

STAFF CONDUCT

All Staff members have a responsibility to make themselves familiar with, and to abide by, the laws of the state of Ohio and the Negotiated Agreement, the policies of the Board and the administrative regulations designed to implement them.

The Board expects staff members to conduct themselves in a manner which not only reflects credit to the District, but also presents a model worthy of emulation by students. Staff members are not permitted to bring deadly weapons or dangerous ordnances into a school safety zone.

All staff members are expected to carry out their assigned responsibilities. Essential to the success of ongoing operations and the instructional program are the following specific responsibilities which are required of all personnel:

1. Faithfulness and promptness in attendance at work;
2. Support and enforcement of policies of the Board and regulations of the administration;
3. Diligence in submitting required reports promptly at the times specified;
4. Care and protection of District property and
5. Concern and attention toward their own and the District's legal responsibility for the safety and welfare of students, including the need to ensure that students are under supervision at all times.

No profanity or obscene speech is permitted at any time. Repeated offenses will bring disciplinary action. Verbal abuse, physical violence or threats of physical violence against others is not permitted.

[Adoption date: December 13, 2004]

LEGAL REFS.: Gun-Free Schools Act; 20 USC 8921
ORC 124.34
2923.1212; 2923.122
3319.081; 3319.16; 3319.31; 3319.36

CROSS REFS.: JFC, Student Conduct (Zero Tolerance)
KGB, Public Conduct on District Property

ANTI-HARASSMENT

The Board of Education declares it to be the policy of the District to maintain an education and work environment that is free from all forms of harassment based on sex, race, color, national origin, religion, disability, age, sexual orientation, military service or any other unlawful basis. This anti-harassment policy extends to students, staff, job applicants, the general public, and individuals with whom the District does business. All employment opportunities as well as educational opportunities, programs, and activities shall be conducted in accordance with this policy. This policy applies to unlawful harassment occurring on school property, or at another location if such conduct occurs during a Board-sponsored activity or program.

The Board does not permit unlawful harassment. All members of the "School District Community" must adhere to this policy. "School District Community" shall mean all persons subject to the control and supervision of the Board of Education including, Board members, administrators, teachers, staff, all other school personnel, students, agents, volunteers, and contractors.

Harassment is defined as intimidation by threats of or actual physical violence; the creation, by whatever means, of a climate of hostility or intimidation; or the use of language, conduct, or symbols in such a manner as to be commonly understood to convey hatred, contempt, or prejudice; or, to have the effect of insulting or stigmatizing an individual. Harassment also includes electronically transmitted acts (e.g., Internet, cell phone, personal digital assistant (PDA), or wireless hand-held device that a person has exhibited toward (an)other particular person(s) and the behavior is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive work or educational environment for the other person(s).

The School District Community shares responsibility for monitoring District operations, programs, and activities to ensure adherence to this policy. This responsibility includes avoiding, discouraging, and reporting unlawful harassment.

In cases where harassment is substantiated, the Board will take immediate steps to end the harassment, take reasonable steps to prevent its recurrence, and correct any discriminating effects.

Disciplinary action will be taken by the Board against any person engaging in the following conduct:

- 1) Engaging in unlawful harassment;
- 2) Filing a malicious or knowingly false harassment grievance;
- 3) Retaliating against a person who filed a harassment grievance or who participated in a harassment investigation;
- 4) Disregarding a harassment grievance; or
- 5) Failing to adequately and promptly investigate harassment grievances when one is responsible for these duties.

Individuals engaging in unlawful harassment continue to be subject to this anti-harassment policy even if the harassment victim appears to have permitted, consented, or otherwise have assumed the risk of the conduct at issue.

No one shall retaliate against an individual because s/he files a grievance; assists or participates in an investigation, proceeding, or hearing regarding the harassment grievance; or, because s/he opposed the language or conduct that violates this policy.

Definitions

Sexual Harassment

Sexual harassment may involve behavior of a person of either gender against a person of the same or opposite gender.

"Sexual Harassment" is meant to carry the same definition in Title VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, and Ohio Revised Code §4112.02 and is more specifically defined as:

An unwanted sexual advance, request for sexual favors, and/or other verbal or physical conduct of a sexual nature, when:

1. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity.
2. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual.
3. Such conduct has the purpose or effect of interfering with the individual's work or educational performance, of creating an intimidating, hostile, or offensive work, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

1. Physical assault.
2. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.
3. Consensual sexual relationships where such relationship leads to favoritism of a student or subordinate employee with whom the teacher or superior is sexually involved and where such favoritism adversely affects other students and/or employees.
4. Unwelcome sexual propositions, invitations, solicitations, or flirtations.
5. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.

6. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.
7. Unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.
8. Sexually suggestive objects, pictures, videotapes, audio recordings or literature, placed in the work or educational environment, which may embarrass or offend individuals.
9. Remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.

Not all behavior with sexual connotations constitute unlawful sexual harassment. Conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects an individual's education or employment, or such that it creates a hostile or abusive educational or employment environment.

NOTE: Any teacher, administrator, coach, or other school authority who engages in sexual conduct with a student, regardless of age, may also be subject to criminal charges. The issue of consent is irrelevant in regard to such criminal charge.

Race/Color Harassment

"Race/Color Harassment" is defined as:

Unwelcome physical, verbal or nonverbal conduct based upon an individual's race or color when such conduct has the purpose or effect of:

1. Interfering with the individual's employment;
2. Interfering with the individual's educational participation or performance (including extra-curricular programs and activities);
3. Creating an intimidating, hostile, or offensive working environment; or
4. Creating an intimidating, hostile, or offensive educational environment.

Race/Color Harassment may take a variety of forms. Examples of the kinds of conduct that may constitute race/color harassment include, but are not limited to:

1. Use of racial slurs, nicknames implying stereotypes, and/or epithets;
2. Negative references regarding racial customs; or
3. Use of pictures, symbols, or other graphics depicting racial (or color) insensitivity.

Religious (Creed) Harassment

"Religious Harassment" is defined as:

Unwelcome physical, verbal or nonverbal conduct based upon an individual's religion when such conduct has the purpose or effect of:

1. Interfering with the individual's employment;
2. Interfering with the individual's educational participation or performance (including extra-curricular programs and activities);
3. Creating an intimidating, hostile, or offensive working environment; or
4. Creating an intimidating, hostile, or offensive educational environment.

Religious Harassment may take a variety of forms. Examples of the kinds of conduct that may constitute religious harassment include, but are not limited to:

1. Use of religious slurs, or nicknames implying stereotypes;
2. Negative references regarding religious customs; or
3. Directing conduct towards characteristics of a person's religious tradition, clothing, and/or surnames.

National Origin Harassment

"National Origin Harassment" is defined as:

Unwelcome physical, verbal or nonverbal conduct based upon an individual's national origin when such conduct has the purpose or effect of:

1. Interfering with the individual's employment;
2. Interfering with the individual's educational participation or performance (including extra-curricular programs and activities);
3. Creating an intimidating, hostile, or offensive working environment; or
4. Creating an intimidating, hostile, or offensive educational environment.

