superintendent or Dean of Discipline to report to an administrator's office for disciplinary action.
- c. If the student refuses to report, the Superintendent and/or his/her designee will be immediately notified and ask to report to the area.
- d. The student will then be directed by the Superintendent and/or his/her designee to report to an administrator's office for disciplinary action.
- e. If the student refuses, the Toledo Police will be called to campus.
- f. The parent will then be notified that his/her child has refused the reasonable direction of school administration/teaching staff and is being removed from campus by the proper authorities.

Student Violence/Assault

Action Plan:

- a. Per the TMAT Parent/Student Handbook, in the event of a physical confrontation between students who refuse to stop at the verbal command of an administrator and/or teacher/staff or in the event of a physical assault on students/staff, the Toledo Police will be called immediately by the Superintendent and/or his/her designee.
- b. The Superintendent will immediately be informed that the police have been called.

- c. The parent will then be notified that his/her child has been involved in a violent incident and the proper authorities have been called.

Student Emotional/Mental Crisis

Action Plan:

- a. In the event a student's behavior indicates a possible psychotic break and/or emotional crisis, the teacher/staff member will call the main office and/or the direct line of the Superintendent or Dean of Discipline for a student escort; the Superintendent will then be notified by the Superintendent or Dean of Discipline of an emergency in the building.
- b. The teacher will direct the other students to leave the classroom and form a quiet line in the hallway outside the classroom.
- c. The students in the hall will be escorted by the teacher to an alternative location once Administration arrives.
- d. Once the other students have left the immediate area, the student in question will be directed by Administration to report to an administrator's office for medical attention.
- e. If the student refuses to report, the Toledo Police will be called to campus and asked to remove the student and escort him/her to Rescue Crisis.
- f. The parent will then be notified that his/her child is experiencing a possible psychotic break and/or emotional crisis and has therefore refused the reasonable direction of school administration/teaching staff. The parent will also be informed that his/her child has been taken to Rescue Crisis by the Toledo Police.

Student Attempted Suicide

Action Plan:

- a. In the event a student attempts suicide on school premises, the teacher/staff member will call the main office and/or the direct line of the Superintendent or Dean of Discipline; 911 will then be called by the Superintendent and/or his/her designee.
- b. The Superintendent will then be notified by the Superintendent or Dean of Discipline of an emergency in the building.
- c. If in a classroom, the teacher will direct the other students to leave the classroom and form a quiet line in the hallway outside the classroom.
- d. The students in the hall will be escorted by the teacher to an alternative location once Administration arrives.
- e. If in a common area populated by other students, all other students will be directed to leave the area and report to their designated classrooms.
- f. Once the other students have left the immediate area, the student in question will be attended to by Administration until the paramedics arrive.
- g. The parent will then be notified that his/her child has attempted suicide on school campus and has been taken by paramedics to a medical facility.

Student Reports That He/She Is Planning To Commit Suicide

Action Plan:

- a. In the event a student reports to a staff member that he/she plans to commit suicide, the staff member will call the main office and/or the direct line of the Superintendent or Dean of Discipline; The Superintendent and/or his/her designee will then call Rescue Crisis for assistance.
- b. The administrator will take the direction of the Rescue Crisis counselor up to removal of the student from campus by the Toledo Police for immediate escort to Rescue Crisis. In the event the student needs to be removed from campus, the Superintendent will be notified immediately after the proper authorities have been called.
- c. The parent will then be informed that his/her child told a staff member of plans to commit suicide. The parent will also be informed that Rescue Crisis was called and if applicable, his/her child was escorted to Rescue Crisis by the Toledo Police.

Student Reports That He/She Is Planning To Commit A Violent Act

Action Plan:

- a. In the event a student reports to a staff member that he/she plans to commit a violent act, the staff member will call the main office and/or the direct line of the Superintendent or Dean of Discipline; The Superintendent and/or his/her designee will then call 911 and the Superintendent will be notified on an emergency in the building.
- b. If it is safe to do so, the teacher will direct the other students to leave the classroom and form a quiet line in the hallway outside the classroom.
- c. The students in the hall will be escorted by the teacher to an alternative location once Administration arrives.
- d. If in a common area and it is safe to do so, all other students will be directed to leave the area and report to their designated classrooms.
- e. Once the other students have left the immediate area, the student in question will be attended to by Administration until the Toledo Police arrive.
- f. The parent will then be informed that his/her child told a staff member of plans to commit a violent act and that the proper authorities have been called.

The Maritime Academy of Toledo has established strong safety policies, including zero tolerance for furnishing controlled substances, possession of weapons, threatening and/or causing physical injury to others and to our property, and using profanities. This zero tolerance applies to actions by staff, students, parents, and the community. Parents, visitors, and employees may be terminated and/or issued restraining orders for any of the above violations. Consequences for students include up to ten days suspension and /or immediate expulsion.

Students, employees, parents and the community are urged to contact the school immediately if there is any information about: real or fake weapons carried by students; drug use or drug trafficking on our campus; threats of violence made by students or adults; stolen equipment; and destruction of property, continual bullying. All calls remain anonymous.

