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STUDENT POLICIES GOALS

The Board advocates the following goals to:

- enhance equal educational opportunities for all students;
- instill in all students the ability to be critical thinkers and to strive for lifelong learning;
- promote faithful attendance;
- ensure that the Constitutional rights of all students as citizens in a democracy have practical meaning and application;
- develop in students a deep sense of personal responsibility for their actions;
- attend vigorously to matters of student safety, health and welfare;
- deal justly and constructively with all students in matters of discipline and
- help all students feel that they are valued as individual persons in the school environment.

[Adoption date: May 10, 2005]

[Reviewed date: June 4, 2015]

LEGAL REFS.: Ohio Const. Art. II
ORC 3313.48

EQUAL EDUCATIONAL OPPORTUNITIES

All students of the Findlay Digital Academy have equal educational opportunities.

Students have the right to be free from discrimination on the basis of race, color, national origin, citizenship status, religion, gender, social economic status, sexual orientation, marital status, English proficiency, pregnancy, age or disability in all decisions affecting application, selection process and criteria, admissions; timelines and schedules for enrollment, membership in school-sponsored organizations, clubs or activities; access to facilities; distribution of funds; academic evaluations or any other aspect of school-sponsored activities. Any limitations with regard to participation in a school-sponsored activity are based on criteria reasonably related to that specific activity.

[Adoption date: May 10, 2005]

[Reviewed date: June 4, 2015]

LEGAL REFS.: Civil Rights Act, Title VI; 42 USC 2000d et seq.
Civil Rights Act, (Amended 1972), Title VII; 42 USC 2000e et seq.
Executive Order 11246, 1965, amended by Executive Order 11375
Education Amendments of 1972, Title IX, Pub. L. No. 92-318 (1972)
Individuals with Disabilities Education Act
Vocational Rehabilitation Act of 1973, § 504
ORC 3313.64
OAC 3301-35-02(a)(2)
Americans with Disabilities Act; 42 USC 12112 et seq.

COMPULSORY ATTENDANCE AGES

Under law, children between the ages of six and 18 are of compulsory school age. Every person of compulsory school age must attend a school that conforms to the Operating Standards prescribed by the State Board of Education until one of the following occurs.

- The person receives a diploma granted by the Board or other governing authority indicating such student has successfully completed all State and local requirements.
- The person receives an age and schooling certificate (GED).
- The person is excused from school under standards adopted by the State Board of Education pursuant to State law.

The parent(s) of any person that is of compulsory school age must send such person to school unless he/she is exempt as listed above.

[Adoption date: May 10, 2005]

[Reviewed date: June 4, 2015]

LEGAL REFS.: ORC 3321.01 et. seq.
3331.02
OAC 3301-35-02

SCHOOL ADMISSION

Admission is open to any individual between the ages of five (5) and twenty-two (22) who, pursuant to state law, is entitled to attend school. In making admission decisions, the School shall not discriminate on the basis of race, color, national origin, citizenship status, religion, gender, social economic status, sexual orientation, marital status, English proficiency, pregnancy, age or disability.

The school provides free education to Findlay City School District residents who are of the appropriate age or educational standing to be placed in grades 9 through 12. The number of students accepted for enrollment by the school is determined by the contractual agreement between the sponsor and the school and also by the Ohio Department of Education cap.

Students attending the school must have the legal right to enroll tuition-free in the Findlay City School District. This generally includes students residing with a parent or a legal custodian whose place of residence is within the boundaries of the Findlay City School District.

Findlay Digital Academy will not offer financial or in-kind incentives to procure enrollment in the academy.

Findlay Digital Academy will enroll only full-time students. To be considered full-time a student must be enrolled in a minimum of five courses. The only exception to this five course minimum enrollment is a student who is a senior who needs fewer than four credits to be eligible to graduate during that school year and who is not enrolled in any other secondary school.

The School shall restrict admission to students who are residents of the Findlay City School District.

If the number of applicants exceeds the capacity restrictions of the School, students will be admitted based on a waiting list established by date that the application was submitted to the academy, with the following students given preference:

- students who attended the School the previous year;
- siblings of students attending the School the previous year; and
- The School may, in its sole discretion, decide to institute one lottery system and permanent waiting list, or may decide to institute separate lottery systems and permanent waiting lists for each age or grade.

Records Transfer: Once the child is accepted as a student of the school, the parent will notify the Findlay City School of the transfer. Furthermore, the Coordinator of Pupil Personnel will send

formal notification to the Findlay School district, notifying them of the enrollment and request for records.

Upon the date that the student completes orientation and has secured Internet access, the student will be considered enrolled in the Findlay Digital Academy. The parents and students are trained to utilize all materials and equipment effectively and the student is given access to the educational system being offered by the school. During the orientation session, the student will be given a computer to use at home to do his/her online digital curriculum.

[Adoption date: May 10, 2005]

[Revised date: April 7, 2011]

[Revised date: October 4, 2012]

[Revised date: June 4, 2014]

LEGAL REFS.: ORC 3313.48; 3313.64; 3313.67; 3313.671; 3313.672
3317.08
3319.321
3321.01
OAC 3301-35-03(F)

ADDRESS VERIFICATION

For purposes of reporting which school districts the enrolled students are entitled to attend, the School shall require each enrolled student to submit one of the following documents to verify his/her home address:

- a deed, mortgage, lease, current home owner's or renter's insurance declaration page, or current real property tax bill;
- a utility bill or receipt of utility installation issued within ninety days of enrollment;
- a paycheck or paystub issued to the parent or student within ninety days of the date of enrollment that includes the address of the parent's or student's primary residence;
- the most current available bank statement issued to the parent or student that includes the address of the parent's or student's primary residence; or
- any other official document issued to the parent or student that includes the address of the parent's or student's primary residence. This Policy supercedes any contrary or additional requirements imposed by the respective public school district.

[Adoption date: June 4, 2015]

Ohio: R.C. 3314.11

REQUIRED DOCUMENTATION UPON ADMISSION

The School and Ohio law require certain documents, records, and other information be provided upon the student's enrollment in the School. The Executive Director/Superintendent is hereby directed to develop and implement rules and procedures as necessary to ensure that the School complies with this Policy and all other applicable laws.

Records and Documentation

Upon admission into the School, all students shall be required to provide the following:

- any records from the public or nonpublic elementary or secondary school the student most recently attended,
- if issued and applicable, a certified copy of an order or decree, or modification of such an order or decree allocating parental rights and responsibilities for the care of a child and designating a residential parent and legal custodian of the child,
- if executed and applicable, a copy of a power of attorney or caretaker authorization affidavit, if either has been executed with respect to the child, and
- a Birth Certificate Upon enrolling a student, the School shall make a request for records within twenty-four (24) hours from the school the student most recently attended. If the records are not received within seven (7) days, a second request will be made and the Executive Director/Superintendent/Superintendent shall directly contact the school. If the school the student claims to have most recently attended indicates that it has no record of the student's attendance or the records are not received within fourteen (14) days of the date of request, or if the student does not present certain legal documents, the Executive Director/Superintendent/Superintendent shall notify the law enforcement agency having jurisdiction in the area where the student resides of this fact and of the possibility that the student may be a missing child. Certain legal documents include the following: (1) a certification of birth; (2) Passport or attested transcript of a passport filed with a registrar of passports at a point of entry of the United States showing the date and place of birth of the child; (3) An attested transcript of the certificate of birth; (4) An attested transcript of the certificate of baptism or other religious record showing the date and place of birth of the child; (5) An attested transcript of a hospital record showing the date and place of birth of the child; (6) A birth affidavit.

Receiving Records Requests

The School shall comply with all records requests within two (2) business days. The School shall make copies of the student's records and keep the records on file.

Grandparent Caretaker Requirements

A child who is living with and being cared for by grandparents may enroll in and attend the School, so long as the Grandparents/caretaker provide the documents and records above and all of the following documents:

- *Power of Attorney.* Under Ohio law, A child's parent, guardian, or custodian may create a power of attorney that grants to the grandparent with whom the child is residing any of the parent's, guardian's, or custodian's rights and responsibilities regarding the care, physical custody, and control of the child, including the ability to enroll the child in school, to obtain from the school district educational and behavioral information about the child, to consent to all school-related matters regarding the child, and to consent to medical, psychological, or dental treatment for the child. The power of attorney does not affect the rights of the parent, guardian, or custodian of the child in any future proceeding concerning custody of the child or the allocation of parental rights and responsibilities for the care of the child and does not grant legal custody to the attorney in fact. To create a Power of Attorney, an individual must use Form ICC -1, Grandparent Power of Attorney.
- *Caretaker Authorization Affidavit.* A caretaker authorization form, included as Form ICC - 2, is a document that authorizes the grandparent to exercise care, physical custody, and control of the child, including, but not limited to, the authority to enroll the child in school, the discuss with the school the child's educational progress, to consent to all school-related matters regarding the child, and to consent to medical, psychological, or dental treatment for the child. Such a form can only executed by grandparent if the grandparent has made reasonable attempts to locate or contact the child's parents but has been unable to do so. To create a Caretaker Authorization Affidavit, an individual must use Form ICC-2, Caretaker Authorization Affidavit.

The Power of Attorney and/or Caretaker Authorization Affidavit are terminated if (1) revoked in writing and notice is provided; (2) the child ceases to reside with the grandparent; (3) court order; (4) the child's death; or (5) the grandparent's death.

Ohio law prohibits individuals from executing the Power of Attorney or the Caretaker Authorization Affidavit if the purpose is to enroll the child in the School so that the child may participate in academic or interscholastic activities offered by the School. Power of Attorney or Caretaker Authorization Affidavits submitted for this reason are void and are punishable as a misdemeanor of the first degree.

[Adoption date: June 4, 2015]

Ohio: R.C. 3313.672, R.C. 3109.52, R.C. 3109.65, R.C. 3109.80, R.C. 3109.78.

Grandparent Power of Attorney

Ohio requires this form be used as it is identical to R.C. 3109.53

I, the undersigned, residing at _____, in the county of _____, state of _____, hereby appoint the child's grandparent, _____, residing at _____, in the county of _____, in the state of Ohio, with whom the child of whom I am the parent, guardian, or custodian is residing, my attorney in fact to exercise any and all of my rights and responsibilities regarding the care, physical custody, and control of the child, _____, born _____, having social security number (optional) _____, except my authority to consent to marriage or adoption of the child _____, and to perform all acts necessary in the execution of the rights and responsibilities hereby granted, as fully as I might do if personally present. The rights I am transferring under this power of attorney include the ability to enroll the child in school, to obtain from the school district educational and behavioral information about the child, to consent to all school- related matters regarding the child, and to consent to medical, psychological, or dental treatment for the child. This transfer does not affect my rights in any future proceedings concerning the custody of the child or the allocation of the parental rights and responsibilities for the care of the child and does not give the attorney in fact legal custody of the child. This transfer does not terminate my right to have regular contact with the child.

I hereby certify that I am transferring the rights and responsibilities designated in this power of attorney because one of the following circumstances exists:

- 1)
- 2)
- 3)

I am: (a) Seriously ill, incarcerated or about to be incarcerated, (b) Temporarily unable to provide financial support or parental guidance to the child, (c) Temporarily unable to provide adequate care and supervision of the child because of my physical or mental condition, (d) Homeless or without a residence because the current residence is destroyed or otherwise uninhabitable, or (e) In or about to enter a residential treatment program for substance abuse;

I am a parent of the child, the child's other parent is deceased, and I have authority to execute the power of attorney; or

I have a well-founded belief that the power of attorney is in the child's best interest.

I hereby certify that I am not transferring my rights and responsibilities regarding the child for the purpose of enrolling the child in a school or school district so that the child may participate in the academic or interscholastic athletic programs provided by that school or district.

I understand that this document does not authorize a child support enforcement agency to redirect child support payments to the grandparent designated as attorney in fact. I further understand that to have an existing child support order modified or a new child support order issued administrative or judicial proceedings must be initiated.

If there is a court order naming me the residential parent and legal custodian of the child who is the subject of this power of attorney and I am the sole parent signing this document, I hereby certify that one of the following is the case:

(1) I have made reasonable efforts to locate and provide notice of the creation of this power of attorney to the other parent and have been unable to locate that parent;

(2) The other parent is prohibited from receiving a notice of relocation; or (3) The parental rights of the other parent have been terminated by order of a juvenile court.

This POWER OF ATTORNEY is valid until the occurrence of whichever of the following events occurs first: (1) I revoke this POWER OF ATTORNEY in writing and give notice of the revocation to the grandparent designated as attorney in fact and the juvenile court with which this POWER OF ATTORNEY was filed; (2) the child ceases to reside with the grandparent designated as attorney in fact; (3) this POWER OF ATTORNEY is terminated by court order; (4) the death of the child who is the subject of the power of attorney; or (5) the death of the grandparent designated as the attorney in fact.

WARNING: DO NOT EXECUTE THIS POWER OF ATTORNEY IF ANY STATEMENT MADE IN THIS INSTRUMENT IS UNTRUE. FALSIFICATION IS A CRIME UNDER SECTION 2921.13 OF THE REVISED CODE, PUNISHABLE BY THE SANCTIONS UNDER CHAPTER 2929. OF THE REVISED CODE, INCLUDING A TERM OF IMPRISONMENT OF UP TO 6 MONTHS, A FINE OF UP TO \$1,000, OR BOTH.

Witness my hand this _____ day of _____, _____.

_____ Parent/Custodian/Guardian's signature

_____ Parent's signature

_____ Grandparent designated as attorney in fact

State of Ohio)) ss:

County of _____) Subscribed, sworn to, and acknowledged before me this _____ day of _____, _____.

_____ Notary Public

[Adoption date: June 4, 2015]

Notices Regarding Grandparent Power of Attorney

A power of attorney may be executed only if one of the following circumstances exists: (1)

The parent, guardian, or custodian of the child is: (a) Seriously ill, incarcerated or about to be incarcerated; (b) Temporarily unable to provide financial support or parental guidance to the child; (c) Temporarily unable to provide adequate care and supervision of the child because of the parent's, guardian's, or custodian's physical or mental condition; (d) Homeless or without a residence because the current residence is destroyed or otherwise uninhabitable; or (e) In or about to enter a residential treatment program for substance abuse; (2) One of the child's parents is deceased and the other parent, with authority to do so, seeks to execute a power of attorney; or (3) The parent, guardian, or custodian has a well-founded belief that the power of attorney is in the child's best interest.

The signatures of the parent, guardian, or custodian of the child and the grandparent designated as the attorney in fact must be notarized by an Ohio notary public.