National Origin Harassment may take a variety of forms. Examples of the kinds of conduct that may constitute national origin harassment include, but are not limited to:

1. Use of ethnic slurs, or nicknames implying stereotypes;
2. Negative references regarding ethnic customs; or
3. Directing conduct towards characteristics of a person's national origin, clothing, manner of speaking, language, and/or surnames.

Disability Harassment

"Disability Harassment" is defined as:

Unwelcome physical, verbal or nonverbal conduct based upon an individual's disability when such conduct has the purpose or effect of:

1. Interfering with the individual's employment;
2. Interfering with the individual's educational participation or performance (including extra-curricular programs and activities);
3. Creating an intimidating, hostile, or offensive working environment; or
4. Creating an intimidating, hostile, or offensive educational environment.

Disability Harassment may take a variety of forms. Examples of the kinds of conduct that may constitute disability harassment include, but are not limited to:

1. Use of slurs, or nicknames implying stereotypes;
2. Negative references regarding a person's disabling condition, speech patterns, movement, physical impairment, or appearances; or
3. Directing conduct towards characteristics of a person's disability, manner of speaking, accommodations, movement, or appearance.

Sexual Orientation Harassment

"Sexual Orientation Harassment" is defined as:

Unwelcome physical, verbal or nonverbal conduct based upon an individual's sexual orientation when such conduct has the purpose or effect of:

1. Interfering with the individual's employment;
2. Interfering with the individual's educational participation or performance (including extra-curricular programs and activities);
3. Creating an intimidating, hostile, or offensive working environment; or
4. Creating an intimidating, hostile, or offensive educational environment.

Sexual Orientation Harassment may take a variety of forms. Examples of the kinds of conduct that may constitute sexual orientation harassment include, but are not limited to:

1. Use of slurs, or nicknames implying stereotypes;
2. Negative references regarding a person's sexual orientation, speech patterns, movement or appearances; or
3. Directing conduct towards characteristics of a person's sexual orientation, manner of speaking, movement or appearance.

Reporting and Grievance Procedure

The Superintendent shall (a) adopt a District Reporting and Grievance Procedure ("Procedure") for processing any complaint of harassment initiated under this policy; (b) appoint a District Compliance Coordinator whose responsibility it will be to ensure that Federal and State regulations are complied with and that any inquiries or complaints are dealt with promptly in accordance with the law; (c) ensure that proper notice of the Board's Anti-Harassment Policy for Title II, Title VI, and Title VII of the Civil Rights Act of 1964; Title IX of the Education Amendment Act of 1972; Section 504 of the Rehabilitation Act of 1973; the Americans with Disabilities Act of 1990; the Age Discrimination in Employment Act; and the Ohio Fair Employment Practice Act is provided, where applicable, to staff, students, and the general public; and, (d) ensure that staff, students and the general public have proper notice of the grievance procedure for reporting unlawful harassment.

The name and title of the District's Compliance Coordinator will be set forth in the Procedure and will be published annually in the Student/Parent Handbooks as well as the District's web site. The Procedure will be readily available to all members of the School District Community and posted in appropriate places throughout the District.

The Procedure shall contain an informal and formal procedure to provide a person options in determining how to report an incident(s). Although the Procedure will not contain a time limit for reporting, individuals will be encouraged to report harassment as soon as possible after it occurs.

The Procedure is not intended to interfere with the rights of a member of the School District Community or a third party to pursue a complaint of unlawful harassment with the United States Department of Education, Office for Civil Rights, the Ohio Civil Rights Commission, or the Equal Employment Opportunities Commission.

The Board reserves the right to investigate and resolve a grievance or report of unlawful harassment regardless of whether the member of the School District Community or third party alleging the harassment pursues the grievance.

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful harassment. A violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable due process requirements, State law, and terms of relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in this matter, including the ages and maturity levels of those involved. In those cases where unlawful harassment is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies.

Education and Training

In support of this Anti-Harassment Policy, the Board promotes preventative educational measures. The Superintendent or designee shall provide appropriate training to all members of the School District Community related to the implementation of this policy and its accompanying Reporting and Grievance Procedure. All training regarding the Board's policy and administrative guidelines and harassment in general, will be age and content appropriate.

Confidentiality

All reasonable efforts will be made to protect the rights and privacy of any person reporting a violation of this policy ("Grievant"), or involved in an investigation, in a manner consistent with the School District's legal obligations under State and Federal law. Confidentiality cannot be guaranteed. All Grievants proceeding through the formal investigation process should be advised that their identities may be disclosed to the person against whom the Grievant filed the report.

During the course of a formal investigation, the Lead Administrator will instruct all members of the School District Community and third parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that s/he learns or that s/he provides during the course of the investigation.

All public records created as a part of an investigation of a harassment grievance will be maintained by the District's Compliance Coordinator in accordance with the Board's Records Retention Policy. Any records which are considered student records in accordance with the *Family Educational Rights and Privacy Act* or under Ohio's student records law will be maintained in a manner consistent with the provisions of the Federal and State law.

[Adoption date: December 13, 2004]

[Revised October 13, 2008]

LEGAL REFS.: Civil Rights Act, Title VI; 42 USC 2000d et seq.
Civil Rights Act, Title VII; 42 USC 2000e et seq.
Education Amendments of 1972, Title IX; 42 USC 2000e et seq.
Executive Order 11246, as amended by Executive Order 11375
Equal Pay Act; 29 USC 206
Rehabilitation Act; 29 USC 794
Individuals with Disabilities Education Act; 20 USC 1 400 et seq.
Immigration Reform and Control Act; 8 USC 1324a et seq.
Americans with Disabilities Act; 42 USC 121 12 et seq.
Ohio Const. Art. I, Section 2
ORC 3323.01
Chapter 4112
OAC 3301-35-02; 3301-35-03

CROSS REFS.: AC, Nondiscrimination and Equal Opportunity in Education and Employment
ACA, Nondiscrimination on the Basis of Disability
GBA, Equal Opportunity Employment
GBO, Verification of Employment Eligibility
IGBA, Human Relations Education
IGBI, English as a Second Language (Limited English Proficiency)
IGBJ, Title I Programs
JB, Equal Educational Opportunities
JFC, Student Conduct (Zero Tolerance)
JFCEA, Gangs
JFCF, Hazing
JFCFA, Anti-Harassment, Anti-Intimidation, Anti-Bullying Policy
AC-R, Reporting and Grievance Procedure for Complaints of Discrimination or Harassment
Staff Handbooks
Student Handbooks

CONTRACT REFS.: Teachers' Negotiated Agreement
Support Staff Negotiated Agreements

THIS IS A REQUIRED POLICY

NONDISCRIMINATION ON THE BASIS OF SEX

The U.S. Department of Education has published regulations for implementing Title IX of the Education Amendments of 1972, which prohibits sex discrimination in federally assisted education programs.

