

**WESTLAKE CITY SCHOOLS
BOARD OF EDUCATION MINUTES**

**Monday, September 8, 2008 – 5:00 p.m. – Work Session
Hilliard Elementary School - Library
24365 Hilliard Blvd.**

Call to Order: Time: 5:01 p.m.

Roll Call:

Ms. Rocco	<u>Present</u>
Mr. Sullivan	<u>Present</u>
Mr. Marinucci	<u>Present</u>
Mr. Mays	<u>Present</u>
Ms. Winter	<u>Present</u>

Pledge of Allegiance: President Rocco led the assembly in the Pledge of Allegiance.

Acknowledgment of Visitors: President Rocco thanked all in attendance.

Approval of Agenda

Motion by Ms. Winter

Seconded by Mr. Sullivan

Roll Call Vote:

Ms. Rocco	<u>AYE</u>
Mr. Sullivan	<u>AYE</u>
Mr. Marinucci	<u>AYE</u>
Mr. Mays	<u>AYE</u>
Ms. Winter	<u>AYE</u>

A. Facility Tour of Hilliard Elementary School

- Board members toured Hilliard Elementary from 5:03 pm to 5:50 pm. The tour was designed to inform the Board about the condition of the facility and grounds.

*Hearing of Public (15 Minutes) Agenda Items – None.

B. Superintendent's Report

Superintendent Keenan reported on the following:

1. The first staff development day for 2008-09 will be Wednesday, September 10th.
2. Patrick Fazekis, a Parkside 5th grader involved in the Special Olympics program, is featured on a billboard located near Browns Stadium.
3. He is appreciative of the maintenance and custodial staff who have addressed a number of the concerns with respect to facilities.
4. The District committed \$750,000 in FY08 to comply with Jarrod's law and other miscellaneous fire code issues.
5. The stadium fencing project at the high school has been placed on hold due to higher than anticipated costs.

6. Savings from previously scheduled projects have permitted the District to refinish the high school gym floor.
7. Home Team Marketing will have tables at the WHS football game.
8. Lock-down drills will be completed this month at all the buildings.

C. Presentations

1. Preschool Presentation

Kathleen Keaggy Smith, Preschool supervisor, provided an overview of the preschool program. She explained the various types of services and evaluations the program provides and its alignment with State standards.

Rocco: What is the student ratio in this program?

Keaggy Smith: The ratio is eight special needs students to four peer models.

2. CAC Report – Teaching Financial Responsibility

Tim Matousek from the Citizens Advisory Committee presented on the topic of teaching financial responsibility. He provided an overview of current District efforts, what the State is touting, and offered several recommendations:

- a. Consider expansion of the Personal Financial Education program to the middle school level.
- b. Take advantage of current programs offered by local businesses.
- c. Take advantage of local business community expertise.

3. FY 2008-2009 Budget Presentation

Pepera - The CFO/Treasurer presented the first draft of the 2008-09 Budget and updated 5-year financial forecast to the Board.

D. Action Items

1. Resolution To Appoint Incoming Members And Alternates For The Citizens Advisory Committee Exhibit D-1

E. Discussion Items

1. Subcommittee Review (Policy & Curriculum)

Sullivan: The Policy Subcommittee recently reviewed 36 policies. Policies were segregated into ones that required immediate action and policies for review.

Mays: The Curriculum Subcommittee recently met with Pam Griebel to review the plan for curriculum and assessment and the recently updated Continuous Improvement Plan.

2. K-12 School Consultants, Student Locator Services

Keenan: Proposed the Board consider contracting with K12 School Consultants to help verify potential residency concerns. After some discussion, the Board agreed to put this item on the September 22nd agenda for action.

3. Facilities Planning

Keenan: The District will hold four community forums to discuss the future of our District facilities: 9/23/08 at Dover Elementary; 9/29/08 at WHS; 10/1/08 at Parkside Intermediate and 10/14 at Holly Lane Elementary. The presentation

will provide an overview of our facilities, results of a recent community survey and commissioned facilities study.

4. Policy Review

Keenan: Discussed the proposed policy changes.

- a. First Reading of Policy AC – Nondiscrimination
- b. First Reading of Policy BBF – Board Member Code of Ethics
- c. First Reading of Policy BBFA – Board Member Conflict of Interest
- d. First Reading of Policy BCA – Board Organizational Meeting
- e. First Reading of Policy BD – School Board Meetings
- f. First Reading of Policy EBAA – Reporting of Hazards
- g. First Reading of Policy EBC – Emergency/Safety Plans
- h. First Reading of Policy EEACE – School Bus Idling
- i. First Reading of Policy EEACF – Bus Driver Disciplinary Procedures
- j. First Reading of Policy GBA – Equal Opportunity Employment
- k. First Reading of Policy GBK – Smoking on District Property by Staff Members
- l. First Reading of Policy GBQ – Criminal Record Check
- m. First Reading of Policy GCB-1 – Professional Staff Contracts and Compensation Plans (Teachers)
- n. First Reading of Policy GCD-R – Professional Staff Hiring
- o. First Reading of Policy IGAB – Human Relations Education
- p. First Reading of Policy IGD – Cocurricular and Extracurricular Activities
- q. First Reading of Policy JB – Equal Educational Opportunities
- r. First Reading of Policy JFCF – Hazing and Bullying
- s. First Reading of Policy JFCG – Tobacco Use by Students
- t. First Reading of Policy JGE – Student Expulsion
- u. First Reading of Policy JHG – Reporting Child Abuse
- v. First Reading of Policy KGC – Smoking on District Property
- w. First Reading of Policy KK – Visitors to the Schools

F. Special Board Meeting – September 25th

President Rocco noted a special meeting will be held on Sept 25th at the administration office. The meeting time is yet to be determined.

*Hearing of Public (15 Minutes)

G. Adjournment

President Rocco adjourned the meeting at 7:47 p.m.

President

Treasurer

September 8, 2008
08-492

*The public may address the Board during the periods of the meeting designated for public participation. Each person addressing the Board shall give his/her name and address. If several people wish to speak, each person is allotted three minutes until the total time allotted is used. During that period, no person may speak twice until all who desire to speak have had the opportunity to do so. The period of public participation may be extended by a vote of the majority of the Board present and voting.

EXHIBIT D-1
RES. #08-291

RESOLUTION TO APPOINT INCOMING MEMBERS AND ALTERNATES
FOR THE CITIZENS ADVISORY COMMITTEE

RESOLVED THAT
the Westlake Board of Education appoints the following incoming alternates and members to the
Citizens Advisory Committee:

Laura Steinbrink, Alternate

Brian Gottfried, Student Representative

Motion by _____ Mr. Marinucci

Seconded by _____ Ms. Rocco

Roll Call Vote:

Ms. Rocco	<u>AYE</u>
Mr. Sullivan	<u>AYE</u>
Mr. Marinucci	<u>AYE</u>
Mr. Mays	<u>AYE</u>
Ms. Winter	<u>AYE</u>

File: AC
NONDISCRIMINATION

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

The Board does not permit discriminatory practices and views harassment as a form of discrimination. Harassment is defined as intimidation by threats of or actual physical violence; the creation, by whatever means, including the use of electronic communications devices, of a climate of hostility or intimidation; or the use of language, conduct or symbols in such a manner as to be commonly understood to convey hatred, contempt or prejudice or to have the effect of insulting or stigmatizing an individual.

