

ELYRIA CITY SCHOOLS CODE OF PUPIL CONDUCT

Effective August 2022

The Elyria City School District Board of Education recognizes that most students desire to exhibit good conduct. However, in accordance with Ohio Revised Code 3313.66 and 3313.661, the following sets forth the types of misconduct for which students may be suspended, expelled and/or removed from school and/or extracurricular activities. These rules apply to all Elyria City School students on school premises or under the jurisdiction of school authority.

1. ATTENDANCE

Attendance of students in school is of paramount importance if the teaching/learning process is to be successful. The State of Ohio considers school attendance of such great importance that it has made laws with penalties against parents who do not send their children to school. The general principle of attendance must be that every child attends school every day that school is in session unless the student is ill or has other legitimate reasons for being absent.

1-A. Absence- When a student under the age of 18 is absent for any reason, the parent or guardian shall provide a written, dated note signed by the parent or guardian to cover the absence. The note will include the reason for the absence, the day or days absent, and the signature of the parent or guardian. Students 18 or over should provide a written statement explaining the reasons for their absence. If such a note or statement is not presented by the student, the student will be considered unexcused.

Students are expected to be in attendance for every class period throughout the school day. Students caught skipping class may be subject to disciplinary action.

1-B. Tardiness- While tardiness is discouraged, it is far better for a student to come to school late than to remain at home because of fear or embarrassment. Tardy students must also bring a written note from the parent, guardian, or student over the age of 18 explaining the reason for the tardiness. Each building has a procedure to follow when students are tardy and students are required to check in upon arrival at the main office.

Students who are late to school due to appointments which cannot be scheduled outside of school time will be excused if they bring a note signed by the parent, guardian, or student over the age of 18 explaining the reason for the tardiness. Any student tardy to school without a written excuse from the parent or guardian will be considered unexcused.

Tardiness to class is also a serious problem that interferes with the educational process. All unexcused tardiness to school class by students will be subject to disciplinary action.

1-C. Excused During School- If a student needs to be excused from school for an appointment that cannot be scheduled outside of school time, a note from the parent or guardian must be brought to the school office stating the time and reason for leaving with the parent or guardian's signature.

1-D. Excused Absences- Regular attendance by all students is very important. In many cases, irregular attendance is the major reason for poor school performance. Therefore, all students are urged to make appointments outside of school hours. Each student who is absent must immediately, upon return to school, make arrangements with teachers to make up missed assignments.

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

1. personal illness of the student;
2. illness in the student's family necessitating the presence of the child;
3. needed at home to perform necessary work directly and exclusively for parents or legal guardians for a limited period of time when approved by the Superintendent (applies to students over 14 years of age only);
4. death in the family (applies to absences of up to 18 school hours unless a reasonable cause may be shown for a longer absence);
5. quarantine for contagious disease;
6. observance of religious holidays consistent with a student's truly held religious belief;

7. traveling out of state to attend a Board-approved enrichment activity or extracurricular activity (applies to absences of up to 24 school hours);
8. college visitation;
9. absences due to a student's placement in foster care or change in foster care placement or any court proceedings related to their foster care status;
10. absences due to a student being homeless or
11. as determined by the Superintendent

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

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

This program has been established according to the rules adopted by the State Board of Education for the purpose of encouraging parental involvement in compelling the child's attendance at school.

On the request of the Superintendent, or when it comes to the attention of the school attendance officer or other appropriate officer of the District, the designated officer must investigate any case of supposed truancy within the District and must warn the child, if found truant, and the child's parent in writing of the legal consequences of being a "habitual" truant.

A "habitual truant" is any child of compulsory school age who is absent without a legitimate excuse for 30 or more consecutive hours, 42 or more hours in one month or 72 or more hours in a school year.

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

Regarding "habitual truants," the Board must take as an intervention strategy any appropriate action contained in Board policy.

The Board directs the administration to develop intervention strategies that include all of the following actions if applicable:

1. providing a truancy intervention plan meeting State law requirements for any student who is excessively absent from school;
2. providing counseling for a habitual truant;
3. requesting or requiring a parent having control of a habitual truant to attend parental involvement programs;
4. requesting or requiring a parent of a habitual truant to attend truancy prevention mediation programs;
5. notification to the registrar of motor vehicles or
6. taking appropriate legal action.

The principal or designee provides notice to the parent of a student who is absent with or without excuse for 38 or more hours in one school month or 65 or more hours in a school year within seven days after the date of the absence triggering the notice. At the time of notice, the District may take any appropriate action as outlined above as an intervention strategy.

- A student is considered habitually truant when absent for at least:
 - 30 consecutive hours without a legitimate excuse
 - 42 hours in one month without a legitimate excuse
 - 72 hours in one school year without a legitimate excuse
- A student is considered excessively truant when absent for at least:
 - 38 hours in one month regardless of excuse
 - 65 hours in one school year regardless of excuse

2. LOSS OF DRIVING

High school students who fail to attend school without a legitimate excuse may be required to forfeit their driving privileges until they turn 18 or receive a diploma. When a student withdraws from school for a reason other than a change of residence or to attend another school, the Board of Education may report this fact to the Registrar of Motor Vehicles and to the local juvenile court. After receiving this report, the Registrar must then suspend the driver's license or temporary permit of the student in question. If the student has not yet been issued a license or permit, the Registrar must deny such issuance. The suspension of the driving privileges must remain in effect until the student is 18 or until the superintendent informs the Registrar that the student is now attending school.