Title IX states, in part: "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any education program or activity receiving federal financial assistance."

The Board ensures compliance with Title IX of the Education Amendments of 1972, Title VI of the Civil Rights Act of 1964 and the regulations promulgated through the U.S. Department of Education through its Non-Discrimination and Equal Opportunity in Education and Employment Policy, Anti-Harassment Policy and the Reporting and Grievance Procedure for Complaints of Discrimination or Harassment.

[Adoption date: December 13, 2004]

[Revised October 13, 2008]

LEGAL REFS.: Civil Rights Act, Title VI; 42 USC 2000d et seq.
Civil Rights Act, Title VII; 42 USC 2000e et seq.
Education Amendments of 1972, Title IX; 20 USC 1681 et seq.
Executive Order 11246, as amended by Executive Order 11375
Equal Pay Act; 29 USC 206
Ohio Const. Art. I, Section 2
ORC Chapter 4112

CROSS REFS.: AC, Nondiscrimination and Equal Opportunity in Education and Employment
ACAA, Anti-Harassment
ACB, Nondiscrimination on the Basis of Disability
GBA, Equal Opportunity Employment
IGDJ, Interscholastic Athletics
IIAA, Textbook Selection and Adoption
JB, Equal Educational Opportunities
JFCF, Hazing
JFCFA, Anti-Harassment, Anti-Intimidation, Anti-Bullying Policy
AC-R, Reporting and Grievance Procedure for Complaints of Discrimination Or Harassment
Staff Handbooks
Student Handbooks

THIS IS A REQUIRED POLICY

NONDISCRIMINATION AND
EQUAL OPPORTUNITY IN EDUCATION AND EMPLOYMENT

The Board of Education does not discriminate on the basis of race, color, religion, national origin, sex, disability, age, sexual orientation, military service or any other unlawful basis. This non-discrimination policy extends to students, staff, job applicants, the general public, and individuals with whom the District does business. All employment opportunities as well as educational opportunities, programs, and activities shall be conducted in accordance with this policy. This policy applies to discriminatory conduct occurring on school property, or at another location if such conduct occurs during a Board-sponsored activity or program.

The Board does not permit discriminatory practices and views harassment as a form of discrimination. Harassment is defined as intimidation by threats of or actual physical violence; the creation, by whatever means, of a climate of hostility or intimidation; or the use of language, conduct, or symbols in such a manner as to be commonly understood to convey hatred, contempt, or prejudice; or, to have the effect of insulting or stigmatizing an individual. Harassment also includes electronically transmitted acts (e.g., Internet, cell phone, personal digital assistant (PDA), or wireless hand-held device that a person has exhibited toward (an) other particular person(s) and the behavior is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive work or educational environment for the other person(s).

All members of the "School District Community" must adhere to this policy. "School District Community" shall mean all persons subject to the control and supervision of the Board of education including, Board members, administrators, teachers, staff, all other school personnel, students, agents, volunteers, and contractors.

The School District Community shares responsibility for monitoring District operations, programs, and activities to ensure adherence to this policy. This responsibility includes avoiding, discouraging, and reporting discrimination.

The Board will investigate all complaints of discrimination. Any individual in the School District Community or "third party" may use the District's Reporting and Grievance Procedure for complaints of Discrimination or Harassment to report a complaint under this policy. "Third party" shall include (a) a guest or visitor on Board property; (b) a vendor doing business with the District or so intending; (c) persons coming in contact with a member(s) of the School District Community at school-related events, programs, or activities regardless of location.

Any Board employee who directly observes discrimination directed at a student is obligated, in accordance with this policy, to report such observations to the principal. Thereafter, the principal must contact the student, if age eighteen (18) or older, or the student's parents if under the age eighteen (18), to advise s/he/them of the Board's intent to investigate the alleged misconduct.

In cases where discrimination is substantiated, the Board will take immediate steps to end the discrimination, take reasonable steps to prevent its recurrence, and correct any discriminating effects.

Disciplinary action will be taken by the Board against any person engaging in the following conduct:

- 1) Engaging in discriminatory conduct;
- 2) Filing a malicious or knowingly false discrimination grievance;
- 3) Retaliating against a person who filed a discrimination grievance or who participated in a discrimination investigation;
- 4) Disregarding a discrimination grievance; or,
- 5) Failing to adequately and promptly investigate discrimination grievance when one is responsible for these duties.

Individuals engaging in discriminatory conduct continue to be subject to this non-discrimination policy even if the discrimination victim appears to have permitted, consented, or otherwise have assumed the risk of the conduct at issue.

No one shall retaliate against an employee or student because s/he files a grievance; assists or participates in an investigation, proceeding, or hearing regarding the discrimination grievance; or, because s/he has opposed language or conduct that violates this policy.

Reporting and Grievance Procedure

The Superintendent shall (a) adopt a District Reporting and Grievance Procedure ("Procedure") for processing any complaint of discrimination initiated under this policy; (b) appoint a District Compliance Coordinator whose responsibility it will be to ensure that Federal and State regulations are complied with and that any inquiries or grievances are dealt with promptly in accordance with the law; (c) ensure that proper notice of the Board's Non-Discrimination and Equal Opportunity in Educational and Employment Policy for Title II, Title VI, and Title VII of the Civil Rights Act of 1964; Title IX of the Education Amendment Act of 1972; Section 504 of the Rehabilitation Act of 1973; the Americans with Disabilities Act of 1990; the Age Discrimination in Employment Act; and the Ohio Fair Employment Practice Act is provided, where applicable, to staff, students, and the general public; and, (d) ensure that staff, students and the general public have proper notice of the grievance procedure for processing complaints of discrimination.

The name and title of the District's Compliance Coordinator will be set forth in the Procedure and will be published annually in the Student/Parent Handbooks as well as the District's web site. The Procedure will be readily available to all members of the School District Community and posted in appropriate places throughout the District.

The Procedure shall contain an informal and formal procedure to provide a person options in determining how to report an incident(s). Although the Procedure will not contain a time limit for reporting, individuals will be encouraged to report discrimination as soon as possible after it occurs.

The Procedure is not intended to interfere with the rights of a member of the School District Community or a third party to pursue a complaint of unlawful discrimination with the United States Department of Education, Office for Civil Rights, the Ohio Civil Rights Commission, or the Equal Employment Opportunities Commission.

The Board reserves the right to investigate and resolve a grievance or report of unlawful discrimination regardless of whether the member of the School District Community or third party alleging the discrimination pursues the grievance.

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful discrimination. A violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable due process requirements, State law, and terms of relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in this matter, including the ages and maturity levels of those involved. In those cases where unlawful harassment is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies.

Education and Training

In support of this Anti-Harassment Policy, the Board promotes preventative educational measures. The Superintendent or designee shall provide appropriate training to all members of the School District Community related to the implementation of this policy and its accompanying Reporting and Grievance Procedure. All training regarding the Board's policy and administrative guidelines and harassment in general, will be age and content appropriate.