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

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

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

Adoption Date: May 23, 2002 Revision Date: August 24, 2005
Revision Date:

Legal Refs.: Civil Rights Act, Title VI; 42 USC 2000d et seq.
Civil Rights Act, (Amended 1972), Title VII; 42 USC 2000e et seq.
Education Amendments of 1972, Title IX; 20 USC 1681
Executive Order 11246, as amended by Executive Order 11375
Equal Pay Act; 29 USC 206
Rehabilitation Act; 29 USC 794
Individuals with Disabilities Education Act; 20 USC 1400 et seq.
Age Discrimination in Employment Act; 29 USC 623
Immigration Reform and Control Act; 8 USC 1324a et seq.
Americans with Disabilities Act; 42 USC 12112 et seq.
Ohio Const. Art. I, § 2
ORC 3323.01 **5903.01(G)**
 Chapter 4112
OAC 3301-35-02; 3301-35-03

Cross Refs.:	ACA, Nondiscrimination on the Basis of Sex	EDE, Computer/Online Services
	ACAA, Sexual Harassment	JB, Equal Educational Opportunities
	ACB, Nondiscrimination on the Basis of Disability	JFC, Student Conduct (Zero Tolerance)
	GBA, Equal Opportunity Employment	JFCF, Hazing
	GBO, Verification of Employment Eligibility	Staff Handbook
	IGAB, Human Relations Education	Student Handbook

Contract Refs.: Teachers' Negotiated Agreement Support Staff Negotiated Agreement

File: BBF
BOARD MEMBER CODE OF ETHICS

The Board believes public education should be conducted in an ethical manner. In addition to Ohio law, the conduct of Board members should conform to the code of ethics recommended by the Ohio School Boards Association that includes the following.

1. It is unethical for a board member to:
 - A. seek special privileges for personal gain;
 - B. personally assume unauthorized authority;
 - C. criticize employees publicly;
 - D. disclose confidential information;
 - E. place the interest of one group or community above the interest of the entire district;
 - F. withhold facts from the superintendent, particularly about the incompetency of an employee or
 - G. announce future action before the proposition has been discussed by the board.

Adoption Date: May 23, 2002

Revision Date:

Legal Refs.: ORC 102.03; 102.04
2921.01(A); 2921.42; 2921.43; 2921.44
3313.13
3319.21

Cross Refs.: BBFA, Board Member Conflict of Interest

File: BBFA
BOARD MEMBER CONFLICT OF INTEREST

The Board and individual members follow the letter and spirit of the law regarding conflicts of interest. A Board member will not have any direct or indirect pecuniary interest in a contract with the District; will not furnish for remuneration any labor, equipment or supplies to the District; nor be employed by the Board in any capacity for compensation.

A Board member may have a private interest in a contract with the Board if all of the following apply:

1. the subject of the public contract is necessary supplies or services for the District;
2. the supplies or services are unobtainable elsewhere for the same or lower cost, or are being furnished to the District as part of a continuing course of dealing established prior to the Board member's becoming associated with the District;
3. the treatment accorded the District is either preferential to or the same as that accorded other customers or clients in similar transactions and
4. the entire transaction is conducted at arm's length, with full knowledge by the Board of the interest of the Board member, member of his/her family, or his/her business associate, and the Board member takes no part in the deliberations or decision with respect to the public contract.

The law specifically forbids:

1. the Prosecuting Attorney **or a city attorney** as defined and limited by O.R.C. 3313.13 from serving on a board **when the Law Director is the Board's legal advisor, as per House Bill 455**;
2. a member from serving as the school dentist, physician or nurse;
3. a member from being employed for compensation by a board;
4. a member from having, directly or indirectly, any pecuniary interest in any contract with a board;
5. a member from voting on a contract with a person as a teacher or instructor if he/she is related to that person as father, mother, brother or sister;
6. a member from authorizing, or employing the authority or influence of his/her office to secure authorization of, any public contract in which he/she, a member of his/her family or his/her business associates have an interest;
7. a member from having an interest in the profits or benefits of a public contract entered into by, or for the use of, the District and
8. a member from occupying any position of profit during his/her term of office or within one year thereafter in the prosecution of a public contract authorized by him/her or a board of which he/she was a member at the time of authorization of that contract.

Adoption Date: May 23, 2002

Revision Date: August 24, 2005

Revision Date:

Legal Refs.: ORC 102.03; 2921.02(B); 2921.42; 2921.43
3313.13; 3313.33; 3313.70; 3319.21; 4117.20

Cross Refs.: BBBA, Board Member Qualifications
BBF, Board Member Code of Ethics

File: BCA
BOARD ORGANIZATIONAL MEETING

In compliance with law, the Board meets within the first 15 days of January of each year for the purpose of electing a president and vice president from among its membership and taking action on other matters of annual business. The CFO/Treasurer canvasses the new Board prior to December 31 of each year to establish the date of the organizational meeting. The Board appoints a president pro tempore from its membership.

Meeting Procedures

1. The President Pro Tempore calls the meeting to order.
2. The official swearing in or administration of the oath of office to the new members should follow. If the oath has already been taken, it should be stated for the record where and when this oath was taken.. If the oath has not been previously taken, the CFO/Treasurer, any member of the Board or any person qualified to administer an oath may do so.
3. The President Pro Tempore then presides over the election of the President.
4. The newly elected President assumes the chair.
5. The Board proceeds with items of annual business such as:
 - A. setting the dates and times of regular Board meetings;
 - B. appointing of legal counsel for the ensuing calendar year;
 - C. electing a CFO/Treasurer in those years when the CFO/Treasurer's term has expired and establishment of salary;
 - D. purchasing liability insurance for Board members, superintendent and CFO/Treasurer;
 - E. appointing a legislative liaison;
 - F. adopting a budget for new fiscal year (before January 15);
 - G. securing performance bonds for the superintendent, CFO/Treasurer, Board Members and Director of Business Affairs;
 - H. establishing a Board service fund; and
 - I. adoption of Board framework.
6. Upon conclusion of annual business, the Board enters into such regular or special business as appears on the agenda for the meeting.

Adoption Date: May 23, 2002

Legal Refs.: ORC **3.24**; 3313.10; 3313.14; 3313.15; 3313.203; 3313.22; 3313.25; 3313.87

Cross Refs.: BA, Board Operation Goals BCB, Board Officers **BD, School Board Meetings**
BHD, Board Member Compensation and Expenses

September 8, 2008
08-498

File: BD
SCHOOL BOARD MEETINGS

The Board transacts all business at official meetings of the Board. These may be either regular or special meetings. At the organizational meeting, the Board shall fix the time for holding its regular meetings. Regular meetings shall be held at least once every two months. Special meetings are called between the regularly scheduled meetings to consider specific topics.

All regular and special meetings of the Board and Board-appointed committee meetings are open to the public, school personnel and members of the news media. All Board meetings are publicized and conducted in compliance with the Sunshine Law. No action may be taken in executive session.

Adoption Date: May 23, 2002

Revision Date:

ORC 121.22
3313.15; 3313.16

Cross Refs.: **BCA, Board Organizational Meeting**
BCE, Board Committees
BDC, Executive Sessions
BDDA, Notification of Meetings

File: EBAA
REPORTING OF HAZARDS

The Board is concerned with the safety of students and staff members and, therefore, attempts to comply with all federal and state statutes and regulations to protect them from hazards that may result from industrial accidents or from the presence of asbestos materials **and products or conditions identified by the State Board of Health as injurious to health and safety.**

Toxic Hazards

Toxic hazards exist in chemicals and other substances used in the school setting such as in laboratories, science classrooms, kitchens and in the cleaning of rooms and equipment.

