

SECTION A: FOUNDATIONS AND BASIC COMMITMENTS

AA	Mission Statement
AB	Educational Philosophy
AC	School District Legal Status
AD	The People and Their School District
AE	Nondiscrimination
AF	Nondiscrimination on the Basis of Sex
AG	Sexual Harassment
AG Procedure	Sexual Harassment
AH	Nondiscrimination on the Basis of Disability
AI	Evaluation of the Executive Director
AJ	Evaluation of Contracted Service-Teachers
AK	Evaluation of Contracted Service – Treasurer, Administrators, Instructional Coaches
AL	Evaluation of Educational Resources

Mission Statement

The mission for the Findlay Digital Academy is as follows:

To meet the needs of each student by providing state approved education through on-line instruction and individualized mentoring.

Goals

- Provide an exemplary digital academy that addresses the needs of the students for whom the traditional model of school does not work.
- Achieve a 100% graduation rate while promoting self-confidence and self-esteem in every student.
- Create an open, accepting environment for FDA students.
- Implement an effective marketing plan.
- Create a broad-based community support system for FDA students and their parents.

[Adoption date: May 10, 2005]

[Revision date: October 9, 2014]

EDUCATIONAL PHILOSOPHY

Findlay Digital Academy's educational philosophy can be summarized with the following statements: We will strive to take students at their current academic levels, build upon that foundation, and increase achievement at developmentally appropriate rates and levels. We will do this with the assistance of technology and competent instructors in a cost-efficient manner. Our ultimate goal is to provide applicable skills that will allow students to be lifelong learners and intelligent decision-makers. Another important factor woven into the school is the belief that effective education is a cooperative venture between the students, teachers, support staff, and the primary caregivers. Furthermore, in many instances the Findlay City School District, organizations, and social services can provide valuable support. In short, a teaming process will be critical to the success of this program.

Beliefs: Our core beliefs are succinctly stated as follows:

- The efficient delivery of educational services, and resources is critical to our mission.
- Ongoing planning, assessment, and evaluation drive a growing, dynamic organization and provide for the effective use of resources.
- Empowering the learning community through technology is a vital necessity.
- Sound educational decisions are driven by accurate data.
- A well-trained and talented staff that continually upgrades its skills is a requirement for a successful organization.
- Using systemic processes coupled with creative approaches will foster rich educational experiences at reasonable operational costs.
- A spirit of teamwork and cooperation within the organization and with Findlay City Schools and the Tri Rivers Career Center, our educational partners, must be encouraged and nurtured.

[Adoption date: May 10, 2005]

[Reviewed: October 9, 2014]

LEGAL REF.: OAC 3301-35-02(A)

SCHOOL DISTRICT LEGAL STATUS

The United States Constitution leaves to the individual states responsibility for public education.

The Ohio General Assembly is under mandate by the Constitution of Ohio to provide for the organization, administration and control of a public school system supported by public funds. The Ohio State Constitution also calls for a State Board of Education and a Superintendent of Public Instruction.

The General Assembly has outlined the duties of the State Board of Education and the Chief State School Officer. It has also established a State Department of Education (through which policies and directives of the State Board and Superintendent of Public Instruction are administered) and has established specific types of school districts.

The Findlay Digital Academy is classified as a conversion school. The Findlay Digital Academy is an innovative program that will be a cooperative effort between the Digital Academy Board (School) and the Findlay City School District (Sponsoring School).

The Findlay Digital Academy uses distance-learning technology to deliver instruction via computers to students, either in their homes or a group-learning environment, e.g., computer classroom at a school. Although the School cannot exercise control over the home environments in which instruction will be received, it will take reasonable steps to ensure compliance with health and safety standards deemed available to its students and within the academy's control.

Findlay Digital Academy is an Ohio nonprofit corporation established according to Chapter 1702 of the Ohio Revised code and governed by Chapter 3314 of the Ohio Revised Code. The Board governs the School, and the Board exists to oversee the School and its operations.

[Adoption date: May 10, 2005]
[Revision date: October 9, 2014]

LEGAL REFS.: U.S. Const. Amend. X
Ohio Const. Art. VI, 2; 3; 4
ORC 3301.011
Chapter 3311.01
Chapter 3314
RC 1702

THE PEOPLE AND THEIR SCHOOL DISTRICT

Stakeholder participation in the school is essential to promote and maintain the quality of education for all students. Stakeholders mean those who directly affect or are affected by the educational success of a school. Stakeholders may include, but are not limited to, persons having an interest in the educational, organization, policy or business operation of the Findlay Digital Academy and school staff, employers, parents, students and other individuals or groups in the community. Stakeholders may be asked to serve as nonvoting members of the Board of Directors.

All stakeholders' may express ideas, concerns and judgments about the school to the administration, to the staff, to any appointed advisory bodies and ultimately to the Board. Ideas should be addressed to the responsible individual in an appropriate fashion.