Confidentiality

All reasonable efforts will be made to protect the rights and privacy of any person reporting a violation of this policy ("Grievant"), or involved in an investigation, in a manner consistent with the School District's legal obligations under State and Federal law. Confidentiality cannot be guaranteed. All Grievants proceeding through the formal investigation process should be advised that their identities may be disclosed to the person against whom the Grievant filed the report.

During the course of a formal investigation, the Lead Administrator will instruct all members of the School District Community and third parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a discrimination investigation is expected not to disclose any information that s/he learns or that s/he provides during the course of the investigation.

[Adoption Date: December 13, 2004]

[Revised July 9, 2007]

[Revised April 28, 2008]

[Revised October 13, 2008]

LEGAL REFS.: Civil Rights Act, Title VI; 42 USC 2000d et seq.
Civil Rights Act, (Amended 1972), Title VII; 42 USC 2000e et seq.
Education Amendments of 1972, Title IX; 20 USC 1681
Executive Order 11246, as amended by Executive Order 11375
Equal Pay Act; 29 USC 206
Rehabilitation Act; 29 USC 794
Individuals with Disabilities Education Act; 20 USC 1400 et seq.
Age Discrimination in Employment Act; 29 USC 623
Immigration Reform and Control Act; 8 USC 1324a et seq.
Americans with Disabilities Act; 42 USC 12112 et seq.
Ohio Const. Art. I, Section 2
ORC 3323.01
Chapter 4112
OAC 3301-35-02; 3301-35-03

CROSS REFS.: ACA, Nondiscrimination on the Basis of Sex
ACAA, Sexual Harassment
ACB, Nondiscrimination on the Basis of Disability
GBA, Equal Opportunity Employment
GBO, Verification of Employment Eligibility
IGAB, Human Relations Education
IGBA, Programs for Students with Disabilities
IGBI, English as a Second Language (Limited English Proficiency)
IGBJ, Title I Programs
JB, Equal Educational Opportunities
JFC, Student Conduct (Zero Tolerance)
JFCEA, Gangs
JFCF, Hazing
AC-R, Reporting and Grievance Procedure for Complaints of
Discomination of Harassment
Staff Handbooks
Student Handbooks

CONTRACT REFS.: Teachers' Negotiated Agreement
Support Staff Negotiated Agreements

THIS IS A REQUIRED POLICY

**REPORTING AND GRIEVANCE PROCEDURE
FOR COMPLAINTS OF DISCRIMINATION OR HARASSMENT**

(Title II, Title VI and Title VII of the Civil Rights Act of 1964; Title IX of the Education Amendment Act of 1972; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination in Employment Act; the American with Disabilities Act of 1990 and the Ohio Fair Employment Practices Act

Pursuant to Board policy, all persons in the School District Community enjoy equal educational, and employment opportunity. Any conduct in violation of the Board's Non-Discrimination Policy and Anti-Harassment Policy is strictly prohibited.

"School District Community" means all persons subject to the control and supervision of the Board of Education including, Board members, administrators, teachers, staff, all other school personnel, students, agents, volunteers, and contractors.

The Reporting and Grievance Procedure shall constitute a grievance procedure whereby a person may report a violation of the Board's Non-Discrimination Policy or Anti-Harassment Policy. This grievance procedure shall be used to investigate all such complaints including those falling under Title II, Title VI, Title VII, and Title IX, Section 504, ADEA, ADA and O.R.C. §4112.02. No one shall retaliate against an employee or student because s/he files a grievance; assists or participates in an investigation, proceeding, or hearing regarding a discrimination or unlawful harassment grievance; or, because s/he has opposed discriminatory, or harassing, language, or conduct.

Grievance Procedure

The Grievance Procedure has been established to provide a prompt and equitable process for resolving discrimination and unlawful harassment grievances. The Grievance Procedure is designed to provide a range of options to any member of the School District Community, or third party, who believes that s/he was subjected to discrimination or unlawful harassment or who witnessed such conduct. These options include an Informal Complaint Procedure and Formal Complaint Procedure.

One may utilize either the informal or formal procedures to file a discrimination or unlawful harassment grievance. Although no time limit for filing exists, one should make every effort to file an informal or formal grievance as soon as possible after the discriminating or unlawfully harassing conduct occurs.

It should be noted that a person who feels that s/he is being unlawfully harassed should, if able and s/he feels safe doing so, tell or otherwise inform the harasser that the conduct is unwelcome and must stop. This should occur as soon as possible after the alleged harassing conduct occurs. Before confronting the alleged harasser, one may contact the District's Compliance Coordinator

for information or assistance. A person is not prohibited from filing an informal or formal grievance if s/he chose not to confront the alleged harasser.

Informal Grievance Procedure

The Informal Grievance Procedure provides a less formal means for reporting discrimination or unlawful harassment. One is not required to file an informal grievance before filing a formal grievance.

Prompt investigation and facilitation of a resolution through informal means is the primary objective of the Informal Grievance Procedure.

To initiate an informal grievance, any member of the School District Community, or third party, who believes that s/he was subjected to discrimination or unlawful harassment or who witnessed such conduct should contact:

1. A building administrator in the building where the individual is employed;
2. A building administrator in the building where the student attends; or
3. If the person is not employed in and does not attend a specific building;

Kimberly Allen, District Compliance Coordinator
Euclid City Schools
651 East 222nd Street
Euclid, Ohio 44123
(216) 797-2922

The informal grievance may be made verbally or in writing. When the informal grievance is made, a copy of this Reporting and Grievance Procedure will be provided to the person reporting the grievance.

The building administrator or District Compliance Coordinator receiving an informal grievance will be responsible for facilitating an informal resolution and shall complete the Informal Grievance Report (Form IF1). This form shall be submitted to the District Compliance Coordinator within five (5) work days of completion of the informal resolution process for that grievance. The District Compliance Coordinator shall maintain all Informal Grievance Forms in accordance with the Board's Record Retention Policy.

Resolution of an informal grievance depends upon several factors including the nature of the grievance and the wishes of the person filing the grievance. Since the Informal Grievance Procedure does not involve an investigation, resolution options are limited. Resolution may involve, but is not be limited to, one or more of the following:

1. Distributing a copy of the Board's Non-Discrimination Policy and/or Anti-Harassment Policy to the individuals in the Board building or office where the individual whose behavior is being questioned works or attends.

2. Advising the member of the School District Community or third party about how to communicate the unwelcomed nature of the behavior to the alleged harasser.
3. If both parties agree, the District's Compliance Coordinator may arrange and facilitate a meeting between the member of the School District Community or third party claiming the harassment and the individual accused of harassment to work out a mutual resolution. **This resolution is not available if the person making the informal grievance is a student and Respondent is an adult.**

Resolution efforts for informal grievances will be completed within 10 work days from the date the complaint is made.