The superintendent appoints an employee to serve as the District's Toxic Hazard Preparedness (THP) officer. The THP officer will:

1. identify potential sources of toxic hazard in cooperation with material suppliers who shall supply the THP officer with material safety data sheets (MSDS);
2. ensure that all incoming materials, including portable containers, are properly labeled with the identity of the chemical, the hazard warning and the name and address of the manufacturer or responsible party;
3. maintain a current file of MSDS for every hazardous material present on District property;
4. design and implement a written communication program which:
 - A. lists hazardous materials present on District property;
 - B. details the methods used to inform staff and students of the hazards; and
 - C. describes the methods used to inform contractors and their employees of any hazardous substances to which they may be exposed and of any corrective measures to be employed;
5. conduct a training program for all District employees to include such topics as detection of hazards, explanation of the health hazards to which they could be exposed in their work environment and the District's plan for communication, labeling, etc.; and
6. establish and maintain accurate records for each employee at risk for occupational exposure, including name, Social Security number, hepatitis B vaccine status, results of exams, medical testing and follow-up procedures for exposure incidents and other information provided by and to health care professionals.

In fulfilling these responsibilities, the THP officer may enlist the aid of county and municipal authorities and others knowledgeable about potential toxic hazards.

Asbestos Hazards

In its efforts to comply with the Asbestos Hazard Emergency Response Act, the Public Employment Risk Reduction Act and the Asbestos Abatement Contractors Licensing Act, the Board recognizes its responsibility to:

1. inspect all District buildings for the existence of asbestos or asbestos-containing materials;
2. take appropriate action based on the inspections;
3. establish a program for dealing with friable asbestos, if found;
4. maintain a program of periodic surveillance and inspection of facilities or equipment containing asbestos; and
5. comply with EPA regulations governing the transportation and disposal of asbestos and asbestos-containing materials.

The superintendent appoints a person to develop and implement the District's Asbestos-Management Program that will ensure proper compliance with federal and state laws and the appropriate instruction of staff and students.

The superintendent also ensures that, when conducting asbestos abatement projects, each contractor employed by the District is licensed pursuant to the Asbestos Abatement Contractors Licensing Act.

Occupational Exposure Training

All employees with occupational exposure are required to participate in a training program at the time of their initial assignment to tasks where occupational exposure may occur.

Follow-up training for employees is provided one year after their initial training. Additional training is provided when changes such as modifications of tasks and procedures or institution of new tasks or procedures affect employees' occupational exposure.

A record of attendance at occupational exposure training is completed and maintained by the THP officer following each training session. Such records are maintained for three years from the date of the training.

Records Availability

All records required to be maintained are made available upon request for examination and copying by the employee and employee representatives and under the provisions of PERRA. Medical records, however, are not made available to employee representatives or other persons without written consent of the employee.

Other Conditions Injurious to the Safety or Health of Building Occupants

In addition to the reporting of toxic hazards, the Board directs the Superintendent/designee to comply with all Board of Health inspections, as required by OAC 3701-54, to ensure that conditions injurious to the safety or health of persons on District property are minimized.

During a Board of Health inspection, each building principal/designee provides:

- 1. access to the building and grounds at any time during regular school hours;**
- 2. a record of inspections of the school grounds and buildings for dangerous and recalled products that have been identified by the State Board of Health;**
- 3. any records or other information the Board of Health considers necessary to evaluate the health and safety of the school and**
- 4. a representative who accompanies the sanitarian during the course of the inspection, with advance notice from the board of health and upon request of the sanitarian.**

If a report is submitted to the board of health following a school inspection, the Superintendent/designee develops and submits a written plan for abatement of conditions identified by the inspection report. The plan of abatement is submitted within 60 days of receipt of the inspection report.

The Superintendent/designee provides written notification to the board of health when abatement, as outlined in the plan, has been completed.

Each building is surveyed annually, by a representative appointed by the Superintendent/designee, for dangerous products and conditions that have identified in notices from the board of health. All dangerous products or conditions found on school grounds or within school buildings are abated or controlled, immediately or within 30 days of receipt of the notice from the board of health. Any action taken is documented on the board of health transmittal form. Completed transmittal forms are retained in a central location for verification by board of health inspectors.

September 8, 2008

08-502

Liability Disclaimer

Nothing in this policy should be construed in any way as an assumption of liability by the Board for any death, injury or illness that is the consequence of an accident or equipment failure or negligent or deliberate act beyond the control of the Board or its officers and employees.

Adoption Date: May 23, 2002

Revision Date:

Legal Refs.: 29 CFR 1910.1030
Asbestos School Hazard Abatement Act, 20 USC 4011 et seq.
Asbestos Hazard Emergency Response Act, 15 USC 2641 et seq.
Comprehensive Environmental Response, Compensation and Liability Act,
42 USC 9601 et seq.
ORC **117.102; 3313.473**; 3313.643; 3313.71; 3313.711; **3314.15**; 3327.10;
3701.93 through 3701.936; 3707.26; 4113.23; 4123.01 et seq.
Public Employment Risk Reduction Act, ORC 4167.01 et seq.
~~20 USC 8901~~

Cross Refs.: EB, Safety Program
EBBC, Bloodborne Pathogens
GBE, Staff Health and Safety

File: EBC
EMERGENCY/SAFETY PLANS
(THIS POLICY **REPLACES** EBD, CRISIS MANAGEMENT)

~~The safety and well-being of the students and staff are a priority. Although emergencies and disasters cannot be predicted, plans are prepared to minimize the effects of a disaster.~~

~~Emergency plans have been prepared for District schools by the administration and are used by personnel and students in case of fire, civil emergencies and natural disasters. The regulations are posted in each classroom and other areas accessible to students. Drills provide both students and staff with practice in responding to emergency conditions.~~

The Board acknowledges that the safety and well-being of students and staff are high priorities. Although emergencies cannot be predicted, effective prevention and management strategies are used to minimize the effects of emergency situations arising in the District.

An emergency is defined as an event which threatens the actual safety and security of students, employees or visitors of the District or whose impact threatens the feeling of safety and security, both of which are detrimental to a positive learning environment. Emergencies include fire, natural disasters, medical emergencies, industrial accidents, suicide, death of a student or employee, acts of violence, trauma and terrorism.

Comprehensive School Safety Plans and Drills

The Board directs the Superintendent/designee to prepare emergency/safety plans for use by staff and students in each school building in case of fire, civil emergencies and natural disasters. The plans are posted in each classroom and other areas accessible to students.

The comprehensive safety plan sets a protocol for addressing and responding to serious threats to the safety of the school property, students, staff and volunteers. Each protocol includes procedures deemed appropriate by the Board or governing authority for responding to threats and emergency events including, but not limited to, notification of appropriate law enforcement personnel, calling upon specified emergency response personnel for assistance and informing parents of affected students.

The administration reviews the plan annually, considering the most current information dealing with the subjects, as well as making relevant information about the plan known to the community. When the comprehensive safety plan is used, assessment of the way the emergency was handled is completed by the Board and the administration. Suggestions for improvement, if necessary, are solicited from all stakeholders.

State law determines the type and number of drills the District must conduct in order to adequately prepare staff and students for emergency and disaster situations. Drills provide both students and staff with practice in responding to emergency conditions should such conditions occur.

A copy of each school building's current comprehensive safety plan and blueprint is filed with the law enforcement agency that has jurisdiction over the school building and, upon request, the fire department that serves the political subdivision in which the school building is located. A copy of each school building's current comprehensive safety plan and floor plan is filed with the Ohio Attorney General. The floor plan is used solely by law enforcement responding to an emergency in the building and is not a public record.

The District's comprehensive safety plan must be updated **no later than** every three years and within 90 days whenever a major modification to an individual school building necessitates changes in that building's plan.

Administrative Rules/Protocols

The Board directs each building principal/designee to develop administrative rules/protocols regarding the topics listed below. The rules/protocols are kept in the building and central office and produced to Board of Health sanitarians, upon request, during board of health inspections.