3. SUSPENSION AND EXPULSION

3-A. Suspension- Students may be suspended from school for a period not to exceed 10 school days. If, at the time a suspension is imposed, fewer than 10 days remain in the school year, the Superintendent cannot apply any or all of the period of suspension to the following year.

The Superintendent may instead require a student to perform community service or another alternative consequence for the number of hours remaining in the student's suspension. The Board directs the Superintendent to develop a list of alternative consequences that may be used. These alternative consequences may include:

1. Writing a letter or researching a topic relative to the infraction.
2. Working with staff on various jobs and duties within the school environment and school community.
3. Completing community service hours at local nonprofit agencies and organizations. Documentation of hours would be required on form from Pupil Services.
4. Other community service projects and volunteerism deemed appropriate.

If the student is required to perform community service or another alternative consequence during the summer, he/she will be required to begin serving the consequence during the first full weekday of summer break. If a student fails to complete community service or assigned alternative consequences, the Superintendent may determine the next course of action but still cannot require the student to serve the remaining time of the out-of-school suspension at the beginning of the following school year.

Students suspended from school are denied the privilege of attending and/or participating in extracurricular activities during the suspension period, including athletic events in which the student is a team member.

Whenever possible, principals will consult with a mental health professional under contract with the District or school prior to suspending a student in grades pre-K through three. If needed, the principal or mental health professional will assist the student's parent in locating additional mental health services.

The District permits students to complete any classroom assignments missed due to suspension. Students will receive credit upon completion of any assignment missed due to suspension.

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

1. The student is informed in writing of the potential suspension and the reasons for the proposed action.
2. The student is provided an opportunity for an informal hearing to challenge the reason for the intended suspension and explain his/her actions.
3. An attempt is made to notify the parent(s) by telephone if a suspension is issued.
4. Within one school day, a letter is sent to the parent(s) stating the specific reasons for the suspension and including notice of the right to appeal such action.
5. Notice of this suspension is sent to the:
 - a. Superintendent and
 - b. student's school record (not for inclusion in the permanent record).

Appeal Procedure- Should a student or a student's parent(s) choose to appeal the principal's suspension, he/she must do so within 10 calendar days of the notice of suspension. The appeal shall be in writing and made to the Superintendent/designee. If dissatisfied with the Superintendent's decision, an appeal may be made to the Board. At the request of the student or of the student's parent(s) or attorney, the meeting may be held in executive session. All witnesses

are sworn and a verbatim record is kept of the hearing. The decision of the Board shall be acted upon at a public meeting. The student may be excluded from school during the appeal process.

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

3-B. Expulsion- The behavior of a student can be considered so serious as to justify total removal from the educational program for a prolonged period of time. Actions meriting expulsion are outlined in the Student Code of Conduct. Only the Superintendent may expel a student. Expulsion is the removal of a student for more than 10 days, but not more than 80 days. An expulsion can extend beyond the end of the school year if there are fewer school days than expulsion days remaining. The Superintendent may apply any remaining part or all of the period of the expulsion to the following school year.

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

Whenever possible, principals will consult with a mental health professional under contract with the District or school prior to expelling a student in grades pre-K through 3. If needed, the principal or mental health professional will assist the student's parent in locating additional mental health services.

The Superintendent shall give the student and parent(s) written notice of the intended expulsion, including reasons for the intended expulsion. The student and parent(s) or representative have the opportunity to appear on request before the Superintendent/ designee to challenge the action or to otherwise explain the student's actions. This notice shall state the time and place to appear, which must not be fewer than 3 nor more than 5 school days after the notice is given.

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

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

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

Permanent Exclusion- If the offense is one for which the District may seek permanent exclusion, the notice shall contain that information.

Expulsion Appeals To The Board Of Education- Within 14 calendar days of the date of the expulsion letter, a student or a student's parent(s) may appeal the expulsion by the Superintendent to the Board or its designee. They may be represented in all such appeal proceedings and are granted a hearing before the Board or its designee. All witnesses are sworn and a verbatim record is kept of the hearing which may be held in executive session at the request of the student or parent(s). The student may be excluded from school during the appeal process.

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

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

School Safety Zone- A school safety zone consists of a school, the school building, school premises, school activity, or a school bus. A school building is any building in which any of the instruction, extracurricular activities, or training provided by a school is conducted, whether or not any is being conducted at the time a criminal offense is committed.

A school activity is any activity that is held under the auspices of a board of education of the District.

Extracurricular Activities- A superintendent or designee may bar a student from extracurricular activities for any violation of the Code of Conduct and/or if the presence of the student poses a continuing danger to persons or property or if the student poses an ongoing threat of disruption. No notice or hearing needs to be provided under this circumstance. Personnel employed by the district to direct, supervise, or coach a pupil activity program may prohibit a student's participation in extracurricular activities.

Students Suspended or Expelled In Another District- Students who have been suspended or expelled in another school in the state, and the period of removal has not expired, may be temporarily denied admittance to the district after having been offered an opportunity for a hearing. A student may be denied admittance until the period of the disciplinary removal by the prior district expires.