A parent, guardian, or custodian who creates a power of attorney must notify the parent of the child who is not the residential parent and legal custodian of the child unless one of the following circumstances applies: (a) the parent is prohibited from receiving a notice of relocation in accordance with section 3109.051 of the Revised Code of the creation of the power of attorney; (b) the parent's parental rights have been terminated by order of a juvenile court pursuant to Chapter 2151. of the Revised Code; (c) the parent cannot be located with reasonable efforts; (d) both parents are executing the power of attorney. The notice must be sent by certified mail not later than five days after the power of attorney is created and must state the name and address of the person designated as the attorney in fact.

A parent, guardian, or custodian who creates a power of attorney must file it with the juvenile court of the county in which the attorney in fact resides, or any other court that has jurisdiction over the child under a previously filed motion or proceeding. The power of attorney must be filed not later than five days after the date it is created and be accompanied by a receipt showing that the notice of creation of the power of attorney was sent to the parent who is not the residential parent and legal custodian by certified mail.

A parent, guardian, or custodian who creates a second or subsequent power of attorney regarding a child who is the subject of a prior power of attorney must file the power of attorney with the juvenile court of the county in which the attorney in fact resides or any other court that has jurisdiction over the child under a previously filed motion or proceeding. On filing, the court will schedule a hearing to determine whether the power of attorney is in the child's best interest.

This power of attorney does not affect the rights of the child's parents, guardian, or custodian regarding any future proceedings concerning the custody of the child or the allocation of the parental rights and responsibilities for the care of the child and does not give the attorney in fact legal custody of the child.

A person or entity that relies on this power of attorney, in good faith, has no obligation to make any further inquiry or investigation.

This power of attorney terminates on the occurrence of whichever of the following occurs first: (1) one year elapses following the date the power of attorney is notarized; (2) the power of attorney is revoked in writing by the person who created it; (3) the child ceases to live with the grandparent who is the

attorney in fact; (4) the power of attorney is terminated by court order; (5) the death of the child who is the subject of the power of attorney; or (6) the death of the grandparent designated as the attorney in fact.

If this power of attorney terminates other than by the death of the attorney in fact, the grandparent who served as the attorney in fact shall notify, in writing, all of the following:

- a) Any schools, health care providers, or health insurance coverage provider with which the child has been involved through the grandparent;
- b) Any other person or entity that has an ongoing relationship with the child or grandparent such that the other person or entity would reasonably rely on the power of attorney unless notified of the termination;
- c) The court in which the power of attorney was filed after its creation; and
- d) The parent who is not the residential parent and legal custodian of the child who is required to be given notice of its creation. The grandparent shall make the notifications not later than one week after the date the power of attorney terminates.

If this power of attorney is terminated by written revocation of the person who created it, or the revocation is regarding a second or subsequent power of attorney, a copy of the revocation must be filed with the court with which that power of attorney was filed.

Additional information:

To the grandparent designated as attorney in fact:

If the child stops living with you, you are required to notify, in writing, any school, health care provider, or health care insurance provider to which you have given this power of attorney. You are also required to notify, in writing, any other person or entity that has an ongoing relationship with you or the child such that the person or entity would reasonably rely on the power of attorney unless notified. The notification must be made not later than one week after the child stops living with you.

You must include with the power of attorney the following information:

- (a) The child's present address, the addresses of the places where the child has lived within the last five years, and the name and present address of each person with whom the child has lived during that period;
- (b) Whether you have participated as a party, a witness, or in any other capacity in any other litigation, in this state or any other state, that concerned the allocation, between the parents of the same child, of parental rights and responsibilities for

the care of the child and the designation of the residential parent and legal custodian of the child or that otherwise concerned the custody of the same child;

- (c) Whether you have information of any parenting proceeding concerning the child pending in a court of this or any other state;
- (d) Whether you know of any person who has physical custody of the child or claims to be a parent of the child who is designated the residential parent and legal custodian of the child or to have parenting time rights with respect to the child or to be a person other than a parent of the child who has custody or visitation rights with respect to the child
- (e) Whether you previously have been convicted of or pleaded guilty to any criminal offense involving any act that resulted in a child being an abused child or a neglected child or previously

have been determined, in a case in which a child has been adjudicated an abused child or a neglected child, to be the perpetrator of the abusive or neglectful act that was the basis of the adjudication.

To school officials:

Except as provided in section 3313.649 of the Revised Code, this power of attorney, properly completed and notarized, authorizes the child in question to attend school in the district in which the grandparent designated as attorney in fact resides and that grandparent is authorized to provide consent in all school- related matters and to obtain from the school district educational and behavioral information about the child. This power of attorney does not preclude the parent, guardian, or custodian of the child from having access to all school records pertinent to the child.

The school district may require additional reasonable evidence that the grandparent lives in the school district.

A school district or school official that reasonably and in good faith relies on this power of attorney has no obligation to make any further inquiry or investigation.

To health care providers:

1. A person or entity that acts in good faith reliance on a power of attorney to provide medical, psychological, or dental treatment, without actual knowledge of facts contrary to those stated in the power of attorney, is not subject to criminal liability or to civil liability to any person or entity, and is not subject to professional disciplinary action, solely for such reliance if the power of attorney is completed and the signatures of the parent, guardian, or custodian of the child and the grandparent designated as attorney in fact are notarized.
2. The decision of a grandparent designated as attorney in fact, based on a power of attorney, shall be honored by a health care facility or practitioner, school district, or school official.

CARETAKER AUTHORIZATION AFFIDAVIT

Use of this affidavit is required and authorized by sections 3109.65 to 3109.73 of the Ohio Revised Code. Completion of items 1-7 and the signing and notarization of this affidavit is sufficient to authorize the grandparent signing to exercise care, physical custody, and control of the child who is its subject, including authority to enroll the child in school, to discuss with the school district the child's educational progress, to consent to all school-related matters regarding the child, and to consent to medical, psychological, dental treatment for the child.

The child named below lives in my home, I am 18 years of age or older, and I am the child's grandparent.

Name of child: _____

Child's date and year of birth: _____

Child's social security number (optional): _____

My name: _____

My home address: _____

My date and year of birth: _____

My Ohio driver's license number or identification card number: _____

Despite having made reasonable attempts, I am either:

Unable to locate or contact the child's parents, or the child's guardian or custodian; or

I am unable to locate or contact one of the child's parents and I am not required to contact the other parent because paternity has not been established; or

I am unable to locate or contact one of the child's parents and I am not required to contact the other parent because there is a custody order regarding the child and one of the following is the case:

The parent has been prohibited from receiving notice of a relocation; or

The parental rights of the parent have been terminated.

9. I hereby certify that this affidavit is not being executed for the purpose of enrolling the child in a school or school district so that the child may participate in the academic or interscholastic

athletic programs provided by that school district.

I understand that this document does not authorize a child support enforcement agency to redirect child support payments. I further understand that to have an existing child support order modified or a new child support order issued administrative or judicial proceedings must be initiated.

WARNING: DO NOT SIGN THIS FORM IF ANY OF THE ABOVE STATEMENTS ARE INCORRECT. FALSIFICATION IS A CRIME UNDER SECTION 2921.13 OF THE REVISED CODE, PUNISHABLE BY THE SANCTIONS UNDER CHAPTER 2929. OF THE REVISED CODE, INCLUDING A TERM OF IMPRISONMENT OF UP TO 6 MONTHS, A FINE OF UP TO \$1,000, OR BOTH.

I declare that the foregoing is true and correct:

Signed: _____ Date: _____
Grandparent

State of Ohio)

) ss:

County of)

County of) Subscribed, sworn to, and acknowledged before me this ____ day of, ____, ____.

_____ Notary Public

[Adoption date: June 4, 2015]

The grandparent's signature must be notarized by an Ohio notary public.

The grandparent who executed this affidavit must file it with the juvenile court of the county in which the grandparent resides or any other court that has jurisdiction over the child under a previously filed motion or proceeding not later than five days after the date it is executed.

This affidavit does not affect the rights of the child's parents, guardian, or custodian regarding the care, physical custody, and control of the child, and does not give the grandparent legal custody of the child.

A person or entity that relies on this affidavit, in good faith, has no obligation to make any further inquiry or investigation.

This affidavit terminates on the occurrence of whichever of the following occurs first: (1) the child ceases to live with the grandparent who signs this form; (2) the parent, guardian, or custodian of the child acts to negate, reverse, or otherwise disapprove an action or decision of the grandparent who signed this affidavit, and the grandparent either voluntarily returns the child to the physical custody of the parent, guardian, or custodian or fails to file a complaint to seek custody within fourteen days (3) the affidavit is terminated by court order; (4) the death of the child who is the subject of the affidavit; or (5) the death of the grandparent who executed the affidavit.

A parent, guardian, or custodian may negate, reverse, or disapprove a grandparent's action or decision only by delivering written notice of negation, reversal, or disapproval to the grandparent and the person acting on the grandparent's action or decision in reliance on this affidavit.

If this affidavit terminates other than by the death of the grandparent, the grandparent who signed this affidavit shall notify, in writing, all of the following:

- (a) Any schools, health care providers, or health insurance coverage provider with which the child has been involved through the grandparent;
- (b) Any other person or entity that has an ongoing relationship with the child or grandparent such that the person or entity would reasonably rely on the affidavit unless notified of the termination;
- (c) The court in which the affidavit was filed after its creation.

The grandparent shall make the notifications not later than one week after the date the affidavit terminates.

6. The decision of a grandparent to consent to or to refuse medical treatment or school enrollment for a child is superseded by a contrary decision of a parent, custodian, or guardian of the child, unless the decision of the parent, guardian, or custodian would jeopardize the life, health, or safety of the child.

Additional information:

To caretakers:

If the child stops living with you, you are required to notify, in writing, any school, health care provider, or health care insurance provider to which you have given this affidavit. You are also required to notify, in writing, any other person or entity that has an ongoing relationship with you or the child such that the person or entity would reasonably rely on the affidavit unless notified. The notifications must be made not later than one week after the child stops living with you.

If you do not have the information requested in item 7 (Ohio driver's license or identification card), provide another form of identification such as your social security number or medicaid number.

You must include with the caretaker authorization affidavit the following information:

- (a) The child's present address, the addresses of the places where the child has lived within the last five years, and the name and present address of each person with whom the child has lived during that period;
- (b) Whether you have participated as a party, a witness, or in any other capacity in any other litigation, in this state or any other state, that concerned the allocation, between the parents of the same child, of parental rights and responsibilities for the care of the child and the designation of the residential parent and legal custodian of the child or that otherwise concerned the custody of the same child;
- (c) Whether you have information of any parenting proceeding concerning the child pending in a court of this or any other state;

(d) Whether you know of any person who has physical custody of the child or claims to be a parent of the child who is designated the residential parent and legal custodian of the child or to have parenting time rights with respect to the child or to be a person other than a parent of the child who has custody or visitation rights with respect to the child;

(e) Whether you previously have been convicted of or pleaded guilty to any criminal offense involving any act that resulted in a child's being an abused child or a neglected child or previously have been determined, in a case in which a child has been adjudicated an abused child or a neglected child, to be the perpetrator of the abusive or neglectful act that was the basis of the adjudication.

4. If the child's parent, guardian, or custodian acts to terminate the caretaker authorization affidavit by delivering a written notice of negation, reversal, or disapproval of an action or decision of yours or removes the child from your home and if you believe that the termination or removal is not in the best interest of the child, you may, within fourteen days, file a complaint in the juvenile court to seek custody. You may retain physical custody of the child until the fourteen-day period elapses or, if you file a complaint, until the court orders otherwise.

To school officials:

3. This affidavit, properly completed and notarized, authorizes the child in question to attend school in the district in which the grandparent who signed this affidavit resides and the grandparent is authorized to provide consent in all school-related matters and to discuss with the school district the child's educational progress. This affidavit does not preclude the parent, guardian, or custodian of the child from having access to all school records pertinent to the child.
4. The school district may require additional reasonable evidence that the grandparent lives at the address provided in item 5 of the affidavit.
5. A school district or school official that reasonably and in good faith relies on this affidavit has no obligation to make any further inquiry or investigation.
6. The act of a parent, guardian, or custodian of the child to negate, reverse, or otherwise disapprove an action or decision of the grandparent who signed this affidavit constitutes termination of this affidavit. A parent, guardian, or custodian may negate, reverse, or disapprove a grandparent's action or decision only by delivering written notice of negation, reversal, or disapproval to the grandparent and the person acting on the grandparent's action or decision in reliance on this affidavit.

To health care providers:

1. A person or entity that acts in good faith reliance on a CARETAKER AUTHORIZATION AFFIDAVIT to provide medical, psychological, or dental treatment, without actual knowledge of facts contrary to those stated in the affidavit, is not subject to criminal liability or to civil liability to any person or entity, and is not subject to professional disciplinary action, solely for such reliance if the applicable portions of the form are completed and the grandparent's signature is notarized.
2. The decision of a grandparent, based on a CARETAKER AUTHORIZATION AFFIDAVIT, shall be honored by a health care facility or practitioner, school district, or school official unless the health care facility or practitioner or educational facility or official has actual knowledge that a parent, guardian, or custodian of a child has made a contravening decision to consent to or to refuse medical treatment for the child.
3. The act of a parent, guardian, or custodian of the child to negate, reverse, or otherwise disapprove an action or decision of the grandparent who signed this affidavit constitutes termination of this affidavit. A parent, guardian, or custodian may negate, reverse, or disapprove a grandparent's action or decision only by delivering written notice of negation, reversal, or disapproval to the grandparent and the person acting on the grandparent's action or decision in reliance on this affidavit.
- 4.

File: JG

STUDENT ABSENCES AND EXCUSES

Regular attendance by all students is very important. In many cases, irregular attendance is the major reason for poor schoolwork; therefore, all students are urged to make appointments, do personal errands, etc., outside of school hours.

Attendance is defined as student participation and recorded learning hours (whether activities were completed on or off the computer). Attendance is:

- meeting and recording the benchmark target hours and
- weekly contact with each assigned teacher.

Each student is required to contact his/her assigned teacher weekly. Contact is defined as: e-mail, chat, submitted assignment or posted message on the class message board. If a student experiences technical problems, the attendance officer will take this into consideration when evaluating absences. The attendance policy provides specifics regarding active participation and truancy. A detailed attendance policy is in place and there will be monthly internal audits on a sample of the student body to verify active participation. Students are expected to complete at least one lesson in every course every week that school is in session. The School is required by law to remove a student who misses 105 consecutive hours of learning opportunities.

Attendance is defined as student participation in monitored and recorded educational activities completed both on the computer and off the computer. Educational activities will be recorded in a student's learning log. The following descriptions will help define the different environments in which educational activities will be recorded.