- 1. A list of dangerous or recalled products, as identified by the State Board of Health.**
- 2. Radon rules or protocols including evidence that the school has been built radon resistant or has been tested for radon within the past five years.**
- 3. An asbestos management plan including evidence of inspection for asbestos within three years, evidence of periodic surveillance within the past six months and a copy of the yearly written notice to the public referencing asbestos inspection and the availability of the asbestos management plan for review.**
- 4. A school-wide safety or crisis management plan, which provides a protocol for responding to any emergency events and a protocol providing for immediate notification to the appropriate fire department and board of health in the event of any spill or release of a hazardous substance on school grounds.**
- 5. Guidance regarding bloodborne pathogen risk reduction.**
- 6. Procedures for administering medications to students.**
- 7. A written comprehensive safety plan addressing:**
 - A. safety management accountabilities and strategies;**
 - B. safe work practices;**
 - C. accident analysis procedures;**
 - D. job safety analysis procedures;**
 - E. safety committees and employee involvement strategies;**
 - F. employee safety and health training;**
 - G. treatment of sick or injured workers;**
 - H. safety and health hazard audits;**

- I. ergonomics;**
 - J. transportation safety;**
 - K. identification and control of physical hazards;**
 - L. substance abuse;**
 - M. school violence prevention and**
 - N. personal protective equipment.**
- 8. A written chemical hygiene plan, which sets forth procedures, equipment, personal protective equipment and work practices that are capable of protecting employees and students from the health hazards of chemicals in the school.**
 - 9. Material data sheets for every hazardous chemical used in the school building or on the school grounds for cleaning, maintenance or instruction. (These must be kept where the chemicals are stored in addition to the central office of each building).**
 - 10. Protocols on staff and student hand washing.**
 - 11. No smoking signs.**
 - 12. The District's integrated pest management policy.**
 - 13. A flushing protocol if lead pipes or lead-lined storage wells are used.**
 - 14. Protocols for using automated external defibrillators (AEDs);**
 - 15. Protocols for responding to in-school crises, including student crime, suicide, death of student or employee, acts of violence (including bomb threats and school intruders), trauma, accidents and/or terrorism.**
 - 16. Protocols for the management of student's with life-threatening allergies.**

Adoption Date: May 23, 2002

Revision Date:

Legal Refs.: ORC **149.433; 2305.235; 2923.11; 3301.56; 3313.20; 3313.536; 3313.717**
3314.03; 3314.16; 3701.85; 3737.73; 3737.99
OAC 3301-35-06; **3701-54-09**

Cross Refs.: **EBAA, Reporting of Hazards** **GBE, Staff Health and Safety**
EBBC, Bloodborne Pathogens **JHF, Student Safety**
ECA, Buildings & Grounds Security **KBCA, News Releases**
ECG, Integrated Pest Management **KK, Visitors to the Schools**
EEAC, School Bus Safety Program **JHCD, Administering Medicines to Students**
EF/EFB, Food Services Management/Free and Reduced Price Food Services
Emergency/Safety Plans Handbook

File: EEACE
SCHOOL BUS IDLING

The Board is committed to transporting students on school buses in a manner that is safe and consistent with the Board's goal of resource conservation. The Board recognizes that accumulated emissions from diesel engines can be harmful to students and bus drivers. Also, unnecessary engine idling wastes fuel and financial resources. Therefore, the Board prohibits all unnecessary idling of district vehicles in excess of five (5) minutes.

Diesel engine idling in excess of five minutes in school loading zones is not permitted unless the operation of a wheelchair lift is required. This policy applies to all buses used to transport students to and from school, cocurricular/extracurricular activities, field trips and other school-related activities.

The Board directs the Superintendent/designee to develop and maintain regulations to implement this policy.

Adoption Date:

**Legal Refs.: ORC 3327.01; 4511.76
 OAC 3301-83-20(O)**

**Cross Refs.: ECF, Energy Conservation
 EEAC, School Bus Safety Program
 Staff Handbooks**

File: ~~EEACE~~ **EEACF**
BUS DRIVER DISCIPLINARY PROCEDURES

Disciplinary Procedures For Transportation Department Employees

1. No employee shall violate any Ohio State Motor Vehicle law or regulation, regulations, regulations promulgated by the Ohio State Board of Education, the rules and regulations promulgated by the Transportation Department of the District, or other regulations promulgated by the Board, or any local laws or regulations of any communities served by the Board Transportation Department.
2. To violate any of the foregoing means that if a law or ordinance is involved, then the employee shall be found guilty by a court whether or not such finding is based on a plea of guilty, no contest or upon the trial of a plea of not guilty. With respect to the other rules and regulations set forth above, or if a law or ordinance is involved, but there are not court proceedings, then a violation shall occur when such is determined to have occurred by the Director of Transportation, or other appropriate official of the Westlake School System.
3. In the event that a Westlake Transportation Department employee receives six or more points within two years against his/her driving license, his/her employment shall be suspended immediately until such time as point total is less than six. This includes not only points accumulated as a result of driving Board vehicles, but all driving points however accumulated.
4. Section 4549.02 of the ORC requires a vehicle driver to stop at the scene of an accident. This statute further provides for reporting any accident to the appropriate authorities. Any Westlake City School District driver who fails to stop at the scene of an accident, or fails to report an accident, when such involves a school vehicle, will be subject to a maximum of 10 days suspension without pay in addition to any other penalties that may be imposed pursuant to this policy. This extra penalty shall be imposed even if there is no conviction of a violation of the statutes relating to stopping at the scene of the accident, or failure to report an accident to the proper motor authorities.
5. All Transportation Department employees must report all traffic convictions to the Director of Transportation. Such report must be made within 10 working days at the time when the employee is convicted of the offense. Failure to report any points for traffic convictions to the Director of Transportation shall result in a maximum 10 days suspension without pay, or termination of employment.
6. State law requires that all persons certified to operate a school bus will be required to request, obtain and present to the superintendent an abstract of their driving record. This abstract is obtained upon written request to the Bureau of Motor Vehicles. Such request must be accompanied by the prescribed fee. Upon receipt of the abstract, the superintendent will make and retain a copy of the abstract and attach the original abstract to the Department of Education's copy of the completed physical exam. All costs connected with obtaining abstracts of driving records are the responsibility of the Board. No one who has accumulated six points on their driving record within the previous two years will be employed.
7. The director of transportation is hereby designated by the Board to administer the transportation program in the Westlake School System. All accidents are to be reported to the director of transportation, as are all reports of any driving convictions, or other matters affecting the employee's driving record. All employees shall have the right to due process and to appeal to the proper channels of supervision at any stage of the implementation of this policy.
8. Any and all fines, costs or other expenses imposed upon a Transportation Department employee will be borne by the employee. The District will not reimburse employees for any fines, costs or other expense incurred as the result of any violation of this policy.

Adoption Date: May 23, 2002

Revision Date:

Legal Refs.: OAC 3301-83-07
49 USC 2717

File: ~~EEACE~~ **EEACF**

Page 1 of 1

Westlake City School District

File: GBA
EQUAL OPPORTUNITY EMPLOYMENT

The District provides equal opportunities for employment, retention and advancement of all personnel.

This Board encourages all personnel to assist in the accomplishment of this goal through their personal commitment to the concept of equal opportunity for all personnel regardless of race, color, national origin, citizenship status, religion, sex, economic status, age, ~~or~~ disability **or military status**.

Adoption Date: May 23, 2002

Revision Date:

Legal Refs.: ORC ~~4112.02~~ **Chapter 4112, 5903.01(G)**
Civil Rights Act, Title VI; 42 USC 2000d
Executive Order 11246, as amended by Executive Order 11375
Equal Employment Opportunity Act, Title VII; 42 USC 2000e et seq.
Education Amendments of 1972, Title IX; 20 USC 1681
Rehabilitation Act; 29 USC 794
Age Discrimination in Employment Act; 29 USC 623
Immigration Reform and Control Act; 8 USC 1324a et seq.
Americans with Disabilities Act; 42 USC 12101 et seq.