College Courses Taken During An Expulsion- A student who is under an expulsion may be denied high school credit for any courses taken while the student is expelled. If the student enrolls in college courses while serving an expulsion, or if the student is taking college courses when the expulsion is imposed, the student may not receive high school credit for the courses. If a student remains in college during an expulsion, the costs of all tuition, materials, books, and fees are the responsibility of the student. A college is not under any obligation to allow the student to remain in the college while the student is serving an expulsion. An expelled student cannot be granted high school credit if the college withdraws the student. If the student attends a private school or a school in another district, the college there has the option of accepting the student under the Post-Secondary Options plan.

Expulsion Notices To Colleges- When a student is expelled, the superintendent must notify in writing any college in which the student is enrolled for Post-Secondary Options that the student has been expelled. The notice must state the dates of the expulsion and it must state that the District has adopted a policy that can deny credit for college courses taken during an expulsion.

Expulsion for Weapons Possession- The Board is committed to providing the students of the District with an educational environment that is free of the dangers of firearms, knives and other weapons.

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

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

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

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

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

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

1. The object is indistinguishable from a firearm, whether or not the object is capable of being fired.
2. The person indicates that the person possesses the object and that it is a firearm, or the person knowingly displays or brandishes the object and indicates that it is a firearm.

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

Students found in violation of numbers 1 and 2 above may be reported to the local law enforcement authority and may be prosecuted under state criminal statutes, as well as disciplined in accordance with the provisions of the District’s student code of conduct and State law.

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

Students who bring firearms to school or onto school property or onto other property owned by the school district must be expelled for one calendar year. The superintendent may reduce the length of the expulsion on a case-by-case basis.

A student may be expelled for one year for bringing a knife to school or onto other school property. A student may also be expelled for a year for possessing a firearm or knife at school or on other school property when the knife or firearm was brought there by another person. The superintendent may reduce such expulsions on a case-by-case basis.

4. DISRUPTION OF SCHOOL

No student, by use of violence, force, noise, coercion, threat, intimidation, fear, active or passive resistance, or any other conduct, shall intentionally cause the disruption or obstruction of any lawful process or function of the school, or urge other students to engage in such conduct. Any violation of the student code of conduct is subject to discipline.

4-A. Prohibited Disruptive Behavior

1. Occupying any school building, school grounds, or part thereof, with intent to deprive others of its use;
2. Blocking the entrance or exit of any school building, corridor or room in a manner that deprives others of lawful access to or from, or use of, the building or corridor or room;
3. Setting fire to or damaging any school building or property;
4. Preventing or attempting to prevent by physical act the convening or continued functioning of any school, class, or activity, or of any lawful meeting or assembly on the school premises;
5. Preventing students from attending a class or school activity;
6. Except under the direct instruction of a school administrator, blocking normal pedestrian or vehicular traffic;
7. Continuously and intentionally creating noise or acting in any manner so as to interfere with a teacher’s ability to conduct his/ her class;

4-B. Transmitting or Making a False Alarm- No student shall transmit a false alarm by telephone, in writing, by word of mouth, or by any other means.

4-C. Bomb Threats- Any student who, by telephone, in writing, by word of mouth, or by any other means transmits a bomb threat in any way to any school building or other facility of the District, or to any school employee or student, shall be immediately recommended for expulsion from school. Students who cause any damages or expenses incurred by the Board of Education for such conduct shall be liable for the full payment of same. Any student making a bomb threat can be subject to expulsion up to one year.

5. DAMAGE OR THEFT OF SCHOOL OR PRIVATE PROPERTY

5-A. Theft- Theft is the unlawful taking of property belonging to another person.

Any student who steals from another student, member of the staff, or other person, or from the Board of Education shall be subject immediately to disciplinary action. The District is not responsible for the loss or theft of a device, nor are they responsible for any damage done to the device while at school.

5-B. Unauthorized Possession of School Property- No student shall be in possession of school property without the express consent of the teacher or other school official having responsibility for that property. Students found to be in unauthorized possession of such items will be subject to disciplinary action, up to and including suspension and/or expulsion from school. Where appropriate, students and their families will be expected to make full restitution for any damage the property sustains.

5-C. Extortion- For the purpose of interpreting this provision, extortion is an action or threat that forces a person to pay money, to give materials, or to perform acts or services that are not due the extorter. Because extortion is a criminal offense, students are encouraged to report any threat, attempt, or practice of extortion to the office immediately. In the event of extortion, vandalism, or theft, violators will be subjected to the following disciplinary measures: Parents shall be contacted immediately, necessary legal steps shall be taken, a suspension of up to ten days may be administered, and the school administration may recommend expulsion.

5-D. Arson- Students who maliciously, willfully, or through gross negligence or carelessness (considering the age of the offender) burn, destroy, or ruin school property or the property of others shall make restitution and may be subject to further disciplinary action.

5-E. Vandalism- Any student who maliciously, willfully, or through gross negligence or carelessness, (considering the age of the student) burns, destroys, ruins, or permanently or temporarily defaces school property or the property of others, shall make restitution and may be subject to suspension or/and expulsion. Destroying, ruining, or temporarily or permanently defacing school property or the property of others includes writing graffiti or obscenity on such property. Parents are liable, up to the amount provided by law, for the willful destruction of property by a minor child.