Reasons for which students may be excused include, but are not limited to:

- personal illness of the student;
- illness in the student's family;
- death in the family;
- quarantine for contagious disease;
- religious reasons or
- other reasons as determined by the Executive Director/Superintendent.

There are three components to the attendance policy. Each student will need to meet the following standards to remain a student in good standing:

- Students will need to record a minimum number of learning hours for each identified benchmark segment during the school year. Benchmark target hours and their due dates are listed on the school calendar and will also be listed in the learning log.
- Students will be required to participate in each class. (A student's week is defined as Sunday through Saturday.)
- Students will need to make an entry in their learning logs for each day of the calendar year (excluding Christmas and Spring Break). The attendance officer will contact students who fail to make the required entries for five consecutive days. If warranted, the student will receive an attendance warning.

Summary: In order to remain in good standing, each student will need to:

- participate weekly in each class
- record his/her learning hours each day
- log the targeted benchmark hours throughout the year.

[Adoption date: May 10, 2005]

[Reviewed: June 4, 2015]

LEGAL REFS.: ORC 3321.01; 3321.04; 3321.13; 3321.14; 3321.38
4507.061
OAC 3301-35-02; 3301-35-03
3301-51-13

File: JH

TRUANCY

Truancy

Truant means absent without excuse. Students will be considered truant if:

- They fail to have contact with their teachers for a period of one calendar week .
- They fail to make an entry into their learning logs for a period of one calendar week.

The Ohio Revised Code allows schools to appoint hearing officers to revoke and or deny driving privileges to truant students. This law applies to all persons under age 18 who drop out of school, who are habitually absent from school without legitimate excuse, or who have been expelled or suspended from school for using or possessing alcohol or drugs or both.

Truancy may also have an effect on grade promotion. A student shall be denied promotion to the next grade level if:

The student has been absent 10 percent of the required school days during the school year and the student has failed two or more of the required curriculum subject areas in the current grade, unless the Executive Director/Superintendent and the teacher of any failed subject agree that the student is academically prepared to be promoted to the next grade level.

The administration endeavors to reduce truancy through cooperation with parents, diligence in investigating the causes of absence and use of strict guidelines in regard to tardiness and unexcused absence.

When the administration determines that a student has been truant and that the parent, guardian or other person having care of a child has failed to ensure the child's attendance at school, State law authorizes the Board to require the parent to attend a specified educational program.

When it comes to the attention of the school attendance officer or other appropriate officer of the School, the designated officer must investigate any case of supposed truancy within the Findlay Digital Academy and must warn the child, if found truant, and the child's parent in writing of the legal consequences of being a "habitual" or a "chronic" truant.

A "habitual truant" is any child of compulsory school age who is absent without a legitimate excuse for five or more consecutive school days, seven or more school days in one month or 12 or more school days in a school year.

A "chronic truant" is any child of compulsory school age who is absent without legitimate excuse for seven or more consecutive school days, 10 or more school days in one month or 15 or more school days in a school year.

The parent is required to have the child attend school immediately after notification. If the parent fails to get the child to attend school, the attendance officer or other appropriate officer, if directed by the Superintendent or the Board, may send notice requiring the child's parent to attend a parental education program.

For the correction of the “habitually truant” unruly child, the courts may now order the Board to require the child to attend an alternative school if one has been established.

The courts may order the “habitually truant” child not to be absent without legitimate excuse from school for five or more consecutive days, seven or more school days in one school month or 12 or more school days in a school year.

Regarding “habitual truants,” the Board must take as an intervention strategy any appropriate action contained in the Board policy, or the Board may file a complaint in juvenile court jointly against the child and the parent. The complaint must state that the child is an “unruly child” by virtue of being a “habitual truant” and that the child’s parent violated the School Attendance Law.

Regarding “chronic truants,” if the parent fails to get the child to school and the child is considered a “chronic truant,” the Board must file a complaint in the juvenile court jointly against the child and the parent. The complaint must state that the child is a “delinquent child” by virtue of being a “chronic truant,” and that the parent has violated the School Attendance Law.

The Board directs the administration to develop intervention strategies that may include the following:

- providing a truancy intervention program for a habitual truant;
- providing counseling for a habitual truant;
- file court truancy papers
- requesting or requiring a parent of a habitual truant to attend truancy prevention mediation programs;
- notification to the registrar of motor vehicles or
- taking appropriate legal action.

[Adoption date: May 10, 2005]

[Reviewed: June 4, 2015]

LEGAL REFS.: ORC 3321.03-04; 3321.07-09; 3321.22; 3321.38, 3313.663

STUDENT ATTENDANCE ACCOUNTING
(Missing and Absent Children)

The Board believes in the importance of trying to decrease the number of missing children; therefore, efforts are made to identify missing children and to notify the proper adults or agencies.

At the time of initial entry into school, a student shall present to the person in charge of admission an official copy of a birth certificate and copies of those records pertaining to him/her, which were maintained by the school, which he/she most recently attended. In lieu of a birth certificate, birth documentation may include:

- a passport or attested transcript thereof filed with a registrar of passports at a point of entry of the United States showing the date and place of birth of the child;
- an attested transcript of the certificate of birth;
- an attested transcript of the certificate of baptism or other religious record showing the date and place of birth of the child;
- an attested transcript of a hospital record showing the date and place of birth of the child or
- a birth affidavit.

If the student does not present copies of the required documents, the Coordinator shall call the school from which the student transferred and request the information. If that district has no record on file of the student or if that district does not send the records within 14 days, the Coordinator shall notify the law enforcement agency having jurisdiction in the area where the student resides of the possibility that the student might be a missing child.

The primary responsibility for supervision of a student resides with his/her parent(s). The staff provides as much assistance as is reasonable to parents with this responsibility.

[Adoption date: May 10, 2005]

[Reviewed: June 4, 2015]

LEGAL REFS.: ORC 109.65
2901.30
3313.205; 3313.672; 3313.96
3319.321; 3319.322
3321.12, 3705.05

TRACKING MISSING CHILDREN

Ohio law requires the School to assist in finding missing children. When the School is notified by a law enforcement agency that a missing child report has been filed and the missing child report regards a student who is currently or was previously enrolled in the School, the person in charge of admission at the School shall mark that student's records. Marks should be made according to Form JJ, Missing Child Report "Marking" Form. The mark shall be made so as to alert any school official that is responding to a records request that the school records belong to a missing child.

Upon receiving any request for a copy of or request for information regarding a student's records that have been marked, the person in charge of admission immediately shall report the request to the law enforcement agency that notified the School that the student is a missing child. When forwarding information from the student's records in response to a request, the person in charge of admission shall forward such information in such a way that the receiving district or school would be unable to discern that the student's records are marked. The school official, however, shall retain the mark in the student's records until the School is notified that the student is no longer a missing child.

When the law enforcement agency notifies the School that a student is no longer a missing child, the person in charge of admission shall remove the mark from the student's records, and destroy the mark securely.

Ohio: R.C. 3313.672.

[Adoption date: June 4, 2015]

MISSING CHILD REPORT 'MARKING' FORM

This child has been reported missing by a law enforcement agency. This form must be attached to the child's records. Please read and complete this entire form before completing any records request.

Name of Child: _____ Date : _____ Law
 Enforcement Agency: _____ Law Enforcement Agency
 Contact Information: _____

Requests for Information – PLEASE READ

Upon any request for this child's records, the School is required to report the information to the law enforcement agency identified above. This form and any information pertaining to the child's missing status shall not be sent with the child's file. This form shall, however, be retained in the child's file. Please complete for each request of the child's file.

Requesting Party	Date of Request	Date/Method Law Enforcement was Notified	Confirm this Form was excluded from file to Requestor	School Official Signature

Upon being informed by a law enforcement agency that the student is not missing, this form must be removed from the child's file and destroyed securely. Please sign upon receiving information that the child is no longer missing.

Notification Date: _____ Law Enforcement Agency: _____

Signature: _____

EXCLUSIONS AND EXEMPTIONS FROM SCHOOL ATTENDANCE

A child of compulsory school age residing in the Findlay City School District may be legally excused from public school attendance by:

- holding a full-time age and schooling certificate (GED) and being regularly employed;
- receiving approved home instruction;
- attending a private or parochial school or
- having graduated from an approved high school.

The Findlay Digital Academy may temporarily deny admittance to any student who is otherwise entitled to be admitted to the Findlay Digital Academy if the student has been suspended or expelled from the schools of another district in the State of Ohio or an out-of-state district and if the period of suspension or expulsion has not expired. The student and parent(s) will have an opportunity for a hearing before the Executive Director/Superintendent/designee to determine the admittance or nonadmittance of the student.

[Adoption date : May 10, 2005]

[Reviewed: June 4, 2015]

LEGAL REFS.: ORC 3321.02; 3321.03; 3321.04; 3321.07

PERMANENT EXCLUSION

In accordance with the law, the Board may seek to permanently exclude a student 16 years of age or older who has been convicted of or adjudicated for any the following offenses:

- carrying a concealed weapon or conveying or possessing a deadly weapon or dangerous ordnance on property owned or controlled by the school or at an activity held under the auspices of this Board;
- possessing, selling, or offering to sell controlled substances on property owned or controlled by the school or at an activity under the auspices of this Board, including on-line, via school equipment or
- complicity to commit any of the above offenses, regardless of where the complicity occurred.

In accordance with the law, when any student, 16 years of age or older, has been convicted of or adjudicated delinquent resulting from any of the above offenses, the Executive Director/Superintendent shall submit a written recommendation to the Board that the student should be permanently excluded from the school. The recommendation is to be accompanied by the evidence, other information required by statute, and the name and position of the person who should present the school's case. The Board, after considering all the evidence, including the hearing of witnesses, shall take action within 14 days after receipt of the Executive Director/Superintendent's recommendation.

If the Board adopts the resolution, the Executive Director/Superintendent shall submit it to the State, together with the required documents and the name of the person designated by the Board as its representative to present the case to the State. A copy of the resolution shall be sent to both the student and his/her parents.

If the State rejects the Board's request, the school shall readmit the student in accordance with statute and Board guidelines.

[Adoption date: May 10, 2005]

[Reviewed: June 4, 2015]

LEGAL REFS.: ORC 3313.66; 3313.661; 3313.662

STUDENT RIGHTS AND RESPONSIBILITIES

Students, like all citizens, have civil rights guaranteed by the Constitution of the United States. The First Amendment, which ensures the freedom of religion, speech, press, assembly and petition, and the Fourteenth Amendment, which guarantees due process and equal protection, apply in school environments.

The rights of an individual are preserved only by the protection and preservation of the rights of others. A student is responsible for the way rights are exercised and must accept the consequences of actions and recognize the boundaries of rights. Each exercise of an individual's rights must demonstrate respect for the rights of others.

As part of the educational process, students should be made aware of their legal rights and of the legal authority of the Board to make rules and delegate authority to its staff to make rules necessary for the orderly operation of the schools.

A copy of the school discipline code is available electronically for each student. This code describes in detail the offenses such as truancy, tardiness, property damage, etc., for which disciplinary action may be taken. Copies of the code are available to any parent in the Findlay Digital Academy office.

[Adoption date: May 10, 2005]

[Reviewed: June 4, 2015]

LEGAL REFS.: U.S. Const. Amend. I
U.S. Const. Amend. XIV, Section 1
ORC 3313.20; 3313.66; 3313.661; 3313.662

STUDENT DUE PROCESS RIGHTS

The Board and school officials have the legal authority to deal with disruptive students and student misconduct. Due process, in the context of administrative proceedings carried out by school authorities, does not mean that the procedures used by the courts in juvenile proceedings must be followed. The Ohio and Federal Rules of Evidence do not apply.

Students have clearly established means by which administrative due process is available for the protection of his/her rights.

Due process procedures are:

- applied equally to all and
- enforced in a manner, which involves:
 - A. adequate and timely notice and opportunity to prepare a defense;
 - B. an opportunity to be heard at a reasonable time and in a meaningful manner and
 - C. the right to a speedy and impartial hearing on the merits of the case.

In cases of student suspension or expulsion, the specific due process procedures set by the Board's policy are followed.

[Adoption date: May 10, 2005]

[Reviewed: June 4, 2015]

LEGAL REFS.: ORC Chapter 2506
3313.66; 3313.661; 3313.662
OAC 3301-35-03(G)(2)(c)

STUDENT CONDUCT (Zero Tolerance)

Students are expected to adhere to behaviors and policies appropriate to a well-functioning democratic society. Each student will have an online student handbook that outlines and defines the rules and regulations for student behavior. It also defines the rights and responsibilities of the students, the parents, the staff and the school. Students and custodial parents will be required to acknowledge that they have read the handbook and are aware of its content. Questions regarding the content will be addressed by the school's administrative staff.

Students are expected to conduct themselves in such a way that they respect and consider the rights of others. Students of the Findlay Digital Academy must conform to school regulations and accept directions from authorized school personnel. The Board has “zero tolerance” of violent, disruptive or inappropriate behavior by its students. While on Findlay City School District property, the Findlay Digital Academy students must comply with all Findlay City School District policies, rules, procedures and regulations.

A student who fails to comply with established school rules or with any reasonable request made by school personnel while utilizing school property and/or at school-related events is subject to approved student discipline regulations. The Executive Director/Superintendent/designee develops regulations, which establish strategies ranging from prevention to intervention to address student misbehavior.

Students and parents receive, at the beginning of each school year or upon entering during the year, written information on the rules and regulations to which they are subjects while in school or participating in any school-related activity or event. The information includes the types of conduct, which are subject to suspension or expulsion from school or other forms of disciplinary action. The Board directs the administration to make all students aware of the Student Code of Conduct and the fact that any violations of the Student Code of Conduct are punishable. The rules also apply to any form of student misconduct directed at a School or Findlay School District official or employee or the property of the School or a Findlay School District official or employee, regardless of where the misconduct occurs.

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

A student may be expelled for up to one year if he/she commits an act that inflicts serious physical harm to persons or property if it was committed at school, on other school property or at a school activity, event or program.

The Executive Director/Superintendent is authorized to expel a student from school for a period not to exceed one year for making a bomb threat to a school building, or to any premises at which a school activity is occurring at the time of the threat. Any expulsion under this provision

extends, as necessary, into the school year following the school year in which the incident that gives rise to the expulsion takes place.

Matters, which might lead to a reduction of the expulsion period, include: the student's mental and/or physical characteristics or conditions; the age of the student and its relevance to the punishment; the prior disciplinary history of the student and/or the intent of the perpetrator.

The Student Code of Conduct is made available to students and parents and is posted on line.