Any member of the School District community or third party dissatisfied during the informal grievance process, or with the resolution may proceed to file a formal grievance.

Formal Grievance Procedure

The Formal Grievance Procedure is designed (a) to receive complaints of discrimination and/or unlawful harassment; (b) to formally investigate those allegations; and, (c) to identify conduct that violates the Board's Non-Discrimination Policy or Anti-Harassment Policy. Once violations of the Board's Non-Discrimination Policy or Anti-Harassment Policy have been substantiated through the Formal Grievance Procedure, disciplinary action against the transgressors may ensue.

To initiate a formal grievance, any member of the School District Community, or third party, who believes that s/he was subjected to discrimination or unlawful harassment or who witnessed such conduct should contact:

1. A building administrator in the building where the individual is employed;
2. A building administrator in the building where the student attends; and/or
3. Kimberly Allen, District Compliance Coordinator
Euclid City Schools
651 East 222nd Street
Euclid, Ohio 44123
(216) 797-2922

The formal grievance may be made verbally or in writing. The person filing the formal grievance is referred to as "Grievant." The person(s) Grievant identifies as having allegedly engaged in conduct violating the Board's Non-Discrimination Policy or Anti-Harassment Policy is referred to as "Respondent."

All formal grievances must include the following information, to the extent available: (a) the identity of the individual believed to have engaged in, or be engaging in the discriminatory or

harassing conduct; (b) a detailed description of the facts upon which the complaint is based; (c) the identity of all potential witnesses; and, (d) the resolution sought by the person filing the grievance. If the formal grievance is made verbally, the administrator receiving the grievance will prepare a written summary for the Grievant to review and verify by signature as true and accurate.

Under no circumstances shall an administrator investigate a grievance that includes allegations against him/her.

If the grievance involves allegations against an administrator responsible for investigation under this Procedure, s/he shall notify the Superintendent. The Superintendent will identify another administrator responsible for performing that function. If a grievance involves allegations against the Superintendent, the District Compliance Coordinator shall notify the Board. The Board will identify another administrator responsible for performing the Superintendent's appeal responsibilities for that matter.

The building administrator or District Compliance Coordinator ("Lead Administrator") receiving a formal grievance will first consider whether any immediate action needs to be taken to protect the Grievant from further harassment, discrimination, or retaliation. Should a change in Grievant's job assignment or class be deemed appropriate or necessary, the administrator or District Compliance Coordinator will consult with the Grievant to gain his/her agreement. In the event the Grievant does not agree and the District Compliance Coordinator still deems the change appropriate, the District Compliance Coordinator may still take whatever actions s/he determines appropriate in consultation with the Superintendent.

The Lead Administrator receiving a formal grievance will be responsible for conducting an investigation and keeping the Grievant informed of the status of the investigation and this procedure. The Lead Administrator shall complete an Initial Report (Form F1), Investigation Report (Form F2), and Final Report (Form F3). These forms shall be submitted to the District Compliance Coordinator within the following time frames:

Initial Report (Form F1) - Faxed or emailed to the District Compliance Coordinator within one(1) work day of the formal grievance.

Investigation Report (Form F2) – Faxed or emailed to the District Compliance Coordinator within ten (10) work days of the formal grievance.

Final Report (Form F3) – Faxed or emailed to the District Compliance Coordinator within three (3) work days from the end of the investigation.

Within two (2) work days, the Lead Administrator will notify the Respondent that a grievance has been received along with the nature of the allegations. A copy of the Board's Non-Discrimination Policy, Anti-Harassment Policy, and this Reporting Procedure will be provided to the Respondent with the notification. The Respondent will also be notified that s/he may submit a written response to the grievance to the Lead Administrator within five (5) business days.

The Lead Administrator will conduct an investigation within ten (10) work days, unless additional time is required and approved by the District Compliance Coordinator. The investigation will include:

1. Interviews with Grievant;
2. Interviews with Respondent(s);
3. Interviews with other witnesses who may reasonably be expected to have any information relevant to the allegations; and,
4. Consideration of any documentation or other information which is reasonably believed to be relevant to the allegations.

Grievant, Respondent, and witnesses will be provided an opportunity to present any evidence that they reasonably believe is relevant.

The Lead Administrator will consider numerous factors in determining whether the claims in the grievance are substantiated or unsubstantiated. These include:

1. The nature of the conduct;
2. The frequency of the conduct;
3. Whether past incidents occurred or a past continuing pattern of behavior exists;
4. The relationship between the Grievant and Respondent(s);
5. The Grievant's race, color, national origin, sex, religion, age, and/or disability status;
6. Respondent's identity, including whether s/he is in a position of power over the Grievant;
7. The number of Respondents;
8. The age of Respondents;
9. The location(s) of the conduct;
10. Whether there have been other incidents involving Respondent or other individuals;
11. Whether the conduct adversely affected the Grievant's work, or educational participation, performance, or environment;
12. The context in which the alleged incident(s) occurred; and
13. Whether or not the speech or expression that is alleged to constitute harassment is protected by the First Amendment to the United States Constitution.

Whether a particular action or incident constitutes a violation of the Board's Anti-Harassment Policy requires a determination based on all the facts and surrounding circumstances.

The District Compliance Coordinator can take over an investigation (a) upon the Superintendent's directive; (b) should the Lead Administrator not be able to promptly conduct the investigation; or, (c) at the District Compliance Coordinator's discretion.

The District Compliance Coordinator shall maintain all Forms in accordance with the Board's Record Retention Policy.

The District Compliance Coordinator will review the Final Report to determine whether any further areas need be investigated. Should the District Compliance Coordinator determine further investigation is needed, s/he will complete an Additional Investigation Request (Form F4) delineating the areas that need further investigation and the time frame within which such investigation shall be completed. The additional investigation will be conducted by the administrator who conducted the underlying investigation or the District Compliance Coordinator's designee. A Final Report Addendum (Form F5) will be completed by the individual conducting the additional investigation and will be submitted within the time frame identified on the Additional Investigation Request.

The District Compliance Coordinator will review the Final Report and any Final Report Addendum and will issue a final written decision regarding whether or not the discrimination or harassment grievance has been substantiated. The District Compliance Coordinator will communicate his/her final written decision to the Grievant and the Respondent. If a Grievant or Respondent is dissatisfied with the final decision of the District Compliance Coordinator, either may appeal to the Superintendent by filing a written notice of appeal with the Superintendent within ten (10) business days of the date of the District Compliance Coordinator's final decision. Upon receipt of a notice of appeal of the final decision of the District Compliance Officer, the Superintendent shall review the matter. The Superintendent will affirm or reject the final decision of the District Compliance Coordinator. The decision of the Superintendent will be final.

All reasonable efforts will be made to protect the rights and privacy of the Grievant, the Respondent, and all witnesses in a manner consistent with the School District's legal obligations under State and Federal law. Confidentiality cannot be guaranteed. All Grievants proceeding through the formal investigation process should be advised that their identities may be disclosed to the Respondent.