6. ASSAULT, BATTERY, FIGHTING, AND VERBAL ABUSE

Students are expected to conduct themselves in a positive manner in order to facilitate the educational process. They are not to become involved physically in misunderstandings or disputes.

6-A. Assault- Assault is considered striking a physical blow to another person or any other action that could cause physical injury to another person. For the purposes of interpreting this policy, students shall not cause or attempt to cause physical injury or behave in such a way that could be reasonably anticipated to cause physical injury to any person.

6-B. Fighting- Fighting is mutual participation in an incident involving physical violence. Fighting is of such a serious nature that it will not be tolerated. Disciplinary actions will be taken considering the age and maturity of the child, and the severity of the fight. These actions could include, but are not limited to: corrective counseling; warning the child of possible future disciplinary measures; notifying the parents and requesting their support; suspension; recommendation for expulsion, or a combination of the above. Additional types of unacceptable behavior covered by this section may include but are not limited to the following:

6-C. Threatening- Any verbal, written, or physical signal causing another to fear harm or injury.

6-D. Verbal or Written Abuse- A cruel, vehement attack in words meant to cause and/or that do cause mental pain, anguish, embarrassment, or shame to another person.

6-E. Swearing and Vulgar Language- Swearing and vulgar language is language that is profane, obscene, of an offensive nature, or sexually explicit.

6-F. Defiant Behavior- Defiant behavior is challenging or failing to obey a reasonable request given by an adult in a position of authority.

6-G. Public Displays of Affection- A student shall not be engaged in an inappropriate public display of affection while on school property or at school-related activities, including while being transported to or from a school-related event in a school-owned or school-leased vehicle.

6-H. Sexual Offenses in General- Any student who commits sexual offenses or engages in sexual harassment is subject to disciplinary action which may include suspension or/and expulsion. Sexual offenses are any offenses made criminal by the laws of Ohio including, but not limited to, rape, attempted rape, and felonious sexual penetration.

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

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

The Board ensures compliance with Title IX of the Education Amendments of 1972, Title VI of the Civil Rights Act of 1964 and the regulations promulgated through the U.S. Department of Education.

All persons associated with the District, including, but not limited to, the Board, administration, staff, students and third parties are expected to conduct themselves at all times so as to provide an atmosphere free from sex discrimination and sexual harassment. Sex discrimination and sexual harassment, whether verbal or nonverbal, occurring inside or outside of District buildings, on other District-owned property or at school-sponsored social functions/activities, is illegal and unacceptable and will not be tolerated. The District may have an obligation to investigate and/or respond to sexual harassment occurring off school grounds, when the harassment creates a hostile environment within the school setting. Sexual harassment is strictly prohibited by this policy.

The District takes measures to eliminate harassment, prevent its recurrence and address its effects, and will implement interim measures as deemed necessary.

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

1. submission to such conduct is made, either explicitly or implicitly, a term or condition of a person's employment or in a class, educational program or activity;
2. submission to, or rejection of, such conduct by an individual is used as the basis for employment or education decisions affecting such individual or
3. such conduct is sufficiently severe, persistent, or pervasive and has the purpose or effect of unreasonably interfering with an individual's work or educational performance by creating an intimidating, hostile or abusive environment, or by interfering with one's ability to participate in or benefit from a class or educational program or activity.

Sexual violence is a form of sexual harassment and refers to physical sexual acts perpetrated against a person's will, or where a person is incapable of giving consent. Examples of sexual violence include but are not limited to, rape, sexual assault, sexual battery, sexual abuse, and sexual coercion.

Sexual harassment includes gender-based harassment, which refers to unwelcome conduct based on an individual's actual or perceived sex, (including harassment based on gender identity and nonconformity with sex stereotypes), and not necessarily involving conduct of a sexual nature.

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

All of these types of harassment are considered forms of sex discrimination prohibited by Title IX.

The Board has developed informal and formal discrimination and harassment complaint procedures. The procedures provide for a prompt and equitable investigation and resolution of complaints of sex discrimination, including sexual misconduct. The Board also has identified disciplinary measures that may be imposed upon the offender. Nothing in this policy or procedure prevents an individual from pursuing action through State and/or Federal law, contacting law enforcement, or from filing a complaint with the United States Department of Education, Office of Civil Rights, the Ohio Civil Rights Commission or the Equal Employment Opportunity Commission.

Board designates the following individual to serve as the District's Title IX Coordinator:

Title: Pupil Services Director

Address: 42101 Griswold Road - Elyria, Ohio 44035

Phone number: (440) 284-8246

Email: blattdenise@elyriaschools.org

The Title IX Coordinator serves as the grievance officer and coordinates the District's efforts to comply with and carry out responsibilities under Title IX, including any complaint under Title IX. He/She is vested with the authority and responsibility for investigating all sexual harassment complaints in accordance with the procedures set forth in the accompanying regulation and staff and student handbooks. Any investigatory responsibilities of the Title IX Coordinator may be delegated to a designee trained in Title IX compliance and procedures.

Confidentiality | Retaliation- Sexual harassment matters, including the identity of both the reporting party and the responding party, are kept confidential to the extent possible, consistent with the Board's legal obligations to investigate. Although discipline may be imposed against the responding party upon a finding of guilt, the District prohibits retaliation for an individual's participation in, and/or initiation of a sex discrimination/sexual harassment complaint investigation, including instances where the complaint is not substantiated. The District takes reasonable steps to prevent retaliation and takes strong responsive action if retaliation occurs.