[Adoption date: May 10, 2005]

[Reviewed: June 4, 2015]

LEGAL REFS. The Elementary and Secondary Education Act; 20 USC 1221 et seq.
Children's Internet Protection Act; (P.L. 106-554, HR 4577, 2000,
114 Stat 2763)
ORC 3313.20; 3313.534; 3313.66; 3313.661; 3313.662
OAC 3301-35-03

STUDENT CONDUCT
(Zero Tolerance)
SUSPENSION AND EXPLUSION

The Findlay Digital Academy recognizes that exclusion from the educational program of any school, whether by suspension or expulsion, is the most severe sanction that can be imposed on a student and cannot be imposed without due process.

Students in a digital classroom are not hampered by time and space. They do not have to be in a classroom at a specific time in order to complete their work. They can work during the times that are most convenient for them. However, Findlay Digital Academy students must maintain progress in their academic endeavors and communicate regularly with their teachers. Although much of the school year will be spent in a digital environment, there will be occasions during which students will be in the presence of other students and staff members at school-related activities. Our rules and regulations are necessary to assure a positive learning environment; they are in place to protect every student's opportunity to learn. Whenever behavior interferes with the learning environment, consequences will result. Reasons for suspension and possible expulsion may include but are not limited to the following:

- Any repeated offenses for which the student has been previously suspended
- excessive absenteeism
- truancy
- misuse of or vandalizing school property
- disruption of school or school-related activities
- threatening or intimidating students or staff
- sexual harassment
- removing or altering official school documents or records
- assault
- immoral act
- calling in bomb threats
- violation of the school policies
- possession of deadly weapons at school-sponsored functions
- cheating or plagiarism
- hazing
- bullying

Definitions:

Suspension:

*Duration of greater than 24 hours, but less than 10 days.

*Temporary exclusion of a student from all school-related activities, accompanied by disabling the student's computer.

Expulsion:

*Duration of greater than 10 days.

* The withdrawal of a student from all school-related activities, accompanied by disabling the student's computer.

Student behavior that might be disruptive to the learning of others or might pose a possible danger to others may necessitate that the student receive all of his/her instruction online from his/her home environment.

[Approval date: May 10, 2005]

[Revised: February 28, 2008]

[Revised: June 4, 2015]

HAZING, INTIMIDATION AND BULLYING

The School seeks to create and maintain an environment that promotes learning, dignity and respect. This environment is interfered with when one is physically or emotionally harmed. The school recognizes the seriousness of harassment, intimidation, or bullying, electronic or otherwise. Therefore, the School prohibits acts of harassment, intimidation, or bullying of any student on school property, on a school bus, or at school-sponsored events. School-sponsored events may be conducted on or off School property and/or on school-related vehicles that are recognized or authorized by the Governing Authority.

Any student found responsible for harassment, intimidation, bullying or “bullying by electronic act” will be subject to discipline including suspension and/or expulsion.

“Harassment, intimidation, or bullying” is defined as either:

- any intentional written, verbal, electronic, or physical act that a student has exhibited toward another particular student more than once and the behavior both: (1) causes mental or physical harm to the other student and (2) is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student; or
- violence within a dating relationship.
- “Electronic act” or “bullying by electronic act” or “cyber bullying” are defined as an act committed through use of a cellular or mobile telephone, computer, pager, personal communication device, or other electronic communication device.

Promoting Civility

In an effort to promote civility in the school environment, the School seeks to recognize school administrators, faculty, staff, and volunteers that promote civility and stand up to harassment, intimidation, and bullying.

Procedure for Reporting, Investigating & Documenting Harassment and Bullying

The procedure for reporting harassment, intimidation, and bullying varies by one’s affiliation with the School. Students, school personnel, and volunteers *must* report incidents to the Executive Director/Superintendent or his/her designee. All other individuals are strongly encouraged to report prohibited incidents to the Executive Director/Superintendent or his/her designee.

Reports may be made in two ways. First, the report may be made using the Form JQ, Reporting Acts of Harassment. The Form shall be submitted to any staff member, teacher, or administrator. Upon receiving the report, the staff member must immediately send the report to the Executive Director/Superintendent. Second, students, parents or guardians, and school personnel may make

informal complaints to a school staff member or administrator. Informal complaints must be described with specificity as to the action, the persons involved, the number of times the alleged conduct occurred, where it occurred, and the individuals targeted. The staff member that receives the informal report must immediately document it using Form **JQ**, Reporting Acts of Harassment. Anonymous complaints may be made as an individual finds necessary.

Upon receiving the report, the Executive Director/Superintendent or his/her designee shall promptly and thoroughly investigate the alleged incident and then prepare a report documenting the alleged incident. Upon completing the investigation, a determination shall be made. If the investigation substantiates the claim, the School shall notify all custodial parents or guardians involved in the incident. The custodial parent or guardian of any student involved in a confirmed act will be notified and will have access to any written reports pertaining to the confirmed act to the extent permitted by section 3319.321 of the Revised Code and the “Family Educational Rights and Privacy Act of 1974,”(20 U.S.C. 1232g), as amended.

On a semiannual basis, the Executive Director/Superintendent shall provide the President of the Governing Authority with a summary of all reported acts and post the summary on its web site, if the district has a web site, to the extent permitted by section 3319.321 of the Revised Code and the “Family Educational Rights and Privacy Act of 1974,” (20 U.S.C. 1232g).

Procedure for Responding to and Disciplining Acts

Acts of harassment, intimidation, and bullying, electronic or otherwise, vary in scope and seriousness. As a result, each incident requires its own discipline. The extent of the discipline is to be determined at the sole professional discretion of the Executive Director/Superintendent. The Executive Director/Superintendent may consider the following types of intervention for confirmed acts.

Non-disciplinary intervention may be appropriate when acts are identified early or do not require a disciplinary response. Such forms of non-disciplinary intervention include:

- *Counseling.* A student may be counseled as to the definition of harassment, intimidation or bullying, its prohibition and the student’s duty to avoid any conduct that could be considered harassing, intimidating, or bullying.
- *Peer Mediation.* Peer mediation may be used when a conflict arises between students or groups. Peer mediation, however, may be inappropriate and should be used cautiously as a power imbalance may make the process intimidating for the victim. This could be true if the victim’s communicative skills and assertiveness are low and have been eroded by fear from past intimidation and of future intimidation.

Disciplinary intervention may take a wide number of forms.

- *In and out-of-school Suspension.* Suspensions shall follow the procedure outlined in , Suspension and Expulsion Policy.
- *Expulsion.* Expulsions shall follow the procedure outlined in Suspension and Expulsion Policy. Expulsions shall be reserved for (1) serious incidents and/or (2) when past interventions have not been successful in eliminating prohibited behaviors. The disciplinary

procedure shall not infringe on any student's rights under the First Amendment to the Constitution of the United States. Due process procedures for suspension and expulsion, as provided for under R.C. 3313.66 will be followed.

Deliberately False Reports are Prohibited

Students are prohibited from deliberately making false reports of harassment, intimidation, or bullying. Students that do make a false report shall be subject to the disciplinary procedure set forth in the School's Policy on Student Discipline.

Strategy for Protecting Victims and Prohibiting Retaliation or Additional Harassment

After a report is made, the School prohibits additional acts of harassment, intimidation, or bullying, electronic or otherwise. The Executive Director/Superintendent shall determine the appropriate consequences and remedial action for those who engage in the aforementioned conduct by following the School's policies and procedures. To aid in preventing additional acts against victims and retaliatory acts against individuals making reports, the School has adopted the following strategy:

- Provide adult supervision when students are not in a traditional classroom setting including: hallway passage, recess, lunch, and bathroom breaks.
- Communicate incidents with school personnel, have school personnel continue to monitor those involved for further signs of offending behavior, and intervene when offending behavior is witnessed.
- For offending students, fairly monitor and supervise.
- For the victim(s), provide daily contact to ensure there have been no further incidents and provide counseling as is determined necessary.
- For those that make reports, continue contact to ensure there have been no further incidents or retaliatory conduct.
- Allow individuals to make an anonymous report.
- All School personnel, volunteers, and students shall be individually immune from civil liability in an action from damages arising from reporting an incident as provided by law.

Disseminating this Policy

This policy shall appear in the School's Policy Manual, and in any of the publications that set forth the comprehensive rules, procedures, and standards of conduct for schools and students in the School.

The policy and an explanation of the seriousness of bullying by electronic means shall be made available to students in the School and to their custodial parents or guardians, and once each school year a written statement describing the policy and the consequences for violations of the policy be sent to each student's custodial parent or guardian. The statement may be sent with

regular student report cards or may be delivered electronically. Information regarding the policy shall be incorporated into employee training materials.

This policy shall be incorporated into in-service training.

Ohio: R.C. 3313.66, R.C. 3313.666, R.C. 3313.667, R.C. 3319.321

[Adoption date: May 10, 2005]

[Revised: February 28, 2008]

[Revised: June 4, 2015]

LEGAL REFS.: ORC 2307.44 2903.31

File: JQ Form

REPORTING ACTS OF HARRASSMENT

Date incident occurred: _____ Time: _____

Location of act: _____

Please identify any additional witness(es):

Please identify all Victim(s)

Please describe the act:

Signature _____ Date _____

[Adoption date: June 4, 2015]

TOBACCO USE BY STUDENTS

Health professionals have determined that the use of tobacco products can be detrimental to one's health. The Board wishes to encourage good health practices among the students of the Findlay Digital Academy. Therefore, the Board prohibits the smoking, use or possession of tobacco in any form including, but not limited to, cigarettes, cigars, clove cigarettes, ecigarettes chewing tobacco, snuff and any other forms of tobacco by any student in any area under the control of the Findlay Digital Academy or at any activity supervised by any school within the Findlay Digital Academy. State law also prohibits the distribution or possession of tobacco products to any person under 18 years of age and specifically regulates the location of vending machines dispensing tobacco products.

Disciplinary measures taken against students for violations of this policy comply with the requirements of State law and related Findlay Digital Academy policies.

[Adoption date: May 10, 2005]

[Revision date: June 4, 2015]

LEGAL REFS.: The Elementary and Secondary Education Act; 20 USC 1221 et seq.
Goals 2000: Educate America Act; 20 USC 6081-6084
ORC 3313.66; 3313.661; 3313.751
OAC 3301-35-02; 3301-35-04

ALCOHOL USE BY STUDENTS/STUDENT DRUG ABUSE

The Board recognizes its share of the responsibility for the health, welfare and safety of the students who attend the School. The Board is concerned about the problems of alcohol and drug abuse and recognizes that illegal or inappropriate use of alcohol, narcotic drugs, depressants or other controlled substances is wrong and harmful and constitutes a hazard to the positive development of all students.

The Board does not permit any student to possess, transmit, conceal, offer for sale, consume, show evidence of having consumed or used any alcoholic beverages, illegal drugs, unprescribed drugs, look-alike drugs or any mind-altering substance while at school activities; in other situations under the authority of the Findlay Digital Academy or in school-owned or school-approved vehicles. Included in this prohibition are any substances represented as a controlled substance, nonalcoholic beers, steroids, tobacco and tobacco products and drug paraphernalia.

The Board wishes to emphasize the following.

- A student is required to obey existing laws while involved in school activities. School authorities have the same responsibility as any other citizen to report violations of the law. The final disposition of any problem, however, is determined by the administration with due consideration of the welfare of the student and of any other relevant factors involved.
- Discipline is imposed independent of court action. Students are subject to immediate suspension or expulsion proceedings for possession or use of illegal drugs or alcoholic beverages.
- Parents and students 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.
- If conditions warrant, the administration refers the student for prosecution and offers full cooperation in a criminal investigation.
- A reduction in penalty may be considered if the student receives professional assistance. Professional assistance may include but not be limited to an alcohol/drug education program; assessment with follow-through based on the assessment findings, counseling, outpatient treatment or inpatient treatment.
- Any Findlay Digital Academy student who is an athlete on any Findlay City Schools athletic team will be held accountable to the same disciplinary action that Findlay City Schools imposes on their athletes.

The Executive Director/Superintendent establishes and the Board considers for approval detailed procedures for dealing with students who may have a drug or alcohol problem. These procedures are in compliance with all applicable laws and observed by all staff members. It is the desire of the Board for students with problems to feel secure enough to ask for help from their teachers or counselors without fear of reprisal. Confidentiality shall be maintained within the limits of the law. The long-range welfare of the student is paramount.

[Adoption date: May 10, 2005]

[Revision date: June 4, 2015]

LEGAL REFS.: ORC 2925.01; 2925.37
3313.66; 3313.661
3719.011; 3719.41

WEAPONS IN THE SCHOOLS

The Board is committed to providing the students of the Findlay Digital Academy with an educational environment, which is free of the dangers of firearms, knives and other weapons.

The definition of a firearm is any weapon (including a starter gun) which is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer or any destructive device (as defined in 18 U.S.C.A. Section 921), which includes any explosive, incendiary or poisonous gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine or device similar to any of the devices described above. A knife is defined as a cutting instrument having a sharp blade.

Unless a student is permanently excluded, the Executive Director/Superintendent shall expel a student from school for a period of one year for bringing a firearm or knife to a school within the Findlay City School District or onto any other property owned or controlled by the Board, or for possessing a firearm or knife at a school or on any other property owned or controlled by the Board, which firearm or knife was initially brought onto school property by another person, except that the Executive Director/Superintendent may reduce this requirement on a case-by-case basis in accordance with this policy. Any such expulsion shall extend, as necessary, into the school year following the school year in which the incident that gives rise to the expulsion takes place.

Matters, which might lead to a reduction of the expulsion period, include: the student's mental and/or physical characteristics or conditions; the age of the student and its relevance to the punishment; the prior disciplinary history of the student and/or the intent of the perpetrator.

A student may be expelled for up to one year for firearm-related or knife-related incidents occurring off school property while at a school-sponsored interscholastic competition, extracurricular event or other school-sponsored activity.

A student suspended, expelled, removed or permanently excluded from school for misconduct involving a firearm or knife also loses his/her driving privileges. The Findlay Digital Academy must notify the county juvenile judge and registrar of motor vehicles within two weeks of the suspension, expulsion or permanent exclusion.

The Board prohibits students from knowingly possessing an object on school premises, in a school or a school building, at a school activity or on a school vehicle if both of the following apply.

- The object is indistinguishable from a firearm, whether or not the object is capable of being fired.

- The person indicates that the person possesses the object and that it is a firearm, or the person knowingly displays or brandishes the object and indicates that it is a firearm.

As defined by State law and for purposes of this policy, an “object that is indistinguishable from a firearm” means an object made, constructed or altered so that, to a reasonable person without specialized training in firearms, the object appears to be a firearm.