During the course of a formal investigation, the Lead Administrator will instruct all members of the School District Community and third parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a discrimination or harassment investigation is expected not to disclose any information that s/he learns or that s/he provides during the course of the investigation.

All public records created as a part of an investigation of a discrimination or harassment grievance will be maintained by the District's Compliance Coordinator in accordance with the Board's Records Retention Policy. Any records which are considered student records in accordance with the *Family Educational Rights and Privacy Act* or under Ohio's student records law will be maintained in a manner consistent with the provisions of the Federal and State law.

Approval date: October 13, 2008

THIS IS A REQUIRED REGULATION

DRUG-FREE WORKPLACE

The Board endeavors to provide a safe workplace for all employees, realizing that the use/abuse of drugs and alcohol can endanger the health, safety and well-being of the nonuser, as well as the user.

Because of the Board's commitment to provide a safe workplace, no employee shall unlawfully manufacture, distribute, dispense, possess or use any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcohol or any other controlled substance, as defined in State and Federal law, in the workplace.

"Workplace" is the site for the performance of any work done in connection with the District. The workplace includes any District building, property, vehicles or Board-approved vehicle used to transport students to and from school or school activities (at other sites off District property) or any school-sponsored or District activity, event or function, such as a field trip or athletic event in which students are under the jurisdiction of District authorities.

Consistent with local, State and Federal law, no employee with alcoholism or other chemical dependency will be terminated for seeking and/or accepting diagnosis and treatment. Any employee who is found to have a dependency on drugs or alcohol and who is found to be under the influence of a chemical while performing his/her duties shall be removed from his/her assignment while an effort is made by the employee to obtain an assessment and/or treatment at a state licensed drug or alcohol treatment facility. During such removal from his/her the employee shall be on sick leave or emergency medical leave if not eligible for sick leave.

The employee shall participate in and complete any program advised by the facility. The cost for such assessment and/or treatment is borne by the employee in conjunction with his/her insurance coverage provided by the Board. Prior to returning to his/her assessment, verification that there is no longer any dependency on drugs or alcohol shall be made through a physical examination by the Board's doctor. The employee shall then be returned to work and follow any after-care program outlined by the treating facility. Failure of an employee to fully comply with this section will result in a recommendation for termination.

As a condition of employment, each employee shall notify his/her supervisor, in writing, of his/her conviction of any criminal drug statute for a violation occurring in the workplace as defined above, not later than five days after conviction.

Employees are given a copy of the standards of conduct and the statement of disciplinary sanctions and are notified that compliance with the standards of conduct is mandatory. Employees who violate the policy shall be subject to disciplinary proceedings in accordance with

prescribed administrative regulations, local, State, and Federal law and/or the Negotiation Agreement, up to and including termination. Any employee in violation of this policy may be required to participate in a drug-abuse assistance or rehabilitation program approved by the Board.

All employees are provided the opportunity to participate in a drug-free awareness program to inform them of requirements, services and penalties.

A list of local drug and alcohol counseling, rehabilitation and re-entry programs and services offered in the community is made available to all employees.

The confidential nature of the records of employees with chemical dependency, including alcoholism, is preserved in the same manner as any other medical records.

[Adoption date: December 13, 2004]

LEGAL REFS.: Drug-Free Workplace Act of 1988; 41 USC 701 et seq.;
20 USC 3474, 1221e-3(a)(1)
Drug-Free Campus and Schools Act; 20 USC 3224(a)
ORC 4123.01 et seq.
4123.35
4123.54

CROSS REFS.: EB, Safety Program
EEACD, Drug Testing for District Personnel Required to Hold a
Commercial Driver's License
GBCB, Staff Conduct
GBE, Staff Health and Safety
GBQ, Criminal Record Check
Staff Handbooks

CONTRACT REFS.: Teachers' Negotiated Agreement
Support Staff Negotiated Agreements

THIS IS A REQUIRED POLICY

NONDISCRIMINATION ON THE BASIS OF DISABILITY

The Board maintains that discrimination against a qualified disabled person solely on the basis of disability is unfair. To the extent possible, qualified disabled persons should be in the mainstream of life in a school community. In addition, the District is the recipient of federal funds and therefore must be in compliance with all laws and regulations which deal with disabled individuals.

Accordingly, employees of the District comply with the law and Board policy to ensure nondiscrimination on the basis of disability. The following is expected.

1. No one discriminates against qualified disabled persons in any aspect of school employment solely on the basis of disability.
2. Facilities, programs and activities are made available to qualified disabled persons.
3. Free appropriate public education at elementary and secondary levels, including nonacademic and extracurricular services and activities, are provided to qualified disabled persons.
4. No one excludes any qualified disabled person, solely on the basis of disability, from participation in any preschool education, day care, adult education or vocational education program.
5. Each qualified disabled person is provided with the same health, welfare and other social services which are provided to others.

The Director of Business Affairs is designated as the employee responsible to coordinate District compliance with the American with Disabilities Act.

The Director of Business Affairs is charged with the responsibility of establishing a grievance procedure for individuals who wish to file a complaint regarding access to the facilities, services, activities and functions of the District.

[Adoption date: December 13, 2004]

LEGAL REFS.: Individuals with Disabilities Education Act; 20 USC 1400 et seq.
Rehabilitation Act of 1973; 29 USC 794
Americans with Disabilities Act; 42 USC 12112 et seq.
ORC 3323.01 et seq.
Chapter 4112

**COMPUTER/ON-LINE SERVICES
(Acceptable Use and Internet Safety)**

The Board is pleased to offer staff and students of the District access to the District computer network and the Internet. Access to electronic mail (E-mail) and the Internet allow staff and students to utilize and explore thousands of global resources.

Technology can greatly enhance the instructional program, as well as the efficiency of the District. The Board recognizes that careful planning is essential to ensure the successful, equitable and cost-effective implementation of technology-based materials equipment, systems and networks. Computers and use of the District network or on-line services support learning and enhance instructions, as well as assist in administration.

To provide support for the administrative and educational goals of the District and to meet mandatory information reporting requirements of the State Department of Education and other state and federal agencies, it is necessary for the District to maintain extensive educational and personal information regarding students and employees. The Euclid Board of Education Computer Network, hereafter referred to as EBEN, an internal structure consisting of servers, personal workstations, software, LANs, and phone circuits, is maintained to meet these goals. In addition to internal communications, various connections to outside services such as Internet, LNOCA and other agencies are available.

Computer networks allow people to interact with many computers; the Internet allows people to interact with hundreds of thousands of networks. All computers are to be used in a responsible, efficient, ethical, and legal manner, Failure to adhere to this policy and the guidelines below will result in the revocation of the user's access privilege.

Failure to adhere to this policy on the part of an employee will lead to disciplinary action, including possible suspension or termination. Further, the Board expects all users, both students and staff, to abide by all rules and regulations, including, but not limited to, federal copyright and trademark laws.