6-J. Discrimination | Harassment Through the Use of Electronic Communication Devices- This is the policy as adopted by the Board and it includes the use of electronic communication devices:

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, ancestry, citizenship status, religion, sex, economic status, age, 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.

Students who engage in discrimination of an 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 a 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 Board policy.

6-K. Harassment | Intimidation- No student shall engage in harassment, intimidation, or hate speech of any kind. Harassment and intimidation shall be repeatedly annoying or attacking using physical, verbal, written, or electronic action

that creates fear of harm, an intimidating or hostile education or work environment, with or without displaying a weapon and with or without subjecting the victim to actual physical attack.

Students are prohibited from causing inconvenience, annoyance, or alarm to others. When disorderly conduct is committed in the vicinity of school or a school safety zone, it is a 4th degree misdemeanor.

6-P. Misconduct Off School Property- Students may be disciplined for misconduct that occurs at sites other than on school property or at a school activity. A student may be disciplined for (1) misconduct that occurs off the property owned or controlled by the district but that is connected to activities or incidents that have occurred on property owned or controlled by the school district, (2) misconduct that endangers the health and safety of students within the District or adversely affects the education process; and (3) misconduct that, regardless of where it occurs, is directed at a district official or employee, or the property of such official or employee.

6-Q. Violent Acts On School Property or at a School Activity- A student who commits certain violent acts at school or on school property or at an interscholastic competition, extracurricular event, or any other school program or activity may be expelled. The acts include those acts that (1) would be criminal offenses if they were committed by an adult and (2) result in serious physical harm to persons or property.

Examples of such acts are: murder, manslaughter (voluntary or involuntary), felonious assault, aggravated assault, aggravated menacing, kidnapping, rape, extortion, inciting to violence, intimidation, burglary, gross sexual imposition, arson, aggravated rioting, abduction, assault upon a functionally impaired person, sexual battery, intimidation of a victim or witness in a criminal case, and robbery.

6-R. Introduction of Foreign Substances- No student shall introduce any substance into the food or beverage of any staff person or student.

No student shall introduce into the possessions of any staff person or other student, any object or substance with the intent to create a real or imaginary hazard, or with reckless disregard to the creation of a real or imaginary hazard.

Any student who violates this section shall be subject to discipline, including suspension or expulsion and, in cases of possible criminal conduct, shall also be referred to the proper authorities.

6-S. Hazing and Bullying- Hazing means doing any act or coercing another, including the victim, to do any act of initiation into any student or other organization that causes or creates a substantial risk of causing mental or physical harm to any person.

Bullying, harassment and intimidation are intentional written, verbal, electronic or physical acts that a student has exhibited toward another particular student more than once. The intentional act also includes violence within a dating relationship. The behavior causes 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. This behavior is prohibited on school property, on a school bus or at a school-sponsored activity. Students found responsible for harassment, intimidation or bullying by an electronic act may be suspended.

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 student, including leaders of student organizations, may plan, encourage or engage in any hazing and/or bullying.

6-T. Instigating- No student, by use of violence, force, fear, coercion, threat, intimidation, or any other means, shall cause another student to commit an act which is in violation of the Code of Pupil Conduct or the law in general.

6-U. Stalking- No student, by engaging in a pattern of conduct while in school or while on the way to or from school or at a school-related activity, shall knowingly cause another person to believe that the offender will cause physical harm or mental

distress to the other person. "Pattern of conduct" means two or more actions or incidents closely related in time, whether or not there has been a prior disciplinary event based on any of these actions or incidents.

7. WEAPONS

Any student who has a weapon on school premises shall be reported to the school administration and subject to discipline.

7-A. Deadly Weapons or Dangerous Ordinances on School Premises- Any person is prohibited from: (a) knowingly conveying or attempting to convey a deadly weapon or dangerous ordnance into a school safety zone (b) knowingly possessing a deadly weapon or dangerous ordnance in a school safety zone.

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

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

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

1. The object is indistinguishable from a firearm, whether or not the object is capable of being fired.
2. The person indicates that the person possesses the object and that it is a firearm, or the person knowingly displays or brandishes the object and indicates that it is a firearm.

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

Students found in violation of numbers 1 and 2 above may be reported to the local law enforcement authority and may be prosecuted under state criminal statutes in addition to school-based discipline.

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

7-C. Improperly Discharging A Firearm At or Into a Habitation or School: Students are prohibited from discharging a firearm at or into a school or school safety zone. Violation of this law is a 2nd degree felony and subject to expulsion.

8. DRUGS, ALCOHOL AND TOBACCO

Drugs, Alcohol, Counterfeit Controlled Substances, and other Prohibited Substances

8-A. Use, Possession, Sale or Distribution of Alcoholic Beverages- The Board does not permit any student to possess, transmit, conceal, offer for sale, consume, show evidence of having consumed or used any alcoholic beverages while on school grounds or facilities; at school-sponsored events; in other situations under the authority of the District or in school-owned or school-approved vehicles. Included in this prohibition are any substances represented as nonalcoholic beers.