Students found in violation of numbers 1 and 2 above may be reported to the local law enforcement authority and may be prosecuted under State criminal statutes, as well as disciplined in accordance with the provisions of the Findlay Digital Academy’s Student Code of Conduct and State law.

The Executive Director/Superintendent is authorized to expel a student from school for a period not to exceed one year for making a bomb threat to a school building, or to any premises at which a school activity is occurring at the time of the threat. Any expulsion under this provision extends, as necessary, into the school year following the school year in which the incident that gives rise to the expulsion takes place.

[Adoption date: May 10, 2005]

[Reviewed: June 4, 2015]

LEGAL REFS.: ORC 2923.122
3313.66; 3313.661; 3313.662
3321.13
18 USC 921
20 USC 2701 et seq. - Title IX 9001-9005
20 USC 8921

INTERROGATIONS AND SEARCHES

The Findlay Digital Academy has responsibility for the control and management of students' equipment and the data contained on the equipment.

The School has the right to examine any and all equipment furnished by the Findlay Digital Academy at any time. The School has the right to examine, monitor, survey, or recreate a student's Internet activities, where such activities are reasonably linked to the School.

In order to preserve a safe environment for all students and staff, the School may conduct reasonable searches of students and student property. All searches, must recognize the privacy rights of students and may not be done without reasonable basis or in an unreasonable manner.

The authorization to search extends to all situations in which the student is under the School's jurisdiction or control.

Types of Searches

Searches may include, but are not limited to the following types.

School-provided Storage. School lockers, desks, and other storage spaces provided by the School are the School's property. Students have no expectation of privacy in these storage spaces from school officials. The School may allow the Executive Director/Superintendent or his/her designee to conduct regular searches of all such storage places or as is determined reasonably necessary.

Person & Personal Property. An Individual's person, car, and other personal belongings may be searched whenever the School has reason to believe (1) the student is concealing evidence connected to a school policy violation or criminal activity and (2) the items to be searched are capable of concealing such evidence. Searches do not require a student's consent.

Electronic Searches. Students have no expectation of privacy with regards to using the internet, intranet, network, or electronic mail. Usage of such electronics may be monitored and maintained and may uncover that a student has violated the School policy or usage.

Guidelines for Searches & Seizures All searches and seizures shall conform to the following guidelines:

The extent of each search shall be proportionate to the severity of the alleged infraction.

Searches of a student's person shall be conducted in a private area by a school official and observed by an objective third party. Both the school official and the third party shall be of the same sex as the student being searched. The search may not require the student to remove clothing nor should the student be touched in any way.

School locker, desks, and other storage property may be inspected. Students must open lockers and other storage areas at the request of School officials. A student has the right to be present during a search unless the student is absent or an otherwise compelling situation necessitates a search in the student's absence.

The Executive Director/Superintendent or his/her designee may use canines when he/she reasonably suspects that illegal drugs may be found and a search warrant has been obtained. The canines (i) must be trained in detecting drugs, (ii) may only be used to determine if drugs are present in areas where the substance may be concealed, and (iii) must be conducted in conjunction with law enforcement officials or otherwise certified organizations.

Students are prohibited from keeping prohibited items belonging to other individuals within their lockers, backpacks, or desks.

The Executive Director/Superintendent or his/her designee may use a breath-test instrument to determine if a student has consumed alcoholic beverages.

Documenting Searches & Possessing Contraband

All searches shall be immediately documented in a written report by the Executive Director/Superintendent or his/her designee. The written report shall (1) explain why the search was conducted, (2) identify persons providing information, (3) indicate areas searched, (4) describe and identify contraband found, (4) identify persons present, and (5) explain how contraband was disposed of following the search.

All contraband and other illegal or dangerous substances seized shall be controlled and disposed of by the Executive Director/Superintendent or his/her designee.

[Adoption date: May 10, 2005]

[Revision date: June 4, 2015]

LEGAL REFS.: U.S. Const. Amend. IV
ORC 3313.20

STUDENT SUSPENSION

The Executive Director/Superintendent and other designated administrators may suspend a student from school for disciplinary reasons outlined in the Student Code of Conduct. No period of suspension is for more than 10 school days. Suspensions may extend beyond the current school year if, at the time a suspension is imposed, fewer than 10 days remain in the school year. The Executive Director/Superintendent may apply any or all of the period of suspension to the following year.

The Executive Director/Superintendent may require a student to perform community service in conjunction with or in place of a suspension. The Board may adopt guidelines to permit the Executive Director/Superintendent to impose a community service requirement beyond the end of the school year in lieu of applying the suspension into the following school year.

The guidelines listed below are followed for all out-of-school suspensions.

- The student is informed in writing of the potential suspension and the reasons for the proposed action.
- The student is provided an opportunity for an informal hearing to challenge the reason for the intended suspension and explain his/her actions.
- An attempt is made to notify the parent(s) by telephone if a suspension is issued.
- Within 24 hours, a letter is sent to the parent(s) stating the specific reasons for the suspension and including notice of the right to appeal such action.
- Notice of this suspension is sent to the:
 - Executive Director/Superintendent;
 - Treasurer and
 - student's school record.
- Permanent Exclusion - If the offense is one for which the Findlay Digital Academy may seek permanent exclusion, the notice contains that information.

Appeal Procedure

Should a student or a student's parent(s) choose to appeal the suspension, he/she must do so within 10 days of the notice of suspension. The procedure for such is provided in regulations approved by the Board. All witnesses are sworn and a verbatim record is kept of the hearing, which may be held in executive session at the request of the student or his/her parent(s). The student may be excluded from school during the appeal process. The appeal levels are as follows:

Level 1: Appeal to the Coordinator/Principal.
Level 2: Appeal to the Executive Director/Superintendent.
Level 3: Appeal to the Board.

Appeal to the Court

Under State law, appeal of the Board's or its designee's decision may be made to the Court of Common Pleas.

[Adoption date: May 10, 2005]

[Revision date: June 4, 2014]

LEGAL REFS.: ORC 3313.66; 3313.661; 3313.662

EMERGENCY REMOVAL OF STUDENT

If a student's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process, the Executive Director/Superintendent, Coordinator, or personnel employed to direct, supervise or coach a student activity program may remove the student from the premises.

If either suspension or expulsion is contemplated, a due process hearing is held within three school days after the removal is ordered. Written notice of the hearing and the reason for removal and any intended disciplinary action is given to the student as soon as practicable prior to the hearing. The student has the opportunity to appear at an informal hearing before the principal, assistant principal and Executive Director/Superintendent/designee and has the right to challenge the reasons for the removal or otherwise explain his/her actions. The person who ordered or requested the removal is present at the hearing. Within one school day of the decision to suspend, written notification is given to the parent(s) of the student and Treasurer of the Board. This notice includes the reasons for the suspension and the right of the student or parent(s) to appeal to the Executive Director/Superintendent /designee.

If the Executive Director/Superintendent or Coordinator reinstates a student prior to the hearing for emergency removal, the teacher/instructional coach may request, and is given, written reasons for the reinstatement. The teacher/instructional coach cannot refuse to reinstate the student.

In an emergency removal, a student can be kept from class until the matter of the alleged misconduct is disposed of either by reinstatement, suspension or expulsion.

In all cases of normal disciplinary procedures in which a student is removed from a curricular or extracurricular activity for less than 24 hours and is not subject to further suspension or expulsion, due process requirements do not apply.

[Adoption date: May 10, 2005]

[Reviewed: June 4, 2015]

LEGAL REFS.: ORC Chapter 2506
3313.66; 3313.661; 3313.662

STUDENT EXPULSION

At times, the behavior of a student can be considered so serious as to justify total removal from the educational program for a prolonged period of time. Actions meriting expulsion are outlined in the student code of conduct. Only the Executive Director/Superintendent may expel a student. Expulsion is the removal of a student for more than 10 days, but not more than one year. An expulsion can extend beyond the end of the school year if there are fewer school days than expulsion days remaining. The Executive Director/Superintendent may apply any remaining part or all of the period of the expulsion to the following school year.

The Executive Director/Superintendent may require a student to perform community service in conjunction with or in place of an expulsion. The Board may adopt guidelines to permit the Executive Director/Superintendent to impose a community service requirement beyond the end of the school year in lieu of applying the expulsion into the following school year.

The Executive Director/Superintendent shall give the student and parent(s) written notice of the intended expulsion, including reasons for the intended expulsion. The student and parent(s) or representative have the opportunity to appear on request before the Executive Director/Superintendent/designee to challenge the action or to otherwise explain the student's actions. This notice shall state the time and place to appear, which must not be fewer than three days nor more than five days after the notice is given.

Within 24 hours of the expulsion, the Executive Director/Superintendent shall notify the parent(s) of the student and the Treasurer of the Board.

The notice shall include the reasons for the expulsion, the right of the student or parent(s) to appeal to the Board or its designee, the right to be represented at the appeal and the right to request that the hearing be held in executive session.

The Executive Director/Superintendent will initiate expulsion proceedings against a student who has committed an act that warrants expulsion even if the student withdraws from school before the Executive Director/Superintendent has held the hearings or made the decision to expel the student.

Permanent Exclusion

If the offense is one for which the Findlay Digital Academy may seek permanent exclusion, the notice shall contain that information.

Appeal to the Board

A student or a student's parent(s) may appeal the expulsion by the Executive Director/Superintendent to the Board or its designee. They may be represented in all such appeal proceedings and are granted a hearing before the Board or its designee. All witnesses are sworn

and a verbatim record is kept of the hearing, which may be held in executive session at the request of the student or parent(s). The student may be excluded from school during the appeal process.

Appeal to the Court

Under State law, the decision of the Board may be further appealed to the Court of Common Pleas.

Any student who is expelled from school for more than 20 days or into the following semester or school year is referred to an agency, which works towards improving the student's attitudes and behavior. The Executive Director/Superintendent provides the student and his/her parent(s) with the names, addresses and telephone numbers of the public and private agencies providing such services.

[Adoption date: May 10, 2005]

[Reviewed: June 4, 2015]

LEGAL REFS.: ORC 3313.66; 3313.661; 3313.662

DISCIPLINING A 504 STUDENT

When a student that is disabled under Section 504 of the Rehabilitation act (a “504 Student”) violates the School’s code of conduct, the 504 Student shall be disciplined according to this policy.

If the 504 Student’s discipline is considered a Change in Placement, then the School shall follow the discipline in accordance with Policy JV Suspension and Policy JX Expulsion. If the discipline is not considered a Change in Placement, then the School may discipline the 504 Student in the same way the School would discipline without disabilities.

A Change in Placement is defined as:

- the Student’s removal is for more than 10 consecutive days, or
- the Student has been subjected to a series of removals that constitute a pattern, and all the following exist:

o the series of removals totals more than 10 school days in a year; o the student’s behavior is substantially similar to the student’s behavior in previous

incidents that resulted in the series of removals; and o additional facts (length of each removal, total amount of time removed, proximity in time of the removals).

The School, however, should not follow this policy when the discipline pertains to the use or possession of illegal drugs or alcohol. When a 504 Student violates the School’s drug/alcohol policy, the School shall follow Policy **4530**, Suspension & Expulsion Policy. The 504 Student may be disciplined to the same extent as a non-disabled student.

Additionally, the School may conduct an emergency removal of a 504 Student when there is a (1) a parental agreement to an interim placement or (2) through injunctive relief from a court, when the current placement presents a substantial likelihood of resulting in injury to the student or others.

[Adoption date: June 4, 2015]

Federal: 29 U.S.C. 705.

DISCIPLINE OF STUDENTS WITH DISABILITIES

When a student with disabilities violates the School's Code of Conduct, the student shall be disciplined according to applicable laws, this School's policies regarding discipline, and all other special education policies.

Pursuant to Ohio law, the School's discipline varies depending on whether the discipline is a Change in Placement. A Change in Placement occurs if:

- the Student's removal is for more than 10 consecutive days; or
- the Student has been subjected to a series of removals that constitute a pattern, and all the following exist:

o the series of removals totals more than 10 school days in a year o the child's behavior is substantially similar to the child's behavior in previous

incidents that resulted in the series of removals; and o additional facts (length of each removal, total amount of time removed, proximity

in time of the removals).

Removal for 10 Days or Less (Not a Change in Placement)

The School may remove a child with a disability without any additional action if the child is removed for a period of 10 days or less. A child may be removed by being placed in an appropriate interim alternative educational setting, another setting, or suspension. Services shall be offered as follows:

The removal is not for 10 consecutive days. The School shall provide services only to the extent that services are provided to a child without disabilities who are similarly removed.

The removal is for more than 10 days in the same school year, but for separate incidents of misconduct (as long as those removals do not constitute a change of placement). The School shall provide services, as determined by school personnel in consultation with at least one of the child's teachers, so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP.

Removal for more than 10 Days (Change in Placement)

If a Change of Placement occurs, the School must (1) provide notice to the parents and (2) conduct a Manifestation Determination Review (MDR). First, the notice to the parents must inform the parents of all the procedural safeguards, including a MDR, a right to receive services,

and a continuation of services for a free appropriate public education. Second, the School must conduct a MDR. A MDR seeks to determine if the conduct was a manifestation of the student

disability. A MDR is attended by the student's parents and relevant members of the IEP team and reviews all relevant information in the child's file, including the child's IEP, any teacher observations and any relevant information provided by the parents.

Through the MDR, the School shall determine whether the conduct is a manifestation of the student's disability. The conduct is a manifestation of the student's disability if it either was (a) caused by or had a direct and substantial relationship to, the child's disability; or (b) the direct result of the school districts failure to implement the IEP.

- *MDR determines the conduct **was not** a manifestation of the disability.* The School shall (1) ensure that the child continues to receive educational services so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress towards meeting the goals set out in the child's IEP and (2) ensure that the child receives, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur.
- *MDR determines the conduct **was** a manifestation of the disability.* Upon determining the behavior is a manifestation of the disability, the School must make several determinations. First, it must determine if the behavior was a direct result of the School's failure to implement the IEP. If it is, the School must take immediate steps to remedy the deficiencies. Second, the School must conduct a functional behavioral assessment within ten (10) days of the manifestation determination and complete the assessment as soon as practicable, unless the School conducted a functional behavior assessment prior to the manifestation determination. If the assessment was already made, the IEP team must review and modify the plan to address the behavior. Third, the School must return the student to placement from which he or she was removed.

Special Circumstances

In limited circumstances, the School may remove a student to an interim alternative educational setting (IAES) for not more than forty five (45) school days without regard to whether the conduct was a manifestation of the disability. The following circumstances include:

- the student carries a weapon to or possesses a weapon at school, on school premises, or to or at a school function;
- the student knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of the ODE or the School; or
- The student has inflicted serious bodily injury on another person while at school, on school premises, or at a school function.