Failure to adhere to this policy on the part of a student will lead to disciplinary action, including suspension and possible expulsion.

Unacceptable uses of the computer/network include but are not limited to:

1. Violating the conditions of State and Federal law dealing with students' and employee' rights to privacy;
2. Using profanity, obscenity or other language which may be offensive to another user;
3. Reposting (forwarding) personal communication without the author's prior consent;
4. Copying commercial software and/or other material in violation of copyright law;

5. Using the network for financial gain, for commercial activity or for any illegal activity;
6. "hacking or gaining unauthorized access to other computers or computer systems, or attempting to gain such unauthorized access;
7. Accessing and/or viewing inappropriate mater and
8. Downloading of freeware or shareware programs

The Superintendent/designee shall develop a plan to address the short- and long-term technology needs and provide for compatibility of resources among school sites, offices and other operations. As a basis for this plan, he/she shall examine and compare the costs and benefits of various resources and shall identify the blend of technologies and level of service necessary to support the instructional program.

Because access to on-line services provides connections to other computer systems located all over the world, users (and parents of users who are under 18 years old) must understand that neither the school nor the District can control the content of the information available on these systems. Some of the information available is controversial and sometimes offensive.

The Board does not condone the use of such materials. Employees, students and parents of students must be aware that the privileges to access on-line services are withdrawn from users who do not respect the rights of others or who do not follow the rules and regulations established. A user's agreement is signed to indicate the user's acknowledgement of the risks and regulations for computer/on-line services use. The District has implemented technology-blocking measures to prevent students from accessing inappropriate material on school computers. The District has also purchased monitoring devices which maintain a running log of Internet activity, recording which sites a particular user has visited.

"Harmful to minors" is defined as any picture, image, graphic image file or other visual depiction that:

1. Taken as a whole and with respect to minors appeals to a prurient interest in nudity, sex or excretion;
 2. Depicts, describes or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts or lewd exhibition of genitals or
 3. Taken as a whole, lacks serious literary, artistic, political or scientific value as to minors.
- The District preserves the right to monitor and access electronic communications.

Users should be aware of such monitoring and understand that their communications are not private and are subject to screening. Teachers/staff are to take an active role in supervising Internet use.

User Agreements and Parent Permission Forms have been developed. These forms must be filled

out and signed by staff and the student and parent for students under the age of 18. Students over the age of 18 may complete and sign their own form.1 of 2

[Adoption date: December 13, 2004]

LEGAL REFS.: U.S. Const. Art. I, Section 8
Family Educational Rights and Privacy Act; 20 USC 1232g et seq.
Children's Internet Protection Act; (P.L. 106-554, HR 4577, 2000,
114 Stat 2763)
ORC 1329.54 through 1329.67
3313.20
3319.321

CROSS REFS.: AC, Nondiscrimination
ACA, Nondiscrimination on the Basis of Sex
ACAA, Sexual Harassment
IB, Academic Freedom
IIA, Instructional Materials
JFC, Student Conduct (Zero Tolerance)

THIS IS A REQUIRED POLICY

COMPUTER/ON-LINE SERVICES
(Acceptable Use and Internet Safety)

The following guidelines and procedures shall be complied with by staff, students, or community members who are specifically authorized to use the District's computers or on-line services.

1. Use appropriate language. Do not use profanity, obscenity or other language which may be offensive to others users. Illegal activities are strictly forbidden.
2. Do not reveal your personal home address or phone number or those of other students or colleagues.
3. Note that electronic mail (e-mail) is not guaranteed to be private. System managers have access to all messages relating to or in support of illegal activities and such activities may be reported to the authorities.
4. Use of the computer and/or network is not for financial gain or for any commercial or illegal activity.
5. The network should not be used in such a way that it disrupts the use of the network by others.
6. All communications and information accessible via the network should be assumed to property of the District.
7. Rules and regulations of on-line etiquette are subject to change by the administration.
8. The user in whose name an on-line service account is issued is responsible for its proper use at all times.
9. The system shall be used only for purposes related to education or administration. Commercial, political and/or personal use of the system is strictly prohibited. The administration reserves the right to monitor any computer activity and on-line communications for improper use.
10. Users shall not sue the system to encourage the use of drugs, alcohol or tobacco nor shall they promote unethical practices or any activity prohibited by law or Board policy.
11. Users shall not view, download or transmit material that is threatening, obscene, disruptive or sexually explicit or that could be construed as harassment or disparagement of others based on their race, national origin, citizenship status, sex, sexual orientation, age, disability, religion, or political beliefs.
12. Copyrighted material may not be placed on the system without the author's permission.
13. Vandalism results in the cancellation of user privileges. Vandalism includes uploading/downloading any inappropriate material, creating computer viruses and/or any malicious attempt to harm or destroy the District Network, equipment or materials or the data of any other user.
14. Users shall not read other users' mail or files; they shall not attempt to interfere with other users' ability to send or receive electronic mail, nor shall they attempt to read, delete, copy, modify or forge other users' mail.
15. Users are expected to keep messages brief and use appropriate language.
16. Users shall report any security problem or misuse of the network to the teacher or the principal or immediate supervisor.

Software Protection

1. No employee or other representative of the District who has access to a personal computer maintained by the District shall enter into a personal computer or copy onto the personal computer network any software that has not first been approved by the Management Information System (MIS) Director or the person in charge of computer services.
2. No Employee or other representative of the District shall copy, share, duplicate or otherwise reproduce any software, transfer any software to another personal computer site or modify any software program without the approval of the MIS Director or the person in charge of computer services and only after assuring that such copying, transfer or modification meets all copyright and licensing provisions applicable to the software.

[Approval date: December 13, 2004]

THIS IS A REUIRED REGULATION

BLOODBORNE PATHOGENS

Staff/students incur some risk of infection and illness each time they are exposed to bodily fluids or other potentially infectious materials. While the risk to staff/students of exposure to bodily fluids due to casual contact with individuals in the school environment is very low, the Board regards any such risk as serious.

Consequently, the Board directs adherence to universally recognized precautions. Universally recognized precautions require that staff and students approach infection control as if all direct contact with human blood and body fluids is known to be infectious for HIV, HBV and/or other bloodborne pathogens.*

To reduce the risk to staff/students by minimizing or eliminating staff exposure incidents to bloodborne pathogens, the Board directs the Superintendent to develop and implement an exposure control plan.

The plan shall include periodic in-service training for staff and students, first-aid kits in each school building and each student transportation vehicle and correct procedures for cleaning up body fluid spills and for personal cleanup.

Training is followed by an offer of immunization with hepatitis B vaccine for all staff who are required to provide first aid to students and/or staff. The vaccine is also offered to all staff who have occupational exposure as determined by the administrator.

[Adoption date: December 13, 2004]

LEGAL REFS.: 29 CFR 1910.1030

Public Employment Risk Reduction Act; ORC 4167.01 et seq.