8-B. Use, Possession, Sale or Distribution of Drugs other than Alcohol or Tobacco- The Board does not permit any

student to possess, transmit, conceal, offer for sale, consume, show evidence of having consumed or used any illegal drugs, prescribed drugs not regulated and administered by authorized school personnel pursuant to Policy JHCD, over-the-counter drugs, look-alike drugs or any mind-altering substance while on school grounds or facilities; at school-sponsored events; in other situations under the authority of the District or in school-owned or school-approved vehicles. Included in this prohibition are any substances represented as a controlled substance, any chemical that releases toxic vapors, and drug paraphernalia.

No student shall sniff, inhale, or ingest glue, varnish, or other substances for the purpose of engaging in a mind-altering experience or for the purpose of becoming intoxicated. This includes huffing or any activity that involves inhaling fumes or gasses that might cause intoxication, euphoria or death. Further, no student shall possess any glue, varnish, or other substances on school premises where such possession is related to or for the purpose of engaging in a mind-altering experience or becoming intoxicated.

Any student found to be in possession of any drug or prescription medication without a valid prescription shall be subject to disciplinary action. Any student found to be distributing any drug or prescription medication shall be subject to disciplinary action, whether or not he or she possesses a valid prescription. Disciplinary action may include, but is not limited to one or more of the following: suspension; expulsion; permanent confiscation of the drugs or medication; and/or referral to the appropriate law enforcement or government agencies.

Any student found to be in possession of any drug or prescription medication must be able to verify that such possession is pursuant to a valid prescription. Drugs or medication found in any container other than a properly labeled prescription bottle shall rebuttably be presumed to be possessed without a prescription.

Any student suspected of having or being under the influence of drugs, alcohol, or tobacco will be sent to the office for further investigation and disposition, including disciplinary action and/or referral as may be deemed appropriate.

8-C. Tobacco- Students are prohibited from smoking, use or possession of tobacco in any form including, but not limited to, cigarettes, cigars, clove cigarettes, chewing tobacco, e-cigarettes, vape, snuff and any other forms of 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.

The Board prohibits the use or possession of electronic cigarettes or vaping devices 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.

9. TRESPASSING AND LOITERING

Students shall not trespass or loiter in or around school buildings or on property owned by the Board of Education.

9-A. Suspended Or Expelled Students Being On School Property- Students who have been suspended or expelled from school shall not be in any school building or on any school property during the time of their suspension or expulsion, unless written permission is granted by Superintendent or designee. Students who have been suspended or expelled from school shall not attend any school-related or school-sponsored events. Any student who violates this rule shall be subject to further disciplinary action.

10. FORGERY AND FRAUD

A student who forges the signature of another person, misrepresents herself or himself, or falsified information presented to school authorities will be subject to disciplinary action.

10-A. Cheating- A student shall not engage in academic misconduct including cheating, copyright infringement, or plagiarism. A student shall not submit, for a grade, any work that is not original. Students who engage in cheating, copyright infringement or plagiarism may receive a zero and may receive additional disciplinary actions.

11. POSSESSION OF COMBUSTIBLE, FLAMMABLE, EXPLOSIVE OR BURNABLE ITEMS

While on school property, no student shall be in possession of any article which is combustible, flammable, burnable or

explosive, while that student is on school property. These prohibitive items include, but are not limited to, lighters, matches, portable heaters, firecrackers, bombs or similar items. This prohibition does not apply to the use of such items in classrooms or in situations which are under the direct supervision of a teacher, administrator or other appropriate staff person, nor does it apply to situations in which students are directed to use equipment such as Bunsen burners or other combustible or other flammable items as part of classroom related activities.

Any student found in possession of any of the aforementioned prohibited items shall be reported to the school administration. Any such item shall be confiscated by the school authorities and, where appropriate, such item will be turned over to the proper city or county law enforcement agency. Disciplinary action may be taken by the school authorities, including suspension and/or expulsion of the student.

12. POSSESSION OF ELECTRONIC COMMUNICATION DEVICES & OTHER ELECTRONIC DEVICES

Students may be permitted to possess electronic devices while on school property as directed by a classroom teacher or building administrator. Further, the possession and use of these devices should not cause a distraction or disruption to the educational process. Students may not use the camera feature to capture, record or transmit audio, video or still photos of other students, faculty or staff without explicit permission given by the subject of the photo, audio, or video. Use of these devices in violation of this rule may result in confiscation of the device and disciplinary action, up to and including expulsion. Other electronic devices that are determined by school officials to be inappropriate may be confiscated, and their possession may result in discipline up to and including expulsion.

Students who violate their building's electronic device policy may face the following disciplinary actions:

- The student may retrieve the cell phone from the administrator that day after school.
- The cell phone may be returned only after a meeting with the student's parent or guardian.
- The student may be suspended from school and face expulsion.

The district assumes no liability if these devices are broken, lost, or stolen. Except with the permission of district staff, students should not be seen on school property with iPods, MP3 players, radios, televisions, headphones, pagers, small TVs, cameras, PDAs (personal digital assistants), data watches, DVD players, CD players, or other devices that play, store, or record music.

Where music is allowed to be played or heard, the music shall not be loud and it shall not contain vulgar or lewd lyrics. The district staff will determine whether or not lyrics are vulgar, lewd, or music is too loud.