R.C. 3737.73(D).

SECTION 450

FOOD SAFETY

450.1 FOOD SERVICES

All students will remain at school for lunch and will not be allowed to leave the School or any recreation areas or common areas without permission, or, if the School authorizes leaving the School for lunch, all students shall follow the School's procedures and rules. Supervision of student activity in the lunchroom, recreation or common areas shall be the responsibility of the teacher or staff member in charge who may delegate this authority to others.

Any food service program provided or contracted for by the Board shall comply with Federal and State regulations pertaining to the selection, preparation, consumption, and disposal of food and beverages as well as to the fiscal management of the program.

Governmental regulations do not permit the serving of meals at the student price to staff members or other adults.

The contract food service program shall be responsible for the planning as well as for the dietary and nutritional requirements of the meals served. Milk may be purchased by those carrying lunches from home.

450.2 FREE AND REDUCED-PRICE MEALS

The School recognizes the importance of good nutrition to each student's educational performance.

The School shall provide eligible needy students with breakfast and/or lunch at a reduced rate or no charge to the student. Children eligible for free or reduced-price meals shall be determined by the criteria established by the Child Nutrition Program and National School Lunch Act. These criteria are issued annually by the Federal government through the State Department of Education.

The Board designates the Superintendent or his/her designee as the responsible party to determine the eligibility of students for free and reduced rate meals.

The School shall annually notify all interested persons of the availability, eligibility requirements, and application procedure for free and reduced rate meals by distributing an application to the family of each student enrolled in the School.

The Superintendent or his/her designee shall prepare and implement the necessary arrangements and guidelines to ensure proper operation of this program. S/He shall ensure that the appropriate policy attachments for Free and Reduced-Price Meals or Free Milk are properly completed and submitted for approval to the School Food Service Division of the State Department of Education by the beginning of each School year.

42 USC §1751.

450.3 WELLNESS POLICY

The School believes that children and youth who begin each day as healthy individuals can learn more and better, and are more likely to complete their formal education. The School also believes that healthy staff can more effectively perform their assigned duties and model appropriate wellness behaviors for students. This policy encourages a holistic approach to student wellness.

Nutrition.

Academic performance and quality of life issues are affected by the choice and availability of good foods in the School. Healthy foods support student physical growth, brain development, resistance to disease, emotional stability and ability to learn.

Nutrition guidelines for all foods offered by the School, shall require the use of products that are high in fiber, low in added fats, sugar and sodium, and served in appropriate portion sizes consistent with USDA standards. Menu and product selection shall utilize student, parent, staff and community advisory groups whenever possible. Nutrition policies and guidelines for reimbursable meals shall not be more restrictive than federal and state regulations and guidance. A la carte offerings to students shall be nutritious and meet federal recommended guidelines and shall be selected with input from students, parents and staff. All beverages served in the School shall include: water, 100% fruit juice, non-carbonated drinks with less than 150 calories per container, non-fat, low-fat, plain or flavored milk, other non-carbonated drinks.

Nutrition services shall support classroom activities for all students that include hands-on applications of good nutrition practices to promote health and reduce obesity.

Health Education and Life Skills.

Healthy living skills shall be taught as part of the regular instructional program and provide the opportunity for all students to understand and practice concepts and skills related to health promotion and disease prevention. Each school shall provide for an interdisciplinary, sequential skill-based health education program. Students shall have access to valid and useful health information and health promotion products and services. Students shall have the opportunity to practice behaviors that enhance health and/or reduce health risks during the school day and as part of before or after school programs. Students shall be taught communication, goal setting and decision making skills that enhance personal, family and community health.

Physical Education and Activity.

Physical education shall be taught by a qualified School staff member. Physical education and physical activity shall be an essential element of each School's instructional program. The program shall provide the opportunity for all students to develop the skills, knowledge and attitudes necessary to participate in a lifetime of healthful physical activity.

Physical Education Program.

The physical education program shall be designed to stress physical fitness and encourage healthy, active lifestyles. The physical education program shall consist of physical activities of at least moderate intensity and for a duration that is sufficient to provide a significant health benefit to students, subject to the differing abilities of students. Participation in such physical activity shall be required for all students for a minimum of thirty minutes, three days a week, or the equivalent. Such instruction may be provided through formal physical education courses, integration into other courses, regularly scheduled intramural activities, and/or regularly scheduled school-wide activities.

Family, School and Community Partnership.

Long term effective partnerships improve the planning and implementation of health promotion projects and events within the School and throughout the community. Family, student and community partners shall be included on an ongoing basis in School wellness planning processes. The equality and diversity of the School shall be valued in planning and implementing wellness activities. Community partnerships shall be developed and maintained as a resource for School programs, projects, activities and events. The School shall actively develop and support the engagement of students, families and staff in community health enhancing activities and events at the School or throughout the community. The School shall appoint a School staff member to assure that the School is complying with this policy.