The terms controlled substance, weapon, illegal drug and serious bodily injury are defined in

accord with O.A.C. 3301-51-05(K)(20)(h)(i).

The Student's IEP team will meet following the placement in an IAES. The IEP team will determine (1) what the permanent setting will be, (2) take steps to review and modify the plan, and (3) continue to provide the student with educational services to enable the student to participate in the general education curriculum and to progress toward IEP goals.

Due Process

The Student's parents or guardians may appeal either the outcome of an MDR or the decision regarding placement by filing a due process complaint.

The School may request an expedited due process hearing if it believes that maintaining the current placement of the student is substantially likely to result in injury to the child or to others.

Expedited hearings must occur within twenty (20) school days after the date the due process complaint is filed and no extensions of time shall be granted.

[Adoption date: May 10, 2005]

[Revision date: June 4, 2015]

LEGAL REFS.: Education for All Handicapped Children Act; 20 USC 1401 et seq.
Rehabilitation Act; 29 USC 706(8), 794, 794a
504 Regulations 34 C.F.R. Part 104
Americans with Disabilities Act; USC 12112 et seq.
State Department of Education, Special Education Policies and Procedures,
Free Appropriate Public Education-101
ORC 3313.50
3323.01 et seq.
3325.01 et seq.
OAC 3301-51
3301-55-01

TRANSPORTATION DISCIPLINE

This policy applies *only* where the student's sole discipline is the denial of bus riding privileges. A student may be subject to additional discipline under the School's Code of Conduct.

In regards to riding privileges and rules, the School is required to enforce and follow the policy of the student's home district that provided the transportation. Accordingly, the School must follow the school district's policy in imposing the period of time for suspension.

Due Process Rights

While the School follows the discipline policies of the home district, the School still oversees the student's right to a hearing. Before a student's privileges are suspended, the student shall be provided notice and shall be given an opportunity to be heard before the School's Executive Director/Superintendent in accordance with Policies JV & JX, Suspension & Expulsion Policy.

A student may be immediately removed, without hearing, when a student poses a danger to other persons or property or threatens the bus's safe operation under the School's Emergency Suspension Rule.

If a disabled student is suspended or immediately removed, the School shall follow the laws governing suspension and expulsion of disabled students.

Disseminating this Policy

To ensure familiarity and compliance with these policies, the School shall post the School District riding policies in the school and shall make the policies available for Parents or Students.

[Adoption date: June 4, 2015]

Ohio: R.C. 3314.091, R.C. 3327.01.

HEALTH RECORDS OF STUDENTS

The School requires health records of students under the following circumstances.

Health records are requested for all students transferring into the Findlay Digital Academy, these records must include all immunization records. If the previous school does not forward a record or if it is incomplete, it is the parents' responsibility to comply with health requirements for students.

Findlay Digital Academy will allow students to carry and self-administer asthma medication as long as the parent has filled out the necessary paperwork and has it on file with the academy coordinator.

Findlay Digital Academy enrolls students in grades 9 –12 only; therefore, we will not be responsible for screening of new kindergartners and first-graders in hearing, vision, speech, communication and health. We also do not opt to have dental and medical screening of students.

[Adoption date: May 10, 2005]

[Reviewed: June 4, 2014]

LEGAL REFS.: The Elementary and Secondary Education Act; 20 USC 1221 et seq.
ORC 3313.50; 3313.671; 3313.673; 3313.68; 3313.73, 3313.71

STUDENT USE OF INHALERS AND EPINEPHRINE AUTOINJECTORS

The School permits students to possess and use metered dose inhalers and/or dry powder inhalers (“Inhalers”) and epinephrine autoinjectors (“EpiPens”) provided this policy is followed. Inhalers and EpiPens may be used to alleviate (or, in the case of inhalers, to alleviate and to prevent) asthmatic or anaphylactic symptoms, respectively.

Inhalers and EpiPens that comply with this policy may be used at the School or at any activity, event, or program sponsored by or in which the School is a participant.

Obtaining Permission to Carry & Use

To be permitted to carry an Inhaler or EpiPen, the student must submit to the Executive Director/Superintendent or his/her designee: (1) A backup dose of the medication (if the student is seeking to carry an EpiPen), (2) written approval from the student’s parent or guardian (if the student is a minor) and (3) written approval from the student’s physician. The physician’s written approval must contain the following information:

- the student’s name and address;
- the name and dose of the medication contained in the inhaler or the EpiPen;
- the date the administration of the medication is to begin;
- the date the administration of the medication is to end (if known);
- written instructions that outline the procedures that school personnel should follow in the event that the medication does not provide the expected relief;
- any adverse reactions that may occur to the child after using the inhaler or EpiPen and that should be reported to the physician;
- any severe adverse reactions that may occur to another child for whom the inhaler or EpiPen is not prescribed should such a child receive a dose of the medication;
- at least one emergency telephone number for contacting the physician in an emergency;
- at least one emergency telephone number for contacting the student’s parent, guardian, or other person having care or charge of the student in an emergency; and
- any other special instructions from the physician.
- A written approval for both parents and physicians may be found at JCC Form 1, Permission to Carry and Self-Administer Asthma Inhaler and JCC Form 2, Permission to Carry and Self- Administer Ephinephrine Autoinjector.

Liability

The School, Governing Authority Members, Staff members, and all other employees shall not be held liable for any damages or claims allegedly arising from any of the following:

- incorrectly prohibiting a student from using an inhaler or EpiPen because of the good faith belief that the conditions of this Policy had not been satisfied;
- incorrectly permitting a student to use an inhaler or EpiPen because of the good faith belief that the conditions of this Policy had been satisfied; and
- use of the inhaler or EpiPen by a fellow student for whom it was not prescribed.

This Policy does not eliminate, limit, or reduce any other immunity or defense that the School, Governing Authority Members, Staff members, or any other employee may be entitled to under Chapter 2744, or any other provision of the Revised Code or under the common law of Ohio.

[Adoption date: June 4, 2015]

Ohio: R.C. 3313.716, R.C. 3313.718, R.C. 3314.14.

Permission to Carry and Self-Administer Asthma Inhaler Physician Authorization

(to be completed by the physician)

The following student has the approval to possess and use an asthma inhaler, as described below, to alleviate asthmatic symptoms or before exercise to prevent the onset of asthmatic symptoms.

Name of Student: _____

Student Address: _____

Name and Dose of Medication: _____

Begin Date: _____ End Date (if known): _____

List any possible adverse reactions that should be reported to the physician: _____

State the procedure to be followed if the asthma inhaler does not alleviate asthmatic symptoms:

List any possible adverse reactions that may occur to another student, for whom the inhaler is not prescribed, should such student receive a dose of the medication: _____

Any other special instructions: _____

Physician Name: _____

Physician Signature: _____ Date: _____

Emergency Phone Number: _____

Parental Authorization *(to be completed by parent for all minor students)*

I, _____, am the legal parent or guardian of the above-named student and hereby give permission for this student to carry and use the asthma inhaler described above at the School and any activity, event, or program sponsored by the School or in which the School is a participant.

Parent Signature: _____ Date: _____

Emergency Contact Number: _____

This form must be fully completed and turned in to the Coordinator/Principal and the School Nurse, if one exists.

[Adoption date: June 4, 2015]

Permission to Carry and Self-Administer Epinephrine Autoinjector Physician Authorization

(to be completed by the physician)

The following student has the approval to possess and use an epinephrine autoinjector (EpiPen), as described below, to treat anaphylaxis.

Name of Student:

Student Address:

Name and Dose of Medication:

Begin Date: _____

End Date (if known): _____

List any possible adverse reactions that should be reported to the physician:

State the procedure to be followed if the EpiPen does not alleviate asthmatic symptoms:

List any possible adverse reactions that may occur to another student, for whom the EpiPen is not prescribed, should such student receive a dose of the medication:

Any other special instructions:

Physician Name:

Signature: _____ Date: _____ Physician

Emergency Phone Number:

Parental Authorization *(to be completed by parent for all minor students)*

I, _____, am the legal parent or guardian of the above-named student and hereby give permission for this student to carry and use the EpiPen described above at the School and any activity, event, or program sponsored by the School or in which the School is a participant.

Parent Signature: _____ Date:

Emergency Contact Number:

This form must be fully completed and turned in to the Executive Director/Superintendent and the School Nurse, if one exists.

[Adoption date: June 4, 2015]

KNOWN FOOD ALLERGIES

The School seeks to provide a safe environment for all its students. The School understands that food allergies present serious dangers to students and have become increasingly common. This policy seeks to reduce the likelihood of accidental exposure allergic reactions and to create a clear action plan should an allergic reaction occur.

Emergency Food Allergy Plan

An Emergency Food Allergy Plan (EFAP) shall be created for each student identified with any food allergy. The EFAP shall be developed by the student's parents, the student's physician/allergist, and the School nurse (or other appropriate designee of the School). A separate EFAP shall be completed for each known food allergy, and shall be completed prior to entry into the School or immediately after the diagnosis. Each EFAP must be reviewed on a yearly basis.

Each EFAP shall contain detailed information about preventative measure to avoid accidental exposure and emergency measures in case the student is exposed to the allergen.

The School shall share the student's EFAP with Staff members as appropriate.

With the consent of the student's parents (or with the consent of the student, if the student is over eighteen (18) years of age), the School may utilize the EFAP or the information contained therein in its efforts to educate and/or notify classmates and/or classmates parents of the student's food allergy.

School Responsibilities The School shall

- review and maintain all health records and EFAPs submitted by parents and doctors;
- review this policy and prevention plans with core staff members; and
- follow all state/federal laws regarding sharing medical information. Student's Responsibilities Students with known food allergies should take several steps to prevent allergic reactions. Students:
 - should not trade food with others;
 - should not eat anything with unknown ingredients; and
 - identify an adult immediately if they eat something that may contain food to which they are allergic Parental Responsibilities The parents of each student with a known food allergy shall do each of the following:
 - notify the Coordinator/Principal of the known food allergy in writing at the beginning of each

school year (a sample notification form is included as Form **2250.1**);

- execute an Emergency Medical Authorization Form (included as Form **2410.1** for the student, listing all known food allergies in the appropriate section;
- develop an Emergency Food Action Plan;
- provide the School with all medication(s) to be used in the case of an allergic reaction, along with the completed copy of Form **2230.1**, Medication Request Form, or, if the student will carry and self-administer an EpiPen, shall submit a completed copy of Form **2240.2**, Permission to Carry and Self-Administer Epinephrine Autoinjector; and
- work with the student in managing the students food allergy including reviewing the student's responsibilities listed in this policy, reviewing the weekly lunch menu to identify appropriate foods, establishing a list of "safe foods" which do not contain the known allergen, and discussing the self-discipline that is required at School functions and other activities where food is being offered.

[Adoption date: June 4, 2015]

Ohio: R.C. 3313.719.

Notification of Known Food Allergy Student Food Allergy Information

Student Name: _____ Grade: _____

Food Allergy: _____

Recommended Actions and/or Medications: _____

This food allergy is potentially life-threatening: Yes No

Parental Certification

I, _____, the legal parent or guardian of the above-named student, hereby certify the following:

- I have completed and submitted to the School an Emergency Medical Authorization Form;
- I have cooperated with the appropriate School officials in creating or updating a Food Action Allergy Plan;
- I have educated my child regarding effective management of this food allergy. We have identified a list of “safe foods,” will review the weekly lunch menu together, and have discussed the self-discipline that will be necessary at any School event or activity where food is being offered.

Please Check: Yes No I give my permission for the School to notify classmates and classmates’ parents about my child’s food allergy.

Parent Signature: _____ Date: _____

[Adoption date: June 4, 2015]

PEANUT ALLERGY PROTECTION POLICY

A sign will be posted that peanut products might be present in the Findlay Digital Academy office. If a student has a peanut allergy a room will be cleared of peanut products, and the student will work in that area when they are in attendance at the academy.

[Adoption date: April 7, 2011]

[Reviewed: June 4, 2015]

INOCULATIONS OF STUDENTS

At the time a student initially enrolls in the School, and at the beginning of each school year while enrollment continues, each student shall have sufficient written evidence on file at the School demonstrating that he/she has been immunized against diphtheria, tetanus, pertussis, poliomyelitis, measles, mumps, rubella, Hepatitis B, chicken pox, and all other things as required by applicable statutes, regulations, and guidelines (hereinafter “mandatory immunizations”).

“Sufficient written evidence” is defined as either a signed statement from the student’s physician or a signed statement from the student’s parent indicating the immunizations received and the dates on which they were received. If the only written evidence presented to the School is a parent’s signed letter, the Executive Director/Superintendent, in his sole discretion, may request additional written evidence, up to and including a signed doctor’s statement.

A student shall not be permitted to remain in School for more than fourteen (14) days without either sufficient written evidence of all mandatory immunizations or sufficient written evidence that the student is in the process of being immunized, as defined by section 3313.671 of the Revised Code. Students who do not comply with this Policy shall be excluded from the School and permitted to re-enter only upon presenting sufficient written evidence of all mandatory immunizations or sufficient written evidence that the student is in the process of being immunized.

Any student who is admitted while “in the process of being immunized” must obtain immunizations at the appropriate time intervals until all mandatory immunizations are completed. Any student who was previously admitted under the “in the process of being immunized” exception but has not adhered with the appropriate immunization interval schedule shall be excluded from the School on the fifteenth (15th) day of the following school year. Such a student shall be permitted to re-enter School only upon presenting proper written evidence demonstrating appropriate progress on the immunization interval schedule.

Under certain circumstances, a student may be exempted from one or more of the mandatory immunizations. A student is exempt if the student presents:

- a signed statement from the student’s parent, guardian, or physician stating that the student has already had natural rubeola, mumps and/or chicken pox, and therefore is not required to receive the respective immunization(s);
- the results of a laboratory test, signed by a physician, demonstrating the student has a detectable amount of rubella (German measles) antibodies, and therefore does not need to be immunized against rubella;

- a written statement from the student's parent or guardian stating that the parent or guardian declines to have the student immunized for reasons of conscience, including, but not limited to, religious convictions; or
- a written certification from the student's physician stating that one or more mandatory immunizations are medically contraindicated.

In consideration of any of the aforementioned exemptions, the Executive Director/Superintendent reserves the right, in his sole discretion, to require additional evidence to support the claimed exemption. The Executive Director/Superintendent has the exclusive discretion and authority to decide whether or not a claimed exemption exists.