13. COMPUTER USE | ONLINE SERVICES

No student shall attempt unauthorized access to any board of education computer, computer file, or computer network. No student shall use any board of education computer or computer network to gain unauthorized access to any other computer, computer file, or computer network. No student shall use any board of education computer or computer network to transmit obscene material or to invade the privacy of or harass any other person. Students who violate this section shall be liable for all of the resulting charges and/or damages and may be subject to disciplinary action up to and including suspension and/or expulsion.

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

1. violating the conditions of State and Federal law dealing with students' and employees' rights to privacy, including unauthorized disclosure, use and dissemination of personal information;
2. using profanity, obscenity or other language that may be offensive to another user or intended to harass, intimidate or bully other users;
3. accessing personal social networking websites for non-educational purposes;
4. reposting (forwarding) personal communication without the sender's prior consent;
5. copying commercial software and/or other material in violation of copyright law;
6. using the network for financial gain, for commercial activity or for any illegal activity;
7. "hacking" or gaining unauthorized access to other computers or computer systems, or attempting to gain such unauthorized access;
8. accessing and/or viewing inappropriate material and
9. unauthorized downloading of freeware or shareware programs.

The Board does not condone the use of such materials. Students must be aware that the privileges to access online services are withdrawn from users who do not respect the rights of others or who do not follow the rules and regulations established. A user's agreement is signed to indicate the user's acknowledgment of the risks and regulations for computer/online services use. The District has implemented technology-blocking measures that protect against access by both adults and minors to visual depictions that are obscene, child pornography, or, with respect to the use of computers by minors, harmful to minors. The District has also purchased monitoring devices, which maintain a running log of Internet activity, recording which sites a particular user has visited.

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

1. taken as a whole and with respect to minors appeals to a prurient interest in nudity, sex or excretion;
2. depicts, describes or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts or a lewd exhibition of genitals and
3. taken as a whole, lacks serious literary, artistic, political or scientific value as to minors.

The District will educate minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response. The Superintendent/designee will develop a program to educate students on these issues.

Annually, a student who wishes to have computer network and Internet access during the school year must read the acceptable use and Internet safety policy and submit a properly signed agreement form. Students and staff are asked to sign a new agreement each year after reviewing the policies and regulations of the District. These policies and regulations also apply to use of District-owned devices, or accessing of District intranet off District property.

14. POSSESSION OF OBSCENE MATERIALS

Any student who is found to be in possession of obscene materials while under the jurisdiction of the school shall be subject to disciplinary action. Such action may include, but not be limited to, suspension, expulsion, permanent confiscation of the obscene materials, and/or referral to the appropriate law enforcement or government agencies.

What is obscene shall be determined on a case by case basis, but for the purpose of guidance shall include, but not be limited to: language, whether written or oral, and/or depictions, which are lewd, vulgar, degrading, sexually explicit or suggestive, or which appeal to prurient interests or pose a clear and imminent threat to school discipline and decorum.

15. LUNCHROOM BEHAVIOR

Students will respect the rights of others and the authority of adults in the lunchroom. The following list, in addition to other behavior described in the Code of Conduct, is deemed inappropriate and subject to disciplinary action.

1. Running in the lunchroom
2. Intentionally creating loud disturbances
3. Throwing food or other objects
4. Leaving the lunchroom without permission
5. Refusing to clean up after oneself
6. Bringing in, or having delivered, "fast food" orders
7. Any other violation of the Code of Conduct.

16. GUIDELINES FOR GOOD GROOMING

The public schools of Elyria recognize that each student's mode of dress and grooming is a manifestation of personal style and individual preference. The District will not interfere with the right of students and their parents to make decisions regarding their appearance, except when their clothing interferes with the educational process of the schools. The District prohibits any form of dress or grooming which attracts undue attention, prompting a disruption of the learning environment or which threatens the health, welfare or safety of the student body.

All students shall be required to dress and groom for school with attention and emphasis on cleanliness, decency, and safety.

- Clothing must not present a hazard to the health or safety of the student or others in the school. Clothing or footwear may not cause excessive wear or damage to school property, and must be appropriate to the school activity in which the student is engaged. Pants must be sized to fit and in good repair. Shirts cannot be too revealing or too oversized.
- Footwear must be worn at all times and should be of such design that damage to floors and furniture will not be likely. In addition, footwear should not create a safety hazard.
- Clothing may not interfere with school work, create disorder, or disrupt the educational program.
- Clothing and footwear should not prevent the student or others from achieving their educational objectives because of blocked vision or restricted movement.
- No apparel or headgear that covers the head/scalp may be worn. This does not apply to headgear worn for religious or medical purposes or other similar reasons.

When either dress or grooming is questionable, the school administrator or his or her representative shall make the final decision about its appropriateness.

17. GANG ACTIVITY

The Elyria Board of Education is committed to ensuring the safety of all its students and staff. In order to carry out this commitment, the Board is prohibiting the presence of gangs and gang activity on school property or at school-related functions. A gang is defined as any non-school-sponsored group, whose membership may be secret or exclusive, whose purposes, practices, or intent is to commit violent or illegal acts, establish "turf" or territory, violate school rules, or threaten the safety or welfare of others.

No student shall knowingly participate in gang-related activities or knowingly wear gang-related attire or attire which is associated with gangs. Incidents involving initiations, hazings, intimidation and/or related activities of such group affiliations which are likely to cause bodily danger, physical harm, personal degradation or disgrace resulting in physical or mental harm are prohibited.