Employees

There should be an exchange of ideas and pertinent information among all elements of the Findlay Digital Academy. Digital Academy employees will be given information essential for the performance of their respective assignments and opportunity will be provided for them to express their ideas and concerns.

Students

Students share responsibility for developing a climate in the school, which is conducive to learning. Through participation in the decision-making process, students can be an important resource for the improvement of the school, the educational system and the community. Periodically, students may be asked to review school policies, rules and regulations. Final authority for all decisions rests with the Board.

While all stakeholders have the opportunity to bring their ideas or grievances to the Board, they are expected to proceed through the recognized administrative channels. Final authority for all decisions rests with the Board.

[Adoption date: May 10, 2005]

[Reviewed: October 9, 2014]

LEGAL REFS.: ORC 121.22
OAC 3301-35-15

NONDISCRIMINATION

The Board's policy of nondiscrimination extends to students, staff, job applicants, the general public and individuals with whom it does business and applies to race, color, national origin, citizenship status, religion, sex, economic status, age, intellectual abilities, achievement or aptitude, athletic ability or disability.

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.

Employees or students who engage in discrimination of another employee or student shall be subject to disciplinary action.

Permission, consent or assumption of risk by an individual subjected to discrimination does not lessen the prohibition contained in this policy.

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

[Adoption date: May 10, 2005]

[Reviewed: October 9, 2014]

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 1401 et seq.
Age Discrimination in Employment Act; 29 USC 623
Immigration Reform and Control Act; 42 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(A)(1); 3301-35-03(A)

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.

[Adoption date: May 10, 2005]

[Reviewed: October 9, 2014]

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
Executive Order 11246, as amended by Executive Order 11375
Equal Pay Act; 29 USC 206
Ohio Const. Art. I, Section 2
ORC Chapter 4112
OAC 3301-35-03(A)

SEXUAL HARASSMENT

All persons associated with the Findlay Digital Academy, including, but not limited to, the Board, the administration, the staff and the students, are expected to conduct themselves at all times so as to provide an atmosphere free from sexual harassment. Sexual harassment, whether verbal or nonverbal, occurring inside or outside of buildings used by the Findlay Digital Academy, or at school-sponsored social functions/activities, is unacceptable and will not be tolerated. Any person who engages in sexual harassment while acting as a member of the school community is in violation of this policy.

The Board has developed complaint procedures, which are available to victims. The Board has also identified disciplinary penalties, which could be imposed on the offenders.

Definition of Sexual Harassment: Unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature may constitute sexual harassment when:

- submission to such conduct is made, either explicitly or implicitly, a term or condition of a person's employment or educational development;
- submission to, or rejection of, such conduct by an individual is used as the basis for employment or education decisions affecting such individual or
- such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile or offensive environment.

Examples of sexual harassment-type conduct may include, but are not limited to, unwanted sexual advances; demands for sexual favors in exchange for favorable treatment or continued employment; repeated sexual jokes, flirtations, advances or propositions; verbal abuse of a sexual nature; graphic verbal commentary relating to an individual's body, sexual prowess or sexual deficiencies; coerced sexual activities; any unwanted physical contact; sexually suggestive or obscene comments or gestures; or displays in the workplace of sexually suggestive or obscene objects or pictures. Whether any such act or comment may constitute sexual harassment-type conduct is often dependent on the individual recipient.

The Grievance Officer: The Board appoints one or more sexual harassment grievance officers who are vested with the authority and responsibility for processing all sexual harassment complaints in accordance with the procedure set forth in the accompanying regulation and staff and student handbooks.

Sexual matters, including the identity of both the charging party and the accused, are kept confidential to the extent possible. Although discipline may be imposed against the accused upon a finding of guilt, retaliation is prohibited.

[Adoption date: May 10, 2005]

[Reviewed: October 9, 2014]

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
Immigration Reform and Control Act; 42 USC 1324a et seq.
Ohio Const. Art. I, Section 2

SEXUAL HARASSMENT

All sexual harassment complaints are processed in accordance with the following procedure:

- Any member of the school community who believes that he/she has been subjected to sexual harassment shall report the incident(s) to the appropriate grievance officer.
- The grievance officer attempts to resolve the problem in an informal manner through the following process.
 - A. The grievance officer confers with the charging party in order to obtain a clear understanding of that party's statement of the alleged facts.
 - B. The grievance officer meets with the charged party in order to obtain his/her response to the complaint.
 - C. The grievance officer holds as many meetings with the parties as are necessary to gather facts.
 - D. On the basis of the grievance officer's perception of the problem, he/she will:
 - 1) attempt to resolve the matter informally through conciliation or
 - 2) notify the parties by certified mail of his/her official action relative to the complaint.
- If either party disagrees with the decision of the grievance officer, he/she may appeal to the Executive Director/designee. After reviewing the record made by the grievance officer, the Executive Director/designee may attempt to gather further evidence necessary to decide the case and to determine appropriate action to be taken. The decision of the Executive Director/designee is final. If any of the named officials are the charged or charging party, the Board will designate an alternate investigator and retain final decision making authority.