Chicken Pox Epidemic

If the Ohio Health Department determines that a chicken pox epidemic exists among the School's population, the Executive Director/Superintendent may deny admission to any student who was not immunized against chicken pox despite the above exceptions. The student will be permitted to re-enter the School once the Executive Director/Superintendent is notified that the epidemic no longer exists. The academic standing of any student who is denied admission during a chicken pox epidemic may be preserved, subject to other School Policies as well as approval from the Executive Director/Superintendent and the Governing Authority.

[Adoption date: May 10, 2005]

[Revised date: June 4, 2015]

LEGAL REFS.: ORC 3313.67; 3313.671; 3313.71; 3313.711
3701.13

Note: See link below for a chart of required inoculations:

<http://www.odh.ohio.gov/odhprograms/dis/immunization/imunchsc.aspx>

STUDENT SAFETY

The objectives of safety instruction in the School include:

- learning how to practice safety and prevent accidents;
- learning how to safely use and properly care for tools and equipment so as to reduce the potential for accidents;
- developing habits of good housekeeping, proper storage and handling of materials, and sanitation;
- becoming familiar with personal protection devices and the proper clothing to be worn for safety purposes and
- learning how to cooperate with others in the promotion and operation of a safety program in the schools and on school vehicles.

Instruction in courses in industrial technology, science, family consumer science, art, physical education, health and safety includes and emphasizes safety and accident prevention.

Safety instruction precedes the use of materials and equipment by students in the courses listed above, and instructors teach and enforce all safety rules established for the particular courses. These include the wearing of personal protective devices in appropriate situations.

Staff members instruct students not to accept gifts or automobile rides from strangers. Students are also instructed to tell staff members, parents, law enforcement officials or school safety patrols of any suspicious strangers in or around school property.

Upon the written request of a parent, a student shall be excused from such instruction.

In an attempt to further ensure student safety, staff members:

- shall not send students on errands;
- shall not attempt to counsel, assess, diagnose or treat a student's personal problem relating to sexual behavior, substance abuse, mental or physical health and/or family relationships but, instead, should refer the student to the appropriate individual or agency for assistance;
- shall not disclose information concerning a student, other than directory information, to any person not authorized to receive such information. This includes, but is not limited

to, information concerning assessments, ability scores, grades, behavior, mental or physical health and/or family background and

- shall, pursuant to law and Board policy, immediately report any suspected signs of child abuse or neglect.

[Adoption date: May 10, 2005]

[Reviewed date: June 4, 2015]

LEGAL REFS.: ORC 3313.60; 3313.643; 3313.96
3705.05
3737.73
4107.31
OAC 3301-35-03

REPORTING CHILD ABUSE & NEGLECT

Under this policy and Ohio law, all employees are *required* to report child abuse when the employee knows of or *has reasonable cause to believe* abuse or neglect has occurred to a child. The employee shall immediately (1) inform the School's Executive Director/Superintendent and (2) report that knowledge or belief to either the children services agency or a municipal or county peace officer. The School shall assist the employee in creating the report, but Ohio law requires each employee to make the report directly.

"Abuse or neglect" is defined to include any physical or mental wound, injury, disability, or condition of a nature that reasonably indicates abuse or neglect of the child.

"Child" or "Children" are defined to include those under eighteen (18) years of age or a developmentally disabled or physically impaired child under twenty-one (21) years of age.

Employees are *required* to report suspected cases if they cannot confirm abuse or neglect, but have a "good faith" belief that child abuse or neglect has occurred or may occur. Ohio law provides School employees that make reports in good faith complete immunity, civil or criminal, in participating in the making of a report.

Failure to make a required report may result in disciplinary and legal action.

Reports

Reports to the authorities may be made in telephone or in person.

If the receiving agency or receiving officer requests a report, the written report must contain the following: (1) the names and addresses of the child and the child's parents or the person or persons having custody of the child, if known; (2) the child's age and the nature and extent of the child's injuries, abuse, or neglect that is known or reasonably suspected or believed, to have occurred or of the threat of injury, abuse, or neglect that is known or reasonably suspected or believed to exist; (3) any other information that might be helpful in establishing the cause of the injury, abuse, or neglect that is known or reasonably suspected or believed to have occurred or of the threat of injury, abuse, or neglect that is known or reasonably suspected or believed, as to exist; (4) an employee, with the consent of the Executive Director/Superintendent may take or cause to be taken color photographs of areas of trauma visible on a child.

Confidentiality

The School recognizes the importance of confidentiality in making reports. Ohio law provides that the report and its contents are confidential. Additionally, the reporting person's identity will remain confidential unless the reporting person discloses his/her identity or a court order requires it. Finally the identity of the student that suffered the alleged abuse will remain confidential.

Any individual that violates this policy may be subject to disciplinary, civil, and/or criminal action.

Training

To ensure that employees are aware of the severity of abuse and to aid them in identifying instances of abuses, the School and Ohio law require in-service training (Training). Training is required for all teachers, counselors, school psychologists, nurses and administrators. Each staff member must complete at least four (4) hours of Training within two (2) years of commencing employment with the School, and at least four (4) additional hours every five (5) years thereafter.

The training shall address the School's policy on harassment; intimidation; & bullying, preventing child abuse, violence, substance abuse, promoting positive youth development, school safety, suicide awareness and prevention, and human trafficking. The Training's curriculum shall be developed either by the School or the Ohio Department of Education. For middle school and high school employees, the School's training shall also include training in preventing dating violence, which will be developed by the School.

[Adoption date: May 10, 2005]

[Revision date: June 4, 2015]

LEGAL REFS.: ORC 2151.421
3319.073
OAC 3301-57-01

STUDENT FEES, FINES AND CHARGES

Materials Fees

There is no tuition required for full-time attendance. However, reasonable fees may be charged for specific courses similar to procedures in other public schools.

The school will determine fees based upon the approval of the Board of Directors. These fees will be assessed for such items as workbooks and necessary materials; in some instances items will be course-specific.

Fines

When school property, equipment or supplies are damaged, lost or taken by individuals, a fine is assessed. The fine is reasonable, seeking only to compensate the school for the expense or loss incurred.

The late return of borrowed materials and equipment is subject to appropriate fines.

All fines collected are sent to the Treasurer for deposit in the general fund of the Board.

Collection of Student Fees and Fines

The administration may establish regulations for the collection of student fees and fines.

No diploma shall be delivered to a graduating senior nor shall any transcripts be made available to any student, graduate or to anyone requesting same on his/her behalf until all fees and fines for that student have been paid in full. Fees include those fees owed to Findlay City Schools, to the Findlay Digital Academy or to METASOLUTIONS/TRECA. Participation in extracurricular field trips will not be permitted unless payment has been received. Students will be prohibited from participating in commencement exercises unless payment has been received.

Collection Process

The administrator will advise parents of fees due at the beginning of the school year that are part of the current year's curriculum.

[Adoption date: May 10, 2005]

[Reviewed: June 4, 2015]

LEGAL REFS.: ORC 3313.642
3329.06

REPORTING ACCIDENTS & TREATING INJURIES

Staff members are required to report all accidents by using Form JJJ, Accident Report Form.

All accidents must be reported when they occur (1) on school property, (2) at school-sponsored events, or (3) while on school transportation.

Should an injury occur, first aid kits are available in the following locations:

- rest room area alcove,

Minor injuries, such as scratches or cuts, may be treated in the School. More serious injuries require each staff member to contact the student's parent or guardian. If the injury requires medical treatment, the proper procedure shall be followed and the child's health form should be accessible. If medical help is sought, the School will follow determinations made regarding additional treatment. All forms will be gathered, summarized, and reported to the Governing Authority.

[Adoption date: June 4, 2015]

ACCIDENT REPORT FORM

Student Name: _____
Grade: _____

Date of Accident: _____ Time of Accident: _____ am / pm
Staff member in charge at time of accident: _____

Location of Accident: _____

Please describe the accident, including events leading up to the accident, any equipment involved, and the students activity at the time of the accident: _____

Responsive Action Taken: Notification of Parent

First Aid Treatment Sent to School Nurse Sent Home Sent to Physician Sent to Hospital

By (name): _____

By (name): _____

By (name): _____

By (name): _____

By (name): _____

Accident Report Form

Witness Name: _____ Phone Number: _____

Additional Remarks: _____

Name of Person Submitting Report: _____

Signature: _____ Date: _____

STUDENT RECORDS

In order to provide students with appropriate instruction and educational services, it is necessary for the Findlay Digital Academy to maintain extensive educational and personal information. It is essential that pertinent information in these records be readily available to appropriate school personnel, be accessible to the student's parent(s) or the student in compliance with law, and yet be guarded as confidential information.

The Executive Director/Superintendent or designee is responsible for the proper administration of student records in keeping with State law and Federal requirements and the procedures for the collection of necessary information about individual students throughout the School.

The Findlay Digital Academy provides notice to parents and eligible students annually, in accordance with the procedures set forth under administrative regulations, of the rights held by parents and eligible students under law and this policy. This notice is provided at the time the student enrolls in the academy.

The School maintains records of students. The School prohibits the release of personally identifiable information except as is permitted by law or by this policy manual. The Student Record File is available to the student, the Student's Parents/legal guardians, or school officials who have a legitimate purpose for accessing the File.

Access By Parents & Students

The student's parents/guardian, or if the student is eighteen (18) years of age or older, the student himself/herself, may request to:

- *Inspect and Review Education Records.* Records requests are to be made in writing and shall be conducted within forty-five (45) days of the School's receipt of the request.
- *Challenge the accuracy of information contained in the records.* A parent or qualifying student may challenge the content of such student's education records in order to insure that the records are not inaccurate, misleading, or otherwise in violation of the privacy rights of students. The School shall provide an opportunity for the correction or deletion of any such inaccurate, misleading, or otherwise inappropriate data and to insert into such records a written explanation of the parents respecting the content of such records. Should the School decide not to amend the records, the School shall advise the requesting party of their right to a hearing regarding the request for amending the record.
- *Authorizing Release of Written Information.* Records requests by parents/guardians or eligible children are to be made in writing. **Release of Information** The School may release "directory information" as provided under Ohio and Federal law. Directory information includes, but is not limited to, the student's name, address, telephone listing, electronic mail address, photograph, date and place of birth, major field of study, grade level, enrollment status, dates of attendance, date of graduation, sports and activities participated in, degrees; honors and awards received; most recent educational agency or

institution attended, and in the case of athletic team members, the height and weight of the student. If the School chooses to issue personally identifiable information, then it must provide a proper notice. The School may release “personally identifiable information” in certain instances. This information may be released to/for:

- *School Officials.* Teachers and other School Officials having legitimate educational interests may access a student’s records. A legitimate educational interest includes: accessing the record pertains to a task in the official’s job description, contract, or other document of employment; pertains to a task relating to educating, disciplining, or providing service to the student or the student’s family; or any other purpose the School deems necessary.
- *Officials in Other Schools.* Officials of other schools may have access when the student intends to enroll. Parents must be notified and given an opportunity to challenge the content of the record
- *State and Federal Officials.* State and federal officials may access a student’s record for purposes of audits and law enforcement investigations.
- *Financial Aid.* Persons requesting such records in connection with the student's application for financial aid;
- *Military Recruiters.* Pursuant to Ohio and Federal Law, the School will provide student information of students in grades ten (10) through twelve (12), upon request to any recruiting officer for any branch of the United States armed forces who requests such information. Any data received by a recruiting officer shall be used solely for the purpose of providing information to students regarding military service and shall not be released to any person other than individuals within the recruiting services of the armed forces. The School will provide notice that a student’s parent, guardian, or custodian may request in writing that the School not release the information to military recruiters. Upon receiving such a written notice, the School will not release the student’s information.
- *Anti-Terrorism Purposes.* In certain instances, student records may be obtained by an Assistant U.S. Attorney General or higher-ranking federal official.
- *Court Orders or Subpoenas.* Student records may be produced in response to a court order or a lawfully issued subpoena.
- *Missing Children.* Information may be provided to a law enforcement officer when the officer indicates an investigation is ongoing and the student may be or is a missing child, as defined by the Revised Code.
- *Personal Knowledge.* A School Official may release information when it is obtained through the official’s personal knowledge or observation and not the education record.
- *Ohio Department of Education Requests.* The School shall provide the Ohio Department of Education (ODE) with student information when (1) a testing company has notified the ODE that the student’s written response to a question included threats or descriptions of harm to another person or the student’s self and the information is necessary to enable the

department to identify the student, (2) the ODE requests information to respond to an appeal from the School on an achievement test, or (3) to determine if the student satisfies alternative conditions for a high school diploma.

- *The School's Sponsor.* The School may provide its Sponsor with access to student or other records if agreed to and required in the School's Charter Contract with its Sponsor.

Health & Safety Emergency.

The School may disclose personally identifiable information to necessary parties if knowledge of the information is necessary to protect the health or safety of a student or others. The school must determine and record the articulable and significant threat.

Transfer of Records

The School shall transfer all records to another school upon being notified the student has transferred and the transferring school requests the records files.

Security of Records

To maintain the security and confidentiality of the documents, the School shall require an employee to be present when records are inspected. The School shall also maintain a record log of all persons who access a student's records. The log must identify (1) all individuals and agencies that are granted access and (2) a statement regarding the legitimate interest in obtaining student information. The student log must be signed by employees of the School as well as non-school employees.

Disseminating this Policy

In accordance with federal law, parents shall be informed on an annual notice regarding their rights under this policy, state law, and federal law. The form shall specifically state what information is considered "directory information." A parent may object within ten (10) days of the receiving the notice. Upon receiving notice from the parent, the School shall not release such information without obtaining consent.

[Adoption date: May 10, 2005]

[Revision date: June 4, 2015]

LEGAL REFS.: The Elementary and Secondary Education Act; 20 USC 1221 et seq.
Family Educational Rights and Privacy Act; 20 USC Section 1232g
ORC 149.41; 149.43
1347.01 et seq.
3317.031; 3331.13
3319.32; 3319.321; 3319.33; 3321.12; 3321.13
OAC 3301-35-04; 3301-35-07

File: JLL

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

Notice for Directory Information

The *Family Educational Rights and Privacy Act* (FERPA), a Federal law, and Ohio Law require the School to protect the privacy of student records.

As a parent you, or your child—if your child is 18 or older—has the right to inspect and review the student’s education records, request that the School correct records, and provide written permission to release student records. All requests to inspect, review, and release are to be done in accordance with the School’s policies.

While the School generally must obtain your written consent prior to disclosing personally identifiable information from your child’s education records, the School may disclose appropriately designated “directory information” without written consent, unless you have advised the School otherwise.

The primary purpose of directory information is to allow the School to include directory information from your child’s education records in certain school publications. Examples include: the annual yearbook, Honor roll or other recognition lists, and Graduation programs.