Cross Refs.: AC, Nondiscrimination
ACA, Nondiscrimination on the Basis of Sex
ACAA, Sexual Harassment
ACB, Nondiscrimination on the Basis of Disability

File: GBK
SMOKING ON DISTRICT PROPERTY BY STAFF MEMBERS

The Board is dedicated to providing a healthy, comfortable and productive environment for its staff, students and citizens. Health professionals have determined that smoking poses health hazards not only for the smoker, but for the nonsmoker as well.

Recognizing these health issues, the Board prohibits smoking in all District-owned, leased **or contracted buildings and vehicles.** ~~property where routine or regular kindergarten, elementary, secondary or library services are offered to children.~~

The Board directs the Superintendent to educate all staff members concerning the mandate of this policy, as well as implementing, as appropriate, educational programming concerning smoking and, if needed, resources available to those who wish to discontinue their smoking habit.

A notice to this effect is posted at the entrance to all school buildings **and in a visible place in all school vehicles.**

Adoption Date: May 23, 2002

Revision Date:

Legal Refs.: ORC 3313.20; ~~3313.47; 3791.031~~

3794.01; 3794.02; 3794.03(F); 3794.04; 3794.06

OAC 3301-35-02; 3301-35-05

Goals 2000: Educate America Act; 20 USC §6081-6084

The Elementary and Secondary Education Act; 20 USC 1221 et. seq.

Cross Refs.: JFCG, Tobacco Use by Students
KGC, Smoking on District Property

File: GBQ
CRIMINAL RECORD CHECK

The Board shall request from the Superintendent of the Bureau of Criminal Identification and Investigation (BCII) criminal record checks of **all** candidates under final consideration for employment or appointment in the District if the candidates are responsible for the care, custody or control of students. **The BCII criminal record checks include information from the Federal Bureau of Investigation (FBI).**

The Board may employ persons responsible for the care, custody or control of students on the condition that the candidates submit to and pass a BCII criminal record check in accordance with the Ohio Revised Code. Applicants are given a separate written statement informing them that the Board may use a criminal record check as part of the initial hiring process and at various times during the employment career. This notice must be on a separate document which contains only this notice. The applicant's ~~written~~ **documented** authorization to obtain the criminal record check will be obtained prior to obtaining the criminal record check.

Prior to taking an adverse action against an applicant or employee (such as declining to employ, reassigning an employee, denying a promotion, suspension, nonrenewal or termination) based in whole or in part on a criminal record check, the applicant or employee will be given a written pre-adverse action disclosure statement which will include a copy of the criminal record check and the Federal Trade Commission's notice entitled "A Summary of Your Rights Under the Fair Credit Reporting Act."

After taking an adverse action, the applicant or employee will be given a written adverse action notice which includes the name, address and telephone number of BCII, a statement that BCII did not make the decision to take the adverse action and cannot give specific reasons for it, the individual's right to dispute the accuracy or completeness of any information furnished by BCII and the individual's right to an additional free criminal record check from BCII upon request within 60 days. Any person conditionally hired who fails to pass a BCII criminal background check shall be released from employment.

An applicant for employment may provide a certified copy of a BCII criminal background check to the District in compliance with the Ohio Revised Code. The District may accept this background check in place of its own background check if the date of acceptance by the District is within one year after the date of issuance by the BCII.

For bus driving applicants, a BCII, county or local law enforcement agency record check is required. **State law requires subsequent criminal record checks every five years for all school employees except bus drivers.** For currently employed bus drivers, a new report is required every six years.

Volunteers

Current and prospective volunteers who have or will have unsupervised access to children on a regular basis may, at any time, be subject to a criminal record check (BCII).

Any and all information obtained by the Board or persons under this policy is confidential and shall not be released or disseminated. **Criminal records checks are not public records for purposes of the Public Records Law.** Any applicant not hired because of information received from the record check shall be assured that all records pertaining to such information are destroyed.

Adoption Date: May 23, 2002

Revision Date:

Legal Refs.: Fair Credit Reporting Act; 15 USC 1681 et seq.

ORC 109.57; 109.572; **109.575; ;**
2953.32

3301.074

3319.088; 3319.22; 3319.222; 3319.29; 3319.291

3319.302; 3319.303; 3319.304

3319.311; 3319.313; 3319.315; 3319.39

OAC 3301-83-06

Cross Refs.: **EEAC, School Bus Safety Program**

GBL, Personnel Records

GCD, Professional Staff Hiring

GCPD, Suspension and Termination of Professional Staff Members

GDD, Support Staff Hiring

GDPD, Suspension, Demotion and Termination of Support Staff Members

IIC, Community Instructional Resources (Also KF)

IICC, School Volunteers

KBA, Public's Right to Know

LEA, Student Teaching and Internships

File: GCB-1
PROFESSIONAL STAFF CONTRACTS AND COMPENSATION PLANS
(Teachers)

The Board believes that a fair teacher compensation plan, which includes an adequate base salary, increments and employee benefits, is necessary to attract and hold highly qualified men and women to provide the quality educational program it desires in its schools.

As required by law, notice of annual salary is given to each certificated/licensed employee by July 1.

Teacher Contracts

Written contracts of employment shall be issued to all professional **certified/licensed** teaching personnel. Contracts are by and between the staff member and the Board.

The basic types of contracts are as follows:

1. Limited Contract — ~~A limited contract of one to five years in length is given to a teacher new to the District.~~
2. Extended Limited Contract — ~~An extended limited contract of one or two years in length is given to a teacher who is eligible for consideration for a continuing contract.~~
3. Continuing Contract

~~When a teacher employed under a limited contract is issued a teaching certificate of a higher grade (professional or permanent) or a five-year license and has taught three of the last five years in the District, he/she is eligible for consideration for a continuing contract at the expiration of his/her limited contract.~~

~~A teacher who has obtained continuing contract status elsewhere in Ohio becomes eligible for a continuing contract upon employment but must be considered for a continuing contract after three years' service in the District.~~

~~A teacher who meets all legal qualifications for a continuing contract, but who is not recommended by the superintendent and approved by the Board for a continuing contract is offered an extended limited contract or is non-renewed. The teacher must be notified of the Board's action to not re-employ, in writing by the CFO/Treasurer, on or before April 30.~~

~~The superintendent may recommend re-employment of such teacher if continuing service status has not been attained in another district, under an extended limited contract not to exceed two years, with the reasons directed at professional improvement of the teacher. This option is available only after the Board first rejects the superintendent's recommendation for tenure. The superintendent may not recommend an extended limited contract as an initial recommendation.~~

~~Written notification of the superintendent's recommendation as well as the Board's action to issue a one- or two-year extended limited contract must be received by the teacher on or before April 30 of the year in which his/her contract expires. If the teacher accepts the extended limited contract, a subsequent contract, if granted, must be a continuing contract.~~

1. Limited Contract

A limited contract is one to five years in length. It may be entered into by a teacher who has not been an employee of the Board for at least three years and must be entered into, regardless of length of previous employment, by a teacher who holds a provisional or alternative license or who holds a professional license and is not eligible to be considered for a continuing contract.

Any teacher employed under a limited contract and not eligible to be considered for a continuing contract is, at the expiration of the contract, considered reemployed at the same salary plus any increment provided by the salary schedule, unless acted upon by the Board. This does not apply to those limited contracts obtained through substitute teaching.

The Board may, acting on the Superintendent's written recommendation that the teacher not be reemployed, not renew a limited contract so long as evaluation procedures have been completed in compliance with law. The Board must give the teacher written notice of its intent not to reemploy on or before April 30.