THIS IS A REQUIRED POLICY

*Bloodborne pathogens are pathogenic microorganisms that are present in human blood and can cause disease in humans. These include, but are not limited to, hepatitis B virus (HBV) and human immunodeficiency virus (HIV).

CONTAGIOUS DISEASES (Employee's Rights)

In dealing with serious contagious diseases, the Board follows the guidelines set forth in this policy.

Contagious Disease Evaluation Team

The Board believes, based upon current medical information, that each employee who is diagnosed as having a serious contagious disease is entitled to an individual evaluation of his/her medical condition. Determinations regarding whether or not an employee may continue to work in a school setting are made only after consideration of all available information regarding the physical condition of that individual. To conduct these evaluations, the Superintendent appoints a Contagious Disease Evaluation Team. This team may consist of the employee's personal physician, a physician appointed by the Board and the employee's building principal or supervisor. The physician appointed by the Board acts as the chairperson of the Contagious Disease Evaluation Team.

Pending a determination by the Contagious Disease Evaluation Team regarding the employee's ability to remain in the school setting, the employee will continue working unless the employee's medical condition poses a clear and immediate threat to others.

The Contagious Disease Evaluation Team has 10 working days to evaluate the employee's physical condition and make a recommendation to the Superintendent regarding the ability of the employee to continue to work in a school setting. After considering the recommendation of the Contagious Disease Evaluation Team, the Superintendent may negotiate any of the following:

1. assign the employee to return to his/her regular place of employment;
2. assign the employee to a work assignment under restrictive conditions or
3. place the employee on a leave of absence, sick leave with pay or disability retirement.

The employee receives written notice of the Superintendent's determination and the employee's right to an appeal.

Upon the request of the employee, the employee's personal physician or upon the recommendation of the Superintendent, the Contagious Disease Evaluation Team will re-evaluate the employee's medical condition and make further recommendations to the Superintendent regarding the employee's ability to work in a school setting.

Appeals Process

Upon receiving written notice of the Superintendent's determination, the employee has five days in which to file an appeal with the Board. Unless otherwise requested by the employee, the hearing is closed. The employee has an opportunity to present additional evidence of his/her ability to remain in the schools setting, call witnesses, cross-examine and have a representative participate in the hearing.

Confidentiality

The Board recognizes the need to protect the infected individual's privacy rights. The Board believes that information concerning the health of any employee should be treated as confidential information and made known only to those individuals who are on the Contagious Disease Evaluation Team. Absent an absolute need to know, no other individuals will be informed about an employee's physical condition.

[Adoption date: December 13, 2004]

LEGAL REFS.: Family and Medical Leave Act; 29 USC 2611 et seq.
20 USC 1400 et seq.
20 USC 1232 g(b)
ORC 3313.67; 3313.68; 3313.71
3319.321
3701.13; 3701.14
3707.04; 3707.06; 3707.08; 3707.20; 3707.21; 3707.26
3709.20; 3709.21

CROSS REFS.: AC, Nondiscrimination
ACB, Nondiscrimination on the Basis of Disability
EBBC, Bloodborne Pathogens
GBA, Equal Opportunity Employment
GBE, Staff Health and Safety
GBL, Personnel Records

STUDENT DISCIPLINE

Effective discipline, which requires respect for the rights of others, is necessary if all students are to attain a quality education. The Board delegates to school officials the authority to enforce District policies, regulations and school rules governing student conduct.

A complete statement governing or describing all the relationships and processes involved in student discipline would be very extensive. The most important part of such a statement would be relationship of the teacher and principal in matters of discipline. Teachers must feel free to consult and work closely with the building principal in dealing with any problem with which the teacher might need guidance. This working relationship is one key to desirable discipline and quality instructional environment.

The Board also believes that the teacher-student relationship in the classroom, halls and on school property is important and should be one of mutual respect at all times. The teacher is recognized as the person in authority at all times in the classroom, halls, buildings, school grounds and at school-related events.

Each case of unsatisfactory behavior by a student is handled individually. The classroom teacher may take the steps which he/she believes are justified in each case. If the student does not respond to these measures, the teacher then refers the student to the principal.

In terms of the relationship of the teacher and principal in discipline matters, the Board expects that whenever a discipline problem appears to extend beyond the classroom, the teacher discusses the problem with the principal. The teacher(s) and the principal work together in attempting to control or correct the problem.

A student's failure to comply with the requirements for conduct outlined in the student handbooks may result in the student's being disciplined. The student may lose all rights to participate in school-related social events or extracurricular activities for a period of time determined by the principal. Depending on the seriousness of the offense committed by the student, suspension or expulsion may also result. Discipline is always administered in a reasonable manner.

If several methods of discipline have been used in an effort to solve a problem and it appears necessary, in the judgment of the principal and Superintendent, to discipline or withdraw privileges from a large group, this action may be taken. Any punishment technique involving an entire class or large group is used only as a last resort.

[Adoption date: December 13, 2004]

LEGAL REFS.: ORC 3313.20; 3313.66; 3313.661; 3313.662; 3319.41

CROSS REFS.: ECAB, Vandalism
IDG, Cocurricular and Extracurricular Activities
JFC, Student Conduct (Zero Tolerance)
JG, Student Discipline
JGA, Corporal Punishment
JGD, Student Suspension
JGDA, Emergency Removal of Students
JGE, Student Expulsion
Student Handbooks

CORPORAL PUNISHMENT

Good conduct is based on respect and consideration for the rights of others. Students are expected to conduct themselves in such a way that the rights of others are not violated. Students will respect constituted authority, conform with school regulations and accept directions from authorized school personnel. School personnel are expected to provide students with an example of appropriate behavior and social attitudes.

A student who fails to comply with established school rules or with any reasonable request made by school personnel on school property and/or at school-related events is dealt with according to approved student discipline regulations.

Corporal punishment is prohibited and shall not be used as a form of discipline in the District. The Board expects the administration, faculty and staff to use other forms of discipline, counseling and referral, including communication and meetings with the parents to promote appropriate, positive behavior.

Teachers, principals, administrators and support staff are authorized by law to use, within the scope of their employment, "such amount of force and restraint as is reasonable and necessary to quell a disturbance threatening physical injury to others, to obtain possession of weapons or other dangerous objects, for the purpose of self-defense, or for the protection of persons or property."

[Adoption date: December 13, 2004]

LEGAL REFS.: ORC 3313.20
3319.41

CROSS REFS.: ECAB, Vandalism
JG, Student Discipline
Student Code of Conduct
Student Handbooks

THIS IS A REQUIRED POLICY

STAFF DRESS CODE

All employees are expected to come to work dressed appropriately and professionally. Employees' dress should reflect pride in themselves and in their work. Exceptions to the above would include building-designated theme days or "dress down" days.

Administrators may speak/confer with any employee about dress deemed inappropriate.

[Adoption date: December 13, 2004]

LEGAL REF.: ORC 3313.20