All matters involving sexual harassment complaints remain confidential.

[Approval date: May 5, 2005]

[Reviewed: October 9, 2014]

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 Findlay Digital Academy 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 Findlay Digital Academy comply with the law and Board policy to ensure nondiscrimination on the basis of disability. The following is expected.

- No one discriminates against qualified disabled persons in any aspect of school employment solely on the basis of disability.
- Facilities, programs and activities are made available to qualified disabled persons.
- Free appropriate public education at elementary and secondary levels, including nonacademic and extracurricular services and activities, are provided to qualified disabled persons.
- 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.
- Each qualified disabled person is provided with the same health, welfare and other social services, which are provided to others.

[Adoption date: May 10, 2005]

[Reviewed: October 9, 2014]

LEGAL REFS.: Individuals with Disabilities Education Act; 20 USC 1401 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

EVALUATION OF THE EXECUTIVE DIRECTOR/SUPERINTENDENT

The Board evaluates the performance of the Executive Director/Superintendent in order to assist both the Board and the Executive Director/Superintendent in the proper discharge of their responsibilities and to enable the Board to provide the Findlay Digital Academy with the best possible leadership.

Through evaluation of the Executive Director/Superintendent, the Board strives to:

- clarify the role of the Executive Director/Superintendent as seen by the Board;
- develop harmonious working relationships between the Board and Executive Director/Superintendent;
- provide administrative leadership for the Findlay Digital Academy and
- identify strengths and weaknesses of the Executive Director's/Superintendent's performance.

Criteria for the evaluation of the Executive Director/Superintendent are based upon the Executive Director's job description and relate directly to each of the tasks described. The job description and any revisions thereto are developed in consultation with the Executive Director/Superintendent and adopted by the Board.

The Board evaluates the abilities and services of the Executive Director/Superintendent at least once a year.

The evaluation of the Executive Director's/Superintendent's abilities and performance is written and made available to and discussed with the Executive Director/Superintendent in conference. The Board must consider the evaluation of the Executive Director/Superintendent in acting to renew or nonrenew his/her contract.

[Adoption date: May 10, 2005]

[Revision date: October 9, 2014]

LEGAL REFS.: ORC 121.22
3319.01

EVALUATION OF CONTRACTED SERVICES
(Teachers)

Teachers who are the employees of METASOLUTIONS/TRECA/TDA will be evaluated in accordance with METASOLUTIONS/TRECA/TDA Board policy.

It will be METASOLUTIONS/TRECA/TDA responsibility to comply with Ohio Revised Code in terms of insurance benefits, protection of employees on jury duty, State Teachers Retirement System benefits, teacher licensing requirements, the Ohio Equal Pay Law, the state Collective Bargaining Law, Workers' Compensation Law, Unemployment Compensation Law, Sovereign Immunity Law for public employees, State Occupational Safety and Health Law and criminal records check of job applicants.

[Adoption date: May 10, 2005]

[Reviewed: October 9, 2014]

EVALUATION OF CONTRACTED SERVICES
(Treasurer, Administrators, Instructional Coaches)

Instructional Coaches who are the employees of Findlay City Schools but are purchased/contracted services by Findlay Digital Academy will be evaluated in accordance with the Findlay Digital Academy procedures.

It will be the Findlay City Schools' responsibility to comply with Ohio Revised Code in terms of insurance benefits, protection of employees on jury duty, State Teachers Retirement System benefits, State Employees Retirement System benefits, licensing requirements, the Ohio Equal Pay Law, the state Collective Bargaining Law, Workers' Compensation Law, Unemployment Compensation Law, Sovereign Immunity Law for public employees, State Occupational Safety and Health Law and criminal records check of job applicants.

[Adoption date: May 5, 2005]

[Revision date: October 9, 2014]

EVALUATION OF EDUCATIONAL RESOURCES

The Executive Director/Superintendent evaluates the effectiveness of the educational resources used by the Findlay Digital Academy to achieve the Findlay Digital Academy's educational goals and objectives.

Following are the educational resources listed in the State Standards.

- Professional and support staff are recruited, employed, assigned, evaluated and provided in-service education without unlawful discrimination.
- Instructional materials and equipment support attainment of objectives specified in courses of study.
- Facilities accommodate the enrollment and the philosophy of education and educational goals of the school.
- Student health and safety are safeguarded
- Student cumulative records are maintained.
- Student admission, placement and withdrawal are processed according to established procedures.
- Student attendance and conduct are administered according to established objectives and procedures.
- A planned community relations program is implemented to encourage citizen participation in, and support for, the educational program.

[Adoption date: May 10, 2005]

[Revision date: October 9, 2014]

LEGAL REF.: OAC 3301-35-15