Incidents involving initiations, hazings, intimidation, and/or related activities of such group affiliations which are likely to cause bodily danger, physical harm, personal degradation or disgrace resulting in physical or mental harm are prohibited.

Any student wearing, carrying or displaying gang paraphernalia or exhibiting behavior or gestures which symbolize gang membership or causing and/or participating in activities which intimidate or affect the attendance of another student is subject to disciplinary action.

Any student found to be engaged in the aforementioned activity shall be suspended, or/and recommended for an expulsion, or/and referred to the appropriate law enforcement agency.

Any student who engages in recruiting, while on school property or at a school-related event, of another student for gang membership, or who threatens, assaults, or intimidates another student for purposes of promoting or encouraging gang-related activity shall be immediately suspended and recommended for expulsion from school.

Any student who is involved in a gang-related attack, or who threatens a gang-related attack on a student or school employee on school property or at a school-related event shall be immediately suspended and recommended for expulsion from school.

18. STUDENT JOURNALISM

Student handbooks, newspapers, yearbooks, and other official student publications are a part of the school curriculum and as such they are subject to the editorial control of school authorities. School authorities also have the right to control the time, place, and manner of distribution of such publications on school property.

19. REPEATED VIOLATIONS OF SCHOOL RULES AND REGULATIONS

Students who repeatedly and consistently violate the rules and regulations of the school and of the Code of Student Conduct will be subject to disciplinary action, up to and including suspension and/or expulsion from school.

20. OTHER VIOLATIONS/VIOLATIONS OF LAW

Students who violate the law, or whose actions would be a violation of the law if committed by an adult, may be subject to suspension and expulsion.

- Other Violations Of School Board Or Building Policies And Regulations: No student shall willfully fail to comply with; (1) policies, procedures, rules, and regulations established for the operation of the respective buildings, classrooms, other school district premises, and all curricular and extracurricular activities; (2) lawful requests or directions given by teachers or other persons in authority; or (3) the requirements of other disciplinary measures.
- Violations by students with dual enrollment: Elyria City School District resident students attending an affiliate school are subject to the Code of Pupil Conduct of that school. Violations of that Code may result in suspension and/or expulsion from the Elyria City Schools.

21. IN-SCHOOL ASSIGNMENT and PIC

The purpose of the In School Assignment (ISA) Room or the Positive Intervention Center (PIC) is to allow students to remain in school while they are under suspension. ISA related offenses are usually of such a nature that they are not as serious as those for which an out of school suspension would be appropriate. In some instances, a school administrator may find it appropriate to allow a student to remain at school while under suspension. In such instances, a student may be required to attend the In School Assignment Room for a period of time as deemed appropriate by the school administrator and to comply with any reasonable restrictions that may be imposed by the school administrator.

22. EMERGENCY REMOVAL

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

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

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

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

Students in grades pre-K through three may only be removed for the remainder of the school day and must be permitted to return the following school day. The District may only proceed with a related suspension or expulsion in compliance with State law.

23. PERMANENT EXCLUSION

The Board of Education may seek the permanent exclusion of a student 16 years of age or older who is either convicted in criminal court or adjudicated delinquent by a juvenile court for any of the following offenses which occur on school grounds or at a school function:

1. Illegal conveyance or possession of a deadly weapon or dangerous ordnance, carrying a concealed weapon, aggravated trafficking involving the possession of a bulk amount of a controlled substance or the sale of a controlled substance and/or:
2. Aggravated murder, murder, voluntary or involuntary manslaughter, felonious or aggravated assault, rape, gross sexual imposition, or felonious penetration.

In addition, complicity in any of the above acts may be the basis for permanent exclusion. Any building administrator witnessing or having knowledge of one of these acts must report the incident to the Superintendent within 24 hours, whether or not the student is over 16 years of age.

If the Superintendent receives notification that a student has been found guilty of or is adjudicated delinquent for any of the listed offenses, a determination must be made whether the student's continued attendance endangers the health and safety of other students or employees or whether the student's attendance poses a danger of disruption to the graded course of study. If the Superintendent determines that either danger exists, he/she may recommend that the Board adopt a resolution requesting the State Superintendent of Public Instruction to permanently exclude the student from attendance in any Ohio school. Written notice of the Superintendent's recommendation for permanent exclusion is provided to the student and his/her parent(s).

The Board acts upon the Superintendent's recommendation within 14 days. Among the items the Board considers is information on:

1. academic and extracurricular activity record of the student;
2. disciplinary record of the student;
3. social history of the student;
4. response to prior discipline and sanctions;
5. seriousness of the offense and any aggravating circumstances;
6. any mitigating circumstances;
7. evidence regarding the possible danger to other students and employees if the student remains in the District;
8. evidence regarding the probable disruption of the graded course of study and
9. availability of less serious sanctions that would permit the student to stay in the District without conflict with either (7) or (8).

The Board may allow for the hearing of witnesses and the presentation of additional evidence.

If the Board adopts the resolution to permanently exclude the student, the Board:

1. forwards the written resolution, together with the adjudication or conviction and a copy of the student's entire school record, to the State Superintendent;
2. promptly designates a representative to present the District's case for permanent exclusion to the State Superintendent and
3. forwards a copy of the resolution to the student and his