2. Extended Limited Contract

An extended limited contract of one or two years in length is given to a teacher who is eligible for consideration for, but not awarded, a continuing contract.

3. Continuing Contract

Teachers who have taught in the District for at least three years within the last five years and teachers who have attained continuing contract status elsewhere and have served two years in the District are eligible for continuing contracts.

A continuing contract may be issued to eligible teachers who meet the conditions above and:

A. hold a professional, permanent or life teaching certificate, or

B. hold a professional educator license and have completed one of the following:

- 1) If the teacher did not hold a master's degree at the time of initially receiving the license, 30 semester hours of coursework are required in the area of licensure or in an area related to teaching since the initial issuance of the license.
- 2) If the teacher held a master's degree at the time of initially receiving his/her license, six semester hours of graduate course work are required in the area of licensure or in an area related to teaching since the initial issuance of the license.

Upon the recommendation of the Superintendent that a teacher eligible for continuing contract service status be reemployed, a continuing contract is granted unless the Board rejects the recommendation by a minimum three-fourths vote. A continuing contract remains in effect until the teacher resigns, elects to retire, is retired for reasons consistent with law or until he/she is terminated or suspended.

If the Board rejects the recommendation for reemployment of the teacher, the Superintendent may recommend reemployment of the teacher under an extended limited contract for a term not to exceed two years, if continuing service status has not previously been attained elsewhere. Written notice of the Superintendent's intention to make such a recommendation

must be given to the teacher with reasons directed at the professional improvement of the teacher on or before April 30. Upon subsequent reemployment of the teacher, only a continuing contract may be entered into.

The Board may reject the Superintendent's recommendation for reemployment of the teacher under an extended limited contract by at least three-fourths vote of its full membership.

The Board declares its intention not to reemploy the teacher by giving the teacher written notice on or before April 30. If evaluation procedures have not been completed in compliance with law or if the Board fails to give the teacher written notice of its intent not to reemploy by the aforementioned date, the teacher is reemployed under an extended limited contract for a term not to exceed one year at the same salary plus any increment provided by the salary schedule.

4. Supplemental Contracts

Supplemental contracts are entered into with each teacher who performs assigned supplemental duties for which compensation is authorized. Such contracts are issued for one year and are separate from teaching contracts. Failure to fill or creation of assignments for extra duties are made at the discretion of the superintendent, subject to approval by the Board.

The superintendent's recommendation is considered in all contracts pertaining to certificated/ licensed individuals.

Adoption Date: May 23, 2002

Revision Date:

Legal Refs.: ORC 3313.531 3317.13; 3317.14
3319.07; 3319.08; 3319.09; 3319.10; 3319.11; 3319.111; 3319.12; 3319.22;
3319.24; 3319.25; 3319.26

Cross Refs.: **GCBA, Professional Staff Salary Schedules**
GCBB, Professional Staff Supplemental Contracts
GCBC, Professional Staff Fringe Benefits
GCBD, Professional Staff Leaves and Absences
GCBE, Professional Staff Vacations and Holidays

Contract Refs.: Teachers' Negotiated Agreement

File: GCD-R
PROFESSIONAL STAFF HIRING

When circumstances dictate, and in order to maintain continuity of the District's educational program, the employment of previously retired administrative personnel to fill administrative vacancies may be recommended to the Board so long as all of the following conditions are met.

1. An individual's administrative contract is a one-year agreement only. Such contract contains a resignation clause effective at the end of the one-year period.
2. All individual employment contracts expire at the end of the contract period without action by the Board or notice of expiration to the individual administrative employee.
3. A previously retired administrator must execute a written waiver of any evaluation procedures and potential automatic re-employment pursuant to applicable provisions of law.
4. A previously retired administrator must waive eligibility for continuing contract status as a teacher in the District, no matter his/her length of post-retirement service or the number of administrative contracts issued.
5. No previously retired administrator has any expectation of or right to future employment.
6. No previously retired administrator is eligible to participate in any retirement incentive program offered by the Board including, but not limited to, severance allowance.
7. Previously retired administrators may purchase health and other insurance benefits offered by the Board to its regular employees at the Board's cost, as may be adjusted from time-to-time.
8. A previously retired administrator must hold a valid license issued by the Ohio Department of Education pursuant to state law, ~~and may be employed in the District under a temporary administrative license.~~
9. In the event a reduction in force is necessary, previously retired administrators are released before any limited contract administrators and are not eligible for recall. Previously retired administrators affected by a reduction in force may be subsequently rehired at the Board's discretion.
10. Previously retired administrators are entitled to all benefits available to administrative employees, unless otherwise limited by contract or the specific provisions of this regulation.
11. Previously retired administrators return to employment with no sick leave balance, but may accumulate sick leave once re-employed.

Adoption Date: May 23, 2002

Revision Date:

File: IGAB
HUMAN RELATIONS EDUCATION

This Board fosters good human relations dealing with race, color, national origin, citizenship status, religion, sex, economic status, age, ~~or~~ disability or military status through its instructional programs, its student activities and the classroom environment.

The Board encourages and supports the following approaches to human relations education.

1. The curriculum for all students in grades kindergarten through 12 presents in context the accomplishments and contributions of the races and cultures of our world.
2. Methods and techniques of classroom teaching emphasize the similarities and likenesses of people of various backgrounds and cultures.
3. The staff annually refreshes its awareness of the facts that the public schools are among the primary instruments for furthering, upgrading and strengthening human relations through in-service training.
4. The schools work for an integration of ideas, people and material resources to provide the best education to meet the demands of our society.
5. The schools strive to develop a positive self-image in each student's thinking. They:
 - a. recognize the dignity and worth of the individual;
 - b. provide students with the opportunity to acquire as broad an education as each student's capacity permits and
 - c. stimulate the development of respect for the laws of this country.

Adoption Date: May 23, 2002

Revision Date:

Legal Refs.: ORC **Chapter 4112; 5903.01(G)**
OAC ~~3301-35-02(B)(I)(6); 3301-35-03(H);~~ **3301-35-04(B)(1)(6)**

Cross Refs.: AC, Nondiscrimination
ACA, Nondiscrimination on the Basis of Sex
ACB, Nondiscrimination on the Basis of Disability
JB, Equal Educational Opportunity

File: IGD
COCURRICULAR AND EXTRACURRICULAR ACTIVITIES

The purpose of education is to develop the whole person of the student. For this reason, an educational program must embody, as an essential element, activities that involve students beyond the classroom and foster the values that come from interaction and united effort. Such activities form a logical extension of the required and general curriculum and the elective or special curriculum.

All extracurricular activities will be organized and administered in such a way so as to ensure educational benefits to all participating students. Student participation in the programs will be on a voluntary basis. A record of each student's extracurricular activities will be part of his/her permanent record.

Extracurricular activities can be grouped under the categories of interscholastic athletics, intramurals, service organizations, academic organizations, honorary organizations and student government. The purpose and objectives, organization and financial plans of all extracurricular activities will be properly documented and on file with the building principal.

The Board has established the criteria for cocurricular and extracurricular activities consistent with its philosophy of and goals for education. All activity programs must meet these criteria:

1. Student activities must have educational value for students.
2. Student activities must be in balance with other curricular offerings in the schools and be supportive of and never in competition with the academic program.
3. Student activities must be managed in a professional manner.

The Board may require that students pay reasonable fees to participate in cocurricular and extracurricular activities.

The following guidelines will govern the student activity programs:

1. Student activities are those school-sponsored activities that are voluntarily engaged in by students, have the approval of the school administration, and do not carry credit toward promotion or graduation.
2. Each school, under the direction of the principal and professional staff, will have a student activity program designed to stimulate student growth and development by supplementing and enriching the curricular activities. All receipts and expenditures will be accounted for through the activity account.
3. Each activity should be designed to contribute directly to the educational, civic, social and ethical development of the students involved.
4. The student activity program will receive the same attention in terms of philosophy, objectives, social setting, organization and evaluation that is given the regular school curriculum.
5. Each school will develop written guidelines and procedures regulating the creation, organization, administration and dissolution of student activity programs. The superintendent will report annually to the Board the general purpose, plans and financial status of the cocurricular and extracurricular program of the District.
6. The expenses involved in participating in any school activity and in the total program for a school year should be set so that a majority of the students may participate without financial strain. Special consideration may be given where the expense of participating creates exclusion.
7. Activities must be open to all students regardless of race, color, national origin, citizenship status, religion, sex, sexual orientation, economic status, age, or disability **or military status**.

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8. Activities must not place undue burdens upon students, teachers, or schools.
9. Activities should be held on non-school time or at an appropriately designed school time. Unless specifically authorized by the Board, school-sponsored activities will not be held on Sunday.
10. Activities at any level should be unique, not duplications of others already in operation.
11. Students absent from school (not in attendance for at least one-half of the school day) are not permitted to participate in extracurricular activities that day.
12. Annually, the Board directs the superintendent/designee to identify supplemental contract positions that supervise, direct or coach a student activity program which involves athletic, routine/regular physical activity or health and safety considerations. Upon the identification of the position, the individual must complete the requirements established by the Ohio Department of Education, Ohio law and the Ohio Administrative Code.
13. Students may be expelled for up to one year for firearm-related or knife-related incidents occurring off school property while at an interscholastic competition, extracurricular event or other school-sponsored activity.
14. Students may be removed from extracurricular activities when the student's presence poses a continuing danger to persons or property or an ongoing threat of disruption in such setting. If a student is removed from extracurricular activities, such removal may include all extracurricular activities.

Removal/Suspension from Extracurricular Activities/Interscholastic Athletics

1. Students suspended or expelled from school are prohibited from participating in or attending extracurricular activities or interscholastic sports during the period of their expulsion or suspension.
2. The building principal may suspend or remove students from any particular or all extracurricular activities or interscholastic athletics for violations of the Code of Student Conduct (Policy JG) for a period up to one school year.

Adoption Date: May 23, 2002

Revision Date: August 24, 2005

Revision Date:

Legal Refs.: ORC 3313.537; 3313.58; 3313.59; 3313.664; 3315.062
Chapter 4112; 5903.01(G)
OAC 3301-27-01; 3301-35-06

Cross Refs.: **DJ, Purchasing** **IGDF, Student Fundraising Activities**
IGDB, Student Publications **IGDG, Student Activities Funds Management**
IGDC, Student Social Events **IGDJ, Interscholastic Athletics**
JGD, Student Suspension **JGDA, Emergency Removal of Student**
JGE, Student Expulsion **JL, Student Gifts and Solicitations**
JN, Student Fees, Fines & Charges
IGDK, Interscholastic Extracurricular Eligibility
JECBC, Admission of Students from Nonchartered or Home Schooling
Student Handbooks

File: JB
EQUAL EDUCATIONAL OPPORTUNITIES

All students of the District have equal educational opportunities.

Students have the right to be free from discrimination on the basis of race, color, national origin, citizenship status, religion, sex, sexual orientation, economic status, marital status, pregnancy, age, or disability, **or military status** in all decisions affecting admissions; 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 23, 2002

Legal Refs.: **The Elementary and Secondary Education Act; 20 USC 1221 et. seq.**
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; **20 USC 1400 et. seq.**
Americans With Disabilities Act; 42 USC ~~12112~~ **12101** et seq.
Vocational Rehabilitation Act of 1973, § 504
ORC ~~3313.64~~ **9.60 through 9.62; Chapter 4112; 5903.01(G)**
OAC ~~3301-35-02(a)(2);~~ **3301-35-04**

Cross Refs.: AC, Nondiscrimination
ACA, Nondiscrimination on the Basis of Sex
ACB, Nondiscrimination on the Basis of Disability
GBA, Equal Opportunity Employment
IGBA, Programs for Special Needs Students
IGBB, Programs for Gifted and Talented Students
IGBI, English as a Second Language (Limited English Proficiency)
IGBJ, Title I Programs
JECAA, Admission of Homeless Students
JFA, Student Due Process Rights

File: JFCF
HAZING AND BULLYING

Hazing means doing any act or coercing another, including the victim, to do any act of intimidation to any student or other organization that causes or creates a substantial risk of causing mental or physical harm to any person.

Bullying is an intentional written, verbal or physical act that a student has exhibited toward another particular student more than once and the behavior causes both mental or physical harm to the other student and is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or abusive educational environment for the other student.

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

Prohibited activities of any type, including those activities engaged in via computer and/or electronic communications devices, are inconsistent with the educational process and are prohibited at all times. No administrator, teacher, or other employee of the District shall encourage, permit, condone or tolerate any hazing and/or bullying activities. No students, including leaders of student organizations, ~~may~~ **are permitted to** plan, encourage or engage in any hazing and/or bullying.

Administrators, teachers, and all other District employees are particularly alert to possible conditions, circumstances or events that might include hazing and/or bullying. If hazing and/or bullying or planned hazing and/or bullying is discovered, involved students are informed by the discovering district employee of the prohibition contained in this policy and are required to end all hazing and/or bullying activities immediately. All hazing and/or bullying incidents are reported immediately to the Principal and the appropriate discipline is administered.

The Superintendent/designee must provide the Board President with a semiannual written report of all reported incidents of bullying and post the report on the District's website.

The administration shall provide training on the District's hazing and bullying policy to District employees and volunteers who have direct contact with students. Additional training shall be provided to elementary employees in violence and substance abuse prevention and positive youth development.

District employees, students and volunteers ~~are provided with~~ **have** qualified civil immunity for damages arising from reporting an incident of hazing and/or bullying. Administrators, teachers, other employees and students who fail to abide by this policy may be subject to disciplinary action and may be liable for civil and criminal penalties in compliance with State **and Federal** law.

No one shall retaliate against an employee or student because he/she files a grievance or assists or participates in an investigation, proceeding or hearing regarding the charge of hazing and/or bullying of an individual.

The Board directs the Superintendent/designee to develop procedures to comply with this policy.

Adoption Date: May 23, 2002
Revision Date: August 24, 2005

Revision Date: March 19, 2007
Revision Date:

Legal Refs.: ORC 117.53; 2307.44; 2903.31; 3301.22; 3313.666; 3313.667; 3314.03; 3319.073

Cross Refs.: AC, Nondiscrimination
EDE, Computer/Online Services
IIBH, District Website Publishing
JFC, Student Conduct (Zero Tolerance)
JFCK, Use of Electronic Communications Equipment by Students
JFCEA, Gangs
JHG, Reporting Child Abuse
Student Handbook

File: JFCG
TOBACCO USE BY STUDENTS

Health professionals have determined that the use of tobacco products can be detrimental to one's health and the Board of Education wishes to encourage good health practices among the students of the District, **as well as compliance with Federal and State law**. Therefore, the Board prohibits the smoking, use or possession of tobacco in any form, including, but not limited to, cigarettes, cigars, clove cigarettes, chewing tobacco, snuff and any other tobacco, by any student in any area **or vehicle** under the control of the District or at any activity supervised by any school within the District.

Students and parents are given copies of the standards of conduct and statement of disciplinary sanctions, and notified that compliance with the standards of conduct is mandatory. Disciplinary measures taken against students for violations of this policy comply with the requirements of State law and related District policies.