Directory information may be disclosed to outside organizations without a parent’s prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks.

The School has designated the following information as directory information:

Name	Major Field of Study
Address	School Related Publications
Telephone Number	Grade Level
Email Address	Dates of Attendance
Photograph	Date of Graduation
Date/Place of Birth	Sports & Activities

If you do not want the School to disclose directory information from your child’s education records without your prior written consent, you must notify the District in writing by within ten (10) days of receiving this notice. Additionally, FERPA and Ohio law authorize disclosure of personally identifiable information in certain instances without consent. These exceptions include:

- school officials with legitimate educational interest;
- other schools to which a student is transferring;

- appropriate parties in connection with financial aid;
- state and Federal Officials for purposes of audits and law enforcement investigations;
- in response to court orders and subpoenas;
- military recruiters unless the parent requests in writing that the School not release the student's information;
- anti-terrorism purposes;
- cases of missing children;
- Ohio Department of Education requests; and
- the School's Sponsor.

[Adoption date: June 6, 2015]

DENIAL OF PERMISSION TO RELEASE DIRECTORY INFORMATION WITHOUT PRIOR WRITTEN CONSENT

Dear Parent:

Certain directory information may be released to media, colleges, civic or school-related organizations and state or governmental agencies as well as published in programs of the Findlay Digital Academy.

Directory information includes the following kinds of information:

- student's name
- student's address
- participation in officially recognized activities
- student's achievement awards or honors
- dates of attendance and graduation ("from and to" dates of enrollment)
- phone number
- weight and height of members of athletic teams
- email addresses
- photographs
- date and place of birth
- major field of study
- grade level

Please circle the specific categories of information, if any, listed above that you do **not** wish to be released without your specific prior written permission.

_____ The release of all Directory Information is denied.

This form must be completed and returned to the principal within 10 days after publication of the notice on "Directory Information" if the release of specific Directory Information is denied.

Name of Student

School

Grade

Parent's/Guardian's Signature

Date

[Adoption date: May 10, 2005]

[Reviewed: June 4, 2015]

PHOTO PUBLICITY PERMISSION FORM

I understand that there may be situations when/where the School (Findlay Digital Academy/
METASOLUTIONS/TRECA) will have the opportunity to photograph or videotape my child.

I give permission to use the photographs/video as the School deems necessary to publicize the
event in which they attended. I further agree that Findlay Digital Academy has my permission to
use the photographs/video for publicity or any other venues in relation to promoting the Findlay
Digital Academy.

PARENT/GUARDIAN SIGNATURE _____

CHILD/CHILDREN _____

DATE _____

[Adoption date: May 10, 2005]

[Reviewed: June 4, 2015]

HOMELESS CHILDREN AND YOUTH PLACEMENT

In accordance with the McKinney-Vento Homeless Assistance Act and Ohio law, the School believes all homeless children have a right to equal educational opportunities. The School shall provide services to each homeless child or youth that is comparable to services offered to other students in the School.

A “homeless” child or youth is an individual that lacks a fixed, regular and adequate night time residence and includes an individual that:

- is “doubling up” or is sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
- is living in a motel, hotel, trailer park or campground due to the lack of alternative adequate accommodations;
- is living in emergency or transitional shelters;
- is abandoned in a hospital;
- is awaiting foster care;
- has a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings;
- is living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; or
- is a migratory child as defined by the McKinney-Vento Act and Federal Law.

School Placement & Enrollment

In determining where a homeless child or youth attends school, the School shall place the child according to the child’s best interest. The determination shall be based on the following:

- when a child becomes homeless during the school year or in between school years, the School shall continue the child’s education in the school of origin for the duration of homelessness;
- if the child becomes permanently housed during an academic year, the School shall continue the child’s education in the school of origin for the remainder of the academic year;
- enroll the child or youth in any public school that non-homeless students who live in the

attendance area in which the child or youth is actually living are eligible to attend; and

- factors a school may consider include: the child's age, the distance of a commute, personal safety issues, the student's need for special instruction, length of time anticipated in a temporary shelter, time remaining in the school year. The School shall keep a homeless child or youth in the "school of origin" unless the "school of origin" is contrary to the wishes of the child or youth's parent guardian. The school of origin is the school the student attended when permanently housed or last enrolled. If the School wishes to send a homeless child to a school other than the school of origin or the school requested, the School must provide a written notice containing an explanation and a statement regarding the right to appeal the decision. The written notice of explanation must be provided to the parent or guardian. The process for resolving disputes is discussed below.

Homeless students should be enrolled immediately. Enrollment shall occur even if the student does not have the enrollment records required by the School. The School shall contact the school last attended by the student to obtain health records and shall immediately refer the homeless child's parent or guardian to the School's homeless liaison so additional documents may be obtained. The School must obtain all records in a timely fashion.

Enrolled homeless students shall be provided services comparable to services offered to other students in the school. Services include, but are not limited to: transportation, programs in vocational and technical education, programs for gifted and talented students, school nutrition programs, and before/after school programs.

Disputes Regarding Placement

Should a dispute arise, the dispute resolution process should follow these guidelines. The dispute resolution process shall be as informal and accessible as possible, allowing for impartial and complete review. Students are to be provided with all services for which they are eligible while the dispute is being resolved. Parents, guardians and unaccompanied youth should be able to initiate the resolution process directly at the school they choose, as well as at the district LEA homeless liaison's office. Parents, guardians, and unaccompanied youth should be informed that they can provide written or oral documentation to support their views. Written documentation should be complete, as brief as possible, simply stated, and be provided in a language the parent, guardian, or unaccompanied youth can understand.

Should a dispute arise over school selection or enrollment in a school the following procedure is to be followed:

- The Local Education Agency (LEA) shall provide the parent or guardian with a written explanation of the school's decision regarding school selection or enrollment.
- The LEA shall inform the parent or guardian in writing of their right to appeal the decision.
- Should the dispute continue the LEA shall refer the parent or guardian to the local LEA liaison who shall review the complaint and issue an opinion in writing to the parent or guardian.

- Should the dispute continue the LEA liaison shall assist the parties involved in presenting the situation to the Ohio Department of Education homeless education coordinator.
- The homeless education coordinator shall recommend a decision for distribution to the parent, local superintendent and local educational agency liaison.
- Should the dispute continue the final appeal is made to the State Superintendent of Public Instruction for review and disposition.

Liaison for Homeless Children

The Executive Director/Superintendent shall appoint a Liaison for Homeless Children. The Liaison will perform, coordinate, and collaborate with the State Coordinator for the Education of Homeless Children and Youth and shall work to ensure the School complies with this policy and all applicable law.

Transportation

The School shall provide transportation, at the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison), to and from the school of origin, if:

- The child continues to live in the area served by the LEA in which the school of origin is located, the child's transportation to and from the school of origin shall be provided or arranged by the local educational agency in which the school of origin is located.
- The homeless child's living arrangements in the area served by the LEA of origin terminate and the child or youth, though continuing his or her education in the school of origin, begins living in an area served by another LEA, the LEA of origin and the LEA in which the homeless child or youth is living shall agree upon a method to apportion the responsibility and costs for providing the child with transportation to and from the school of origin. If the LEAs are unable to agree upon such method, the responsibility and costs for transportation shall be shared equally.

[Adoption date: February 28, 2008]

[Revision date: June 4, 2015]

Federal: 42 U.S.C. 11431, et seq.

IDENTIFICATION OF HOMELESS CHILDREN AND YOUTH FORM

Student Name: _____ Student Social Security Number: _____

Under federal law, the School identifies all homeless children. A “homeless” child or youth is defined as an individual that lacks a fixed, regular and adequate night time residence. If your child is not homeless please sign below and do not complete the rest of the form. If you are unsure if your child may be considered homeless, please complete the rest of the form.

Signature: _____ Date: _____

Where is the student currently living: (Mark an “X” next to all that apply)

	Motel, hotel, camp ground, shelter
	A house with another family
	A house with other family members
	Other

Please identify all persons the student currently lives with and state their relationship to the Student (parent, relative, friend):

Adults (Name/Relationship)

Siblings

INFORMATION BELOW IS TO BE COMPLETED BY THE SCHOOL

School Liaison: _____ Enrollment Decision: _____

INFORMATION BELOW IS TO BE COMPLETED BY THE PARENT/GUARDIAN AFTER THE SCHOOL MAKES AN ENROLLMENT DECISION

By law, you have the right to appeal the School’s Enrollment Decision. If you do appeal, your child will still be permitted to enroll in the school of your choice until the appeal process is completed. Once the appeal is completed, the child will be enrolled in the appropriate school.

I (circle one) DO / DO NOT exercise my right to appeal the School’s Enrollment Decision.

Signature: _____ Date: _____ If

you decided to appeal the decision, please complete the appeal form. [Adoption date: June 4, 2015]

APPEAL OF SCHOOL'S ENROLLMENT DECISION

Please state your reason for appeal:

Please state the school that you choose your child to be enrolled until this appeal is completed:

Is the school identified above, the school your child attended before becoming homeless or where your child was last enrolled?

Circle One: Yes No

TO BE COMPLETED BY EXECUTIVE DIRECTOR/SUPERINTENDENT

Date Notice of Appeal was Received _____. Action must be taken within ten (10) business days after receiving notice of the appeal. Action was taken within ____ business days.

Explain the action taken to resolve the Dispute:

Identify final resolution of the Dispute:

To the parent/guardian. You have the right to appeal this decision to Ohio Department of Education. Appeals may be made by sending an appeal to the following address:

Ohio Department of Education 25 S. Front Street Columbus, OH 43215-4183

[Adoption date: June 4, 2015]

DISPLAYING MOTTOS OF THE UNITED STATES AND OHIO

The official motto of the United State of America is “In God We Trust,” and the official motto of the State of Ohio is “With God, All Things Are Possible.” The School shall accept donated copies of either motto or accept money for the purchase of the copies of the mottoes and shall display the motto in an appropriate manner in a classroom, auditorium, or cafeteria in the School, provided the motto meets the following conditions:

- the motto is printed on durable, poster-quality paper or displayed in a frame;
- the dimensions of the paper or frame are at least eight and one-half (8 1/2) inches by eleven (11) inches;
- the copy contains no words other than the motto and language identifying the motto as the motto of the United States of America or Ohio; and
- the copy contains no images other than appropriate representations of the flag of the United States of America or Ohio. In lieu of complying with the above conditions, the School’s Governing Authority may adopt, by a majority vote, a resolution describing appropriate design requirements for copies of the official mottoes of the United States of America and Ohio. If a copy of the official motto of the United States of America or Ohio that meets the design requirements described in the Governing Authority's resolution is donated to the School, or if money is donated to the district specifically for the purpose of purchasing such material, the Governing Authority shall accept the donation and display the motto in an appropriate manner in a classroom, auditorium, or cafeteria of the School.

[Adoption date: June 4, 2015]

Ohio: R.C. 3313.801

CONSTITUTION DAY

Constitution Day and Citizenship Day commemorate the formation and signing on September 17, 1787, of the Constitution and recognize all who, by coming of age or by naturalization, have become citizens. In recognition of this day, the School shall hold an educational program pertaining to the United States Constitution on September 17 of each year. If September 17 falls on a weekend or holiday, the program will be held the week prior to or after September 17. Since Findlay Digital Academy offers all curricula on-line, the educational program will be offered on-line at the appropriate time.

[Adoption date: June 4,2015]

Federal: 36 U.S.C. 106.

EMERGENCY MANAGEMENT PLAN

The School recognizes that it can best protect its students by planning for unlikely contingencies. The Executive Director/Superintendent is hereby directed to develop, adopt, and implement a comprehensive Emergency Management Plan (Plan) in accordance with rules adopted by the State Board of Education.

In developing the Plan, the Executive Director/Superintendent shall examine the environmental conditions and operations of the School building to determine potential hazards to the safety of students and Staff members and shall propose operating changes necessary to prevent these identified hazards. The Executive Director/Superintendent shall involve local law enforcement and safety officials, students' parents, staff members, and other employees in developing the Plan. Remediation strategies shall be incorporated into the Plan where documented safety problems have occurred.

The following information shall be incorporated into the Plan:

- A protocol for addressing serious threats to the safety of the School property, students, staff members, administrators, or other employees; and
- A protocol for responding to any emergency events that do occur and that compromise the safety of School property, students, Staff members, administrators, or other employees. The protocol shall include, but not be limited to: (1) a floor plan that is unique to each floor of the building, (2) a site plan that includes all building property and surrounding property; and (3) an emergency contact information sheet.

The protocols described above shall include procedures deemed appropriate by the Governing Authority for responding to threats and emergency events, respectively, including such things as notification of appropriate law enforcement personnel, procedures to be followed by staff and students, calling upon specified emergency response personnel for assistance, and informing the parents of affected students.

Prior to the opening day of each school year, the Governing Authority shall inform each enrolled student and the student's parents of the parental notification procedures included in the protocol.

Distributing the Plan

A copy of the plan shall be kept in a secure place.

The Executive Director/Superintendent shall also submit to the Ohio Department of Education an electronic copy of the Plan (1) not less than once every three years, (2) whenever a major modification to the building requires change in the Plan's procedures, and (3) whenever the emergency contact information sheet changes.

The Executive Director/Superintendent shall also file a copy of the Plan to each law enforcement agency that has jurisdiction over the School.

Executive Director/Superintendent – upon request - shall file a copy of the Plan to any of the following:

- the local fire department,
- the local emergency medical service organization, and
- the county emergency management agency.

Review of Plan

The Executive Director/Superintendent shall review the Plan no later than July 1st of each year and certify to the Department of Education that the plan is complete and accurate.

Within 10 days of revising or changing the plan, the Executive Director/Superintendent shall file copies, with the Department of Education, each law enforcement agency, and other local agencies that have requested copies of the Plan.

Training and Preparedness

The School shall grant access to each school building under its control to law enforcement personnel to enable the personnel to hold training sessions for responding to threats and emergency events affecting the building, provided that the access occurs outside of the student instructional hours and an employee of the Governing Authority is present in the building during the training sessions.

The School shall prepare and conduct at least one annual emergency management test. This test means a regularly scheduled drill, exercise or activity designed to assess and evaluate the Plan.

After the occurrence of an emergency triggering the School Safety Plan, a written report shall be submitted to the Governing Authority: including the date and time of the emergency and any actions taken to secure the safety of the students and Staff members.

Public Record Status

The Plan and information required under this policy are security records and are not public records pursuant to Ohio Revised Code.

[Adoption date: June 4, 2015]

ORC: 3313.536, 3314.01 (A)(11)(d)