450.4 CERTIFICATION OF STANDARDS GOVERNING TYPES OF FOODS AND BEVERAGES SOLD ON SCHOOL PROPERTY

The School has adopted and enforces enforce nutrition standards governing the types of food and beverages that may be sold on the premises of its schools, and specifying the time and place each type of food or beverage may be sold. The School designates the Food Service Director and Superintendent shall be responsible for ensuring that the School meets the nutrition standards adopted under section 3313.814 of the Ohio Revised Code. Completion of the ODE Survey on the CCIP serves as the annual compliance report regarding the School’s compliance with the standards. The board agrees to schedule an annual presentation on the report at one of its regular meetings. Copies of the report shall be made available to the public upon request.

The Maritime Academy Of Toledo NUTRITIONAL STANDARDS & GUIDELINES

The Maritime Academy Of Toledo Nutritional standards must be met for all sales of food to students during the regular and extended school day setting. The extended school day includes periods before and after school in which students are participating in school-sponsored extra- curricular activities, academic or enrichment programs. The following restrictions do not affect foods and beverages sold in connection with a school sponsored fundraiser or other event held outside of the regular school day or in conjunction with an interscholastic event.

This policy applies to all foods sold to students on school premises outside of the reimbursable school meals, including foods and beverages sold in vending machines and cafeteria ala-carte. These nutrition standards apply only to food or beverages sold. Food provided free, such as refreshment for parties, potlucks, teacher appreciation luncheons or breakfasts etc, is not subject to district nutrition standards. However, it is highly recommended that foods offered anytime on the school campus and those used in connection with school sponsored fundraisers or other school events held outside of the regular school day or in conjunction with interscholastic athletic events, on or off campus, meet these standards.

Meals served through the National School Breakfast & Lunch program will meet, at a minimum, the nutrition requirements established by local, state and federal regulations. The National Lunch Program Regulations related to Foods of Minimal Nutritional Value (FMNV) prohibit the sale of foods of minimal nutritional value in the food service areas during the operation of any of the Child Nutrition Programs. Carbonated beverages (even diet-types) are defined as a FMNV per the federal regulations unless a product has received an exemption from USDA.

Guidelines for All Beverages Sold On Campus	
Beverages	Middle & high6-12
Water	No size restriction
Plain fat-free or low-fat milk	16 oz or less (no more than 150 calories per 8oz.)(300 calories per 16 oz
Flavored low- fat milk	16 oz or less (no more than 150 calories per 8oz.)(300 calories per 16 oz

100% fruit juice or fruit juice/water blend(no added sweeteners)	10 oz or less (no more than 160 calories per 8oz)(200 calories per 10 oz)
Any beverage	12 oz or less (no more than 66 calories per 8 oz)(99 calories per 12 oz)
Any beverage containing less than 10 calories per 8 oz may include caffeinated beverage & beverages with added sweetener, carbonation, or artificial flavoring.	No size restriction
At least 50% of beverages being offered must be water or other beverages that contain no more than 10 calories per 8 ounces. (this includes vending machines, school operated store or any school sponsored organization.)	

451 GENERAL SAFETY POLICIES

Eye and Face Protection

The School will ensure that all staff and students wear appropriate eye and face protection which complies with all Federal and State standards when working in areas that expose them to hazards such as flying particles, molten metal, liquid chemicals, acids or caustic liquids, chemical oases or vapors, or potentially injurious light radiation. Staff shall obtain appropriate eye protection (safety glasses, goggles, etc.) and will also provide information on the proper use and care of the eye and face protection device.

The teacher will provide the devices to the students.

Staff regularly working in potential eye-hazard areas who need prescription glasses may submit a request through the Superintendent or his/her designee for prescription safety glasses. The School will assume the cost of the glasses.

Ear Protection

Staff working in areas where the noise level is 80 decibels or more may obtain ear protection through the Superintendent or his/her designee. Staff in 80-decibel-or-more areas are given a yearly hearing test.

Foot Protection

All staff working at tasks in which feet are at risk shall wear substantial and/or steel-toed shoes to protect their feet and toes and/or slip-resistant shoes to protect their footing.

Hair/Head Protection

Employees and students with long hair (down to the shoulders) shall tie their hair back or wear hair nets or caps when working on equipment with rotating spindles or other moving machinery. Staff and students working at tasks in which the head is at risk from falling debris or from being struck by objects shall wear appropriate head protection.

Hand Protection

Staff and students may obtain gloves or other hand protection which is appropriate to the task to be performed from the teachers or the Superintendent or his/her designee.

General Safety Rules

Loose clothing must not be worn near moving machinery.

Neckties and scarves must be securely clipped to the shirt.

Staff and students working in areas where chemicals, solvents, other irritants, or caustic acids are used will be supplied with face shields, chemical resistant boots, aprons, gloves, etc.

Rings and jewelry must not be worn when working on machinery.

Work gloves (leather palmed) must be worn by anyone handling raw materials other than chemicals.