~~Violations will result in the following:~~

~~First Offense: ————— Five day suspension or two day suspension and mandatory attendance at an educational seminar sponsored by the American Lung Association, American Cancer Society or another like health organization approved by the Board.~~

~~Second Offense: ————— Five day suspension.~~

~~Subsequent Offenses: — 10 day suspension and/or recommendation for expulsion.~~

~~Disciplinary measures taken against students for violations of this policy will comply with the requirements of Ohio law and related District policies.~~

Adoption date: May 23, 2002

Revision Date:

Legal Refs.: ORC ~~3313.47; 3313.66; 3313.661; 3313.751;~~ **3794.01; 3794.02; 3794.03(F); 3794.04; 3794.06**
OAC ~~3301-35-03 -02;~~ **3301-35-04**
Goals 2000: Educate America Act (~~Pub. L. 103.227~~); **20 USC 6081 through 6084**
The Elementary and Secondary Education Act; 20 USC 1221 et seq.

Cross Refs.: JFA, Student Due Process Rights
JFC, Student Conduct
JGD, Student Suspension
JGE, Student Expulsion
Student Handbooks

File: JGE
STUDENT EXPULSION

The superintendent may expel a student from school for violation of rules and regulations as set forth herein. Generally, expulsions shall be for a period not to exceed the greater of 80 school days or the number of days remaining in the semester or term in which the incident takes place that gives rise to the expulsion. If there are fewer than 80 days remaining in the school year, the superintendent may apply all or any part of the expulsion to the following school year. If the expulsion is for a violation of the Dangerous Weapons in the school policy (JFCJ) or making a bomb threat (JFC), the expulsion may be for a period of one year, subject to the conditions outlined therein.

Exclusion from school attendance by expulsion is the most severe remedy available to the schools for disciplinary infractions. Expulsions will, therefore, be reserved for those situations where the student's actions pose a significant danger to the health or welfare of other students, school employees, visitors or community members, or where the student displays a pattern of undisciplined behavior which is beyond the demonstrated resources of the school to correct and which is disruptive of the orderly operation of the schools. Where a student exhibits a pattern of behavior that, if continued, will cause the superintendent to consider a recommendation for expulsion, the parents, guardian or custodian shall be notified.

All students legally residing within the District and meeting state and Board of Education eligibility requirements are entitled to attend the Westlake City Schools. Students who exhibit incorrigible behavior which is beyond the educational facilities and professional expertise of the staff to deal with successfully within the school setting may be denied the right of school attendance. Students who violate the school disciplinary code as set forth herein are subject to suspension and/or expulsion in accordance with Ohio Revised Code 3313.66, 3313.61 and the procedures specified below. These procedures shall not apply to 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 suspension or expulsion.

Academic Consequences of Expulsion

Since the goal of the Westlake City Schools is to provide each student with a quality education, exclusion from school by expulsion will be reserved for only the most serious or persistent offenses. Students committing offenses warranting expulsion have forfeited their right to participate in the educational program during the period of their expulsion. **Unless mandated by IEP or law, teachers are not required to assign work to students under expulsion.** While students are expected to complete all coursework assigned during the period of expulsion, no credit shall be received for this work unless the principal finds the existence of extenuating circumstances.

In addition, students shall not receive academic credit for any postsecondary courses or any portion of which were taken during the period of expulsion. The superintendent shall send a written notice of the expulsion to any college in which the expelled student is enrolled under the postsecondary enrollment program at the time the expulsion is imposed. The notice shall indicate the date the expulsion is scheduled to expire.

Admission of Students Expelled in Other Districts

The superintendent is authorized to temporarily deny admittance to the Westlake City Schools of any student who would otherwise be entitled to enroll in the District if the student has been expelled from the schools of another district and the period of expulsion has not expired. The student and his/her parent will have an opportunity for a hearing before the superintendent or his/her designee to determine the admittance or non-admittance of the student. Any appeal of the superintendent's decision shall be to a court of a competent jurisdiction.

Adoption Date: May 23, 2002

Revision Date:

Legal Refs.: ORC 3313.66, 3313.661

Cross Refs.: JGDA, Emergency Removal of Student JGD, Student Suspension

File: JHG
REPORTING CHILD ABUSE

All employees of the District who know or suspect that a child under 18 years of age or a disabled child under 21 years of age has suffered or is suffering any type of abuse or neglect are required to **immediately** report such information to the Public Children Services Agency or the local law enforcement agency.

To ensure prompt reports, procedures for ~~ensuring prompt reports~~ **reporting** are made known to the school staff. A person who participates in making such reports is immune from any civil or criminal liability provided the report is made in good faith.

The Board hereby directs the Superintendent/**designee** to develop a program of in-service training in child abuse prevention for all elementary school nurses, teachers, counselors, school psychologists and administrators. This program is developed in consultation with public or private agencies or persons involved in child abuse prevention or intervention programs.

Each person employed by the Board to work as an elementary school nurse, teacher, counselor, school psychologist or administrator shall complete at least four hours of in-service training in child abuse prevention, ~~within three years of commencing employment with the District~~ **violence and substance abuse, and the promotion of positive youth development within two years of commencing employment with the district, and every five years thereafter.**

Conversely, public children's services agencies must notify the Superintendent of any allegations of child abuse and neglect reported to them involving the District, as well as the disposition of the investigation.

Adoption date: May 23, 2002

Revision Date: September 16, 2004

Revision Date:

Legal Refs.: ORC **2151.011**; 2151.421; **3313.662**; 3319.073

File: KGC
SMOKING ON DISTRICT PROPERTY

The District accepts the premise that the use of tobacco and the exposure to second-hand smoke is hazardous to one's health. This hazard has been substantiated and documented by the findings of the Surgeon General and the Environmental Protection Agency. Believing that all individuals have the right to participate in a smoke-free environment, the Board prohibits smoking and the use of tobacco products on all school property, in all school workplaces, and in all school system-owned vehicles.

The District will work with appropriate agencies to provide a smoking cessation program for students and employees.

A notice to this effect is posted at the entrance to all school buildings and in a visible place in all school vehicles.

Adoption Date: May 23, 2002

Revision Date:

Legal Refs.: **ORC 3313.20; 3313.751; 3794.01; 3794.03(F); 3794.04; 3794.06**
The Elementary and Secondary Education Act; 20 USC 1221 et seq.

Cross Refs.: **GBK, Smoking on District Property by Staff Members**
JFCG, Tobacco Use by Students
KGB, Public Conduct on District Property

File: KK
VISITORS TO THE SCHOOLS

The Board encourages parents and other citizens of the District to visit classrooms to observe the work of the schools and to learn what the schools are doing. **Visits should be scheduled with the teacher or building administrator, in advance, to avoid any unnecessary disruption to classroom instruction or activities.**

To **maintain the safety of students and staff and to** ensure that no unauthorized persons enter buildings, all visitors entering a school must first report to the school office when entering, to receive authorization to visit elsewhere in the building. (This policy does not apply when parents have been invited to a classroom or assembly program, **graduation or athletic event.**)

All participants and spectators of school programs, assemblies, graduations and athletic events are expected to abide by all applicable law, local ordinances, Board policies and District and building regulations pertaining to public conduct on District property.

Unauthorized persons are not permitted in school buildings or on school grounds. School principals **and their designees** are authorized to take appropriate action to prevent **and remove, if necessary, unauthorized** ~~such~~ persons from entering **District** buildings and loitering on grounds.

Adoption Date: May 23, 2002

Revision Date:

Legal Refs.: **Gun-Free Schools Act; 20 USC 8921**
ORC 2903.13; 2903.22; 2911.21; 2917.11; 2923.1212; 2923.122; 3313.20

Cross Refs.: BG, Board-Staff Communications (Also GBD)
KGB, Public Conduct on District Property
KI, Public Solicitations in the Schools