

## **Notifications As Required By Law**

**Drug-Free Schools** - "In accordance with Federal law, the Board of Education prohibits the use, possession, concealment, or distribution of drugs by students or employees on school grounds, in school or school-approved vehicles, or at any school-related event. Drugs include any alcoholic beverage, anabolic steroid, dangerous controlled substance as defined by State statute, or substance that could be considered a "look-alike" controlled substance. Compliance with this policy is mandatory for all students and staff. Any student or employee who violates this policy will be subject to disciplinary action, in accordance with due process and as specified in the student handbooks and Board policy book, up to and including expulsion from school or dismissal from employment. When required by State law, the District will also notify law enforcement officials.

The District is concerned about any student or employee who is a victim of alcohol or drug abuse and will facilitate the process by which s/he receives help through programs and services available in the community. Students and their parents or staff member should contact the school principal or counseling office whenever such help is needed."

**Access To Equal Opportunities** - The Board of Education does not discriminate in admission or access to, or participation in, or treatment, or employment in, its programs or activities. As such, the Board's policies and practices will not discriminate against employees and students with disabilities, will provide equal opportunity for employment, and will make accessible to qualified individuals with disabilities its facilities, programs, and activities. No discrimination will be knowingly permitted against any individual with a disability on the sole basis of that disability in any of the programs, activities, policies, and/or practices in the District.

The Board of Education does not discriminate on the basis of race, color, religion, national origin, sex, disability, military status, ancestry, age, genetic information, or any other legally protected characteristic, in its educational programs and activities, including employment opportunities or admission policies and practices as required by Title IX of the 1972 Education Amendments. Inquiries regarding compliance with Title IX may be directed to the Superintendent (419-532-3534). The office is located at 301 North Third Street, Kalida, OH 45853.

Upon request to the superintendent or building principal, Kalida Local Schools shall make reasonable accommodation(s) for a disabled person to participate in any school-related activity.

**Suspension Of Bus Riding/Transportation Privileges** - Students on a bus or other authorized Board of Education transportation vehicles are under the authority of and directly responsible to the bus/vehicle driver. The driver has the authority to enforce the established regulations for bus/vehicle conduct. Disorderly conduct or refusal to submit to the authority of the driver will be sufficient reason for refusing transportation service to any student.

A student may be suspended from school bus/vehicle riding privileges for all or part of a school year for any violation of established regulations for bus conduct and/or for conduct occurring on the bus/vehicle in violation of the Student Code of Conduct/Student Discipline Code.

Before a suspension from bus/vehicle riding privileges is imposed, the Superintendent or other designated District personnel will provide a student with notice of an intended suspension and an opportunity to appear before the Superintendent or other designated District personnel. Disciplinary suspension periods will be commensurate with the infraction(s) committed as determined by the Superintendent or designated District personnel.

**Safe Schools** - The Board of Education is committed to maintaining a safe and drug-free environment in all of the District's schools. The Board believes that school crime and violence are multifaceted problems that need to be addressed in a manner that utilizes all available resources in the community through a coordinated effort of School District personnel, law enforcement agencies, and families. The Board further believes that school administrators and local law enforcement officials must work together to provide for the safety and welfare of students while they are at school or a school-related event or are on their way to and from school. The Board also believes that the first step in addressing school crime and violence is to assess the extent and nature of the problem(s), and then plan and implement strategies that promote school safety and minimize the likelihood of school crime and violence.

**Pesticide Applications** - Pesticide applications shall be conducted by an applicator who is certified/licensed by the Ohio Department of Agriculture to use or directly supervise the use of pesticides in the manner specified in his/her certification/licensure. Applications must be made in accordance with the pesticide labeling, State and Federal law and regulations, and the pesticide enforcement policy statements issued by the Ohio Department of Agriculture. The applicator shall use the necessary safety equipment as set forth on the pesticide label or as required by the pesticide being used, including any necessary protective equipment that is appropriate relative to the potential exposure.

**School Board Policy On Parent Involvement** - The Board of Education recognizes and values parents and families as children's first teachers and decision-makers in education. The Board believes that student learning is more likely to occur when there is an effective partnership between the school and the student's parents and family. Such a partnership between the home and school and greater involvement of parents in the education of their children generally result in higher academic achievement, improved student behavior, and reduced absenteeism. In accordance with statute and the State Board of Education Parent and Family Involvement Policy, use of the term "families" is used in order to include children's primary caregivers, who are not their biological parents, such as foster caregivers, grandparents, and other family members.

The Superintendent will provide for a comprehensive plan to engage parents, families, and community members in a partnership in support of each student's academic achievement, the District's continuous improvement, and individual school improvement plans. The plan will provide for annual evaluation, with the involvement of parents and families, of the plan's effectiveness and identification of barriers to participation by parents and families. Evaluation findings will be used in the annual review of the Parent and Family Involvement policy and to improve the effectiveness of the District plan.

**State Mandated Test Security Provisions** - No unauthorized person shall be permitted to see the tests. Authorized people shall include County test coordinator, local district coordinator, local test examiners, local proctors, and students taking the tests. The local district test coordinator shall be responsible for the handling and tracking of test materials from the point of receipt to the point of return. The local district test coordinator will store, distribute, collect, package, and ship all test materials upon receipt. The test materials will be opened and counted by the local district test coordinator. The test materials will be secured until time of testing. As each testing session is completed the local district test coordinator will secure all test materials. The local district test coordinator will ship all completed answer documents back to the scoring contractor on Friday of the first week of testing. By the Saturday following each fifteen (15) day make-up testing period all remaining documents will be returned. The local district test coordinator will return all other testing materials in accordance with testing directions. It will be the responsibility of the local district coordinator to investigate an alleged violation of test security including but not limited to cheating by a student, assisting a student to cheat, and copying tests. Investigative procedures shall be developed by local Superintendent

Within ten (10) days of determining that a test security violation has occurred following the local Board investigation procedures that Kalida Local District shall notify the State Board of Education in writing of the finding and

the action taken. After determination that security violation has occurred the Kalida Local District Board and/or the State Board of Education may seek into maximum penalty or penalties pursuant to Section 3319.151 of the revised code. The Kalida Local District will cooperate with the State Board of Education in an investigation involving test security violations by a certificated school employee. Kalida Local District will keep records of the date or dates on which each individual who is tested meets the needs of the ninth-grade proficiency test requirements in each of the designated test areas. Such information will be entered on the transcript. For any student who enrolls at a joint vocational school Kalida Local will provide proficiency test records.

**Prohibition From Extra-Curricular Activities** - Participation in extra-curricular activities, including interscholastic sports, is a privilege and not a right. Therefore, the Board of Education authorizes the Superintendent, principals, and assistant principals and other authorized personnel employed by the District to supervise or coach a student activity program, to prohibit a student from participating in any particular or all extra-curricular activities of the District for offenses or violations of the Student Code of Conduct/Student Discipline Code for a period not to exceed the remainder of the school year in which the offense or violation of the Student Code of Conduct/Student Discipline Code took place.

In addition, student athletes are further subject to the Athletic Code of Conduct and may be prohibited from participating in all or part of any interscholastic sport for violations therein.

Students prohibited from participation in all or part of any extra-curricular activity are not entitled to further notice, hearing, or appeal rights.

**Student Records And Directory Information** - In order to provide appropriate educational services and programming, the Board of Education must collect, retain, and use information about individual students. Simultaneously, the Board recognizes the need to safeguard students' privacy and restrict access to students' personally identifiable information. Student "personally identifiable information" includes, but is not limited to: the student's name; the name of the student's parent or other family members; the address of the student or student's family; a personal identifier, such as the student's social security number, student number, or biometric record; other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name; other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or information requested by a person who the District reasonably believes knows the identity of the student to whom the education record relates.

The Board of Education is responsible for the records of all students who attend or have attended schools in this District. Only records mandated by the State or Federal government and/or necessary and relevant to the function of the School District or specifically permitted by this Board will be compiled by Board employees. In all cases, permitted, narrative information in student records shall be objectively-based on the personal observation or knowledge of the originator.

Student records shall be available only to students and their parents, eligible students, designated school officials who have a legitimate educational interest in the information, or to other individuals or organizations as permitted by law. The term "parents" includes legal guardians or other persons standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child). The term "eligible student" refers to a student who is eighteen (18) years of age or older, or a student of any age who is enrolled in a postsecondary institution. Both parents shall have equal access to student records unless stipulated otherwise by court order or law. In the case of eligible students, parents may be allowed access to the records without the student's consent, provided the student is considered a dependent under section 152 of the Internal Revenue Code.

A school official is a person employed by the Board as an administrator, supervisor, teacher/instructor (includ-

ing substitutes), or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board; a person or company with whom the Board has contracted to perform a special task (such as an attorney, auditor, or medical consultant); a contractor, consultant, volunteer or other party to whom the Board has outsourced a service otherwise performed by Board employees (e.g. a therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks (including volunteers). "Legitimate educational interest" is defined as a "direct or delegated responsibility for helping the student achieve one (1) or more of the educational goals of the District" or if the record is necessary in order for the school official to perform an administrative, supervisory, or instructional task or to perform a service or benefit for the student or the student's family. The Board directs that reasonable and appropriate methods (including but not limited to physical and/or technological access controls) are utilized to control access to student records and to make certain that school officials obtain access to only those education records in which they have legitimate educational interest.

Each year the Superintendent shall provide public notice to students and their parents of its intent to make available, upon request, certain information known as "directory information." The Board designates as student "directory information": a student's name; address; telephone number; date and place of birth; major field of study; participation in officially-recognized activities and sports; height and weight, if a member of an athletic team; dates of attendance; date of graduation; or awards received.

Directory information shall not be provided to any organization for profit-making purposes. Parents and eligible students may refuse to allow the Board to disclose any or all of such "directory information" upon written notification to the Board within ten (10) days after receipt of the Superintendent's annual public notice. In accordance with Federal and State law, the Board shall release the names, addresses, and telephone listings of secondary students to a recruiting officer for any branch of the United States Armed Forces or an institution of higher education who requests such information. A secondary school student or parent of the student may request in writing that that the student's name, address, and telephone listing not be released without prior consent of the parent(s)/eligible student. The recruiting officer is to sign a form indicating that "any information received by the recruiting officer shall be used solely for the purpose of informing students about military service and shall not be released to any person other than individuals within the recruiting services of the Armed Forces". The Superintendent is authorized to charge mailing fees for providing this information to a recruiting officer.

Whenever consent of the parent(s)/eligible student is required for the inspection and/or release of a student's health or education records or for the release of "directory information", either parent may provide such consent unless agreed to otherwise in writing by both parents or specifically stated by court order. If the student is under the guardianship of an institution, the Superintendent shall appoint a person who has no conflicting interest to provide such written consent.

The Board may disclose "directory information," on former students without student or parental consent, unless the parent or eligible student previously submitted a request that such information not be disclosed without their prior written consent. The Board shall not permit the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose).

**Anti-Harassment** - It is the policy of the Board of Education to maintain an education and work environment which is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all School District operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct occurs during an activity sponsored by the Board.

The Board will vigorously enforce its prohibition against harassment based on sex, race, color, national origin, religion, disability, genetic information, or any other unlawful basis, and encourages those within the School District community as well as third parties, who feel aggrieved to seek assistance to rectify the problems. The Board will investigate all allegations of harassment and in those cases where unlawful harassment is substantiated, the Board will take immediate steps to end the harassment. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

**Student Privacy and Parental Access to Information** - The Board of Education respects the privacy rights of parents and their children. No student shall be required, as a part of the school program or the District's curriculum, without prior written consent of the student (if an adult, or an emancipated minor) or, if an unemancipated minor, his/her parents, to submit to or participate in any survey, analysis, or evaluation that reveals information concerning:

- A. political affiliations or beliefs of the student or his/her parents'
- B. mental or psychological problems of the student or his/her family
- C. sex behavior or attitudes
- D. illegal, anti-social, self-incriminating or demeaning behavior
- E. critical appraisals of other individuals with whom respondents have close, family relationships
- F. legally-recognized privileged and analogous relationships, such as those of lawyers, physicians, and ministers
- G. religious practices, affiliations, or beliefs of the student or his/her parents
- H. income (other than that required by law to determine eligibility for participation in a program or

for receiving financial assistance under such a program).

Parents have the right to inspect, upon request, a survey or evaluation created by a third party before the survey/evaluation is administered or distributed by the school to the student. The parent will have access to the survey/evaluation within a reasonable period of time after the request is received by the building principal.

### **Withdrawal From School and House Bill #204 – “No Diploma – No Drive Bill”**

The Board of Education affirms that, while statute requires attendance of each student from six (6) years of age, or five (5) years of age if enrolled in kindergarten, and not formally withdrawn, until eighteen (18) years of age, it is in the best interests of both students and the community that they complete the educational program that will equip them with skills and increase their chances for a successful and fulfilling life beyond the schools. A child enrolled in kindergarten is deemed to be of compulsory school age unless the child's parent or guardian, at the parent or guardian's discretion and in consultation with the child's teacher and principal, formally withdraws the child from kindergarten.

The Board directs that whenever a student wishes to withdraw, effort should be made to determine the underlying reason for such action and the resources of the District should be used to assist the student in reaching his/her career goals. No student under the age of eighteen (18) will be permitted to withdraw without the written consent of a parent and in compliance with State law.

Whenever a student under the age of eighteen (18), withdraws from school without moving out of State, transferring to another approved school, being granted an age and schooling certificate, or enrolling in and attending an approved program, the Superintendent shall notify the Registrar of Motor Vehicles and the Judge of the Juvenile Court. Such notification is to be given within two (2) weeks after the Superintendent confirms the student is not properly enrolled in and attending another approved school or program or has moved out of State.

**Federal Funds Assist Students** - It is the objective of the Board of Education to provide equal educational opportunities for all students within the District. Therefore, it is the intent of the Board to study Federal legislation to enhance the educational opportunities, the educational environment, and the physical and mental growth for each student. The Superintendent shall review new Federal education legislation and prepare

proposals for programs s/he deems would be of aid to the students of this District. The Superintendent shall approve each such proposal prior to its submission, and the Board shall approve all grants resulting from such proposals. The Board regards available Federal funds of aid to local school districts and communities as a public trust. It forbids the use of Federal monies for partisan political activities and for any use that would not be in accord with Federal guidelines on discrimination. All Federal funds received by the District will be used in accordance with the applicable Federal law. The Superintendent shall ensure that each draw of Federal monies is as close as administratively feasible to the related program expenditures.

### **Notification of Parent/Student Rights In Identification, Evaluation, and Placement**

In accordance with Section 504 of the Rehabilitation Act of 1973 and its implementing regulations (“Section 504”), parents and students will be notified of their right to file an internal complaint regarding an alleged violation, misinterpretation or misapplication of Section 504. In addition, students and their parents will be notified of their right to file a complaint with the U.S. Department of Education’s Office for Civil Rights. Finally, students and parents will be advised of their right to request a due process hearing before an Impartial Hearing Officer (IHO) regarding the identification, evaluation or educational placement of persons with disabilities, and their right to examine relevant education records.

In accordance with various Federal laws (including Section 504, the Americans with Disabilities Act of 1990, as amended (“ADA”), FERPA, and Title VII), the following procedural safeguards will be provided with respect to decisions or actions regarding the identification, evaluation, educational program or placement, or content of a Section 504 Plan of a student who is or may be disabled under Section 504, but not also disabled under the IDEA:

- A. students with disabilities have the right to take part in, and receive benefits from, public education programs without discrimination because of their disabilities;
- B. parents have the right to be advised of their rights under Section 504;
- C. parents have the right to receive written notice of any decision regarding the identification, evaluation, or educational placement of their child;
- D. parents have the right to have their child receive a free appropriate public education (“FAPE”);

This includes the right to be educated with students who are not disabled to the maximum extent appropriate (i.e., the student’s education will be provided in the regular education classroom unless it is demonstrated that education in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily) and to receive regular or special education and related aids/services that are designed to meet the individual educational needs of students with disabilities as adequately as the needs of nondisabled students are met.

- E. parents have the right to have their child educated in facilities and receive services comparable to those provided to students without disabilities;
- F. parents have the right to have evaluation and educational placement decisions made based upon a variety of informational sources, and by persons who know the student, and are knowledgeable about the evaluation data and placement options;
- G. parents have the right to have their child transported in a non-discriminatory manner;

If the District refers a student for aids, benefits, or services outside the District, the District will ensure that adequate transportation is provided at no greater cost to the parents than if the aids, benefits, or services were provided within the District.

H. parents have the right to place their child in a private school or alternative educational program;

However, if the District makes a FAPE available to the student that conforms to the requirements of Section 504 and nevertheless the parents choose to place the student elsewhere, the District is not required to pay for the student's education at the private school or alternative program, including costs associated with transportation.

I. parents have the right to have their child given an equal opportunity to participate in nonacademic and extracurricular activities offered by the District;

J. parents have the right to examine all relevant education records, including, but not limited to, those documents related to decisions regarding their child's identification, evaluation, educational program and placement;

K. parents have the right to obtain, at their own expense, an independent educational evaluation of their child;

L. parents have the right to obtain copies of education records at a reasonable cost unless the fee would effectively deny the parents access to the records;

M. parents have the right to a response from the District to reasonable requests for explanations and interpretations of their child's education records;

N. parents have the right to receive all information in the parents' native language and mode of communication;

O. parents have the right to periodic re-evaluations and an evaluation before any significant change in program/service modifications;

P. parents have the right to request amendments of their child's education record(s) if there is reasonable cause to believe that information contained in the record(s) is inaccurate, misleading or otherwise in violation of the privacy rights of their child;

If the District refuses to amend the record(s), the parents have the right to request a hearing and/or to attach to the record(s) a statement of why they disagree with the information it contains.

Q. parents have the right to request mediation or an impartial due process hearing related to decisions or actions concerning their child's identification, evaluation, educational program or placement;

R. parents have the right to file an internal complaint;

S. parents have the right to be represented at any point in the process by an attorney;

T. parents have the right to recover reasonable attorney fees as authorized by law (i.e., if the parents are successful on their due process claim);

U. parents have the right to be notified of their Section 504 rights:

1. when evaluations are conducted;

2. when consent for an evaluation is withheld;
3. when eligibility is determined;
4. when a Section 504 Plan is developed; and
5. before there is significant change in the Section 504 Plan.

The following person is designated as the District Section 504 Compliance Officer/ADA Coordinator (“District Compliance Officer”):

Don Horstman, Superintendent  
301 N Third St.  
Kalida, OH 45853

Phone number: 419-532-3534  
Facsimile number: 419-532-2277

Kalida Board of Education Policies can be found at:  
<http://www.neola.com/kalida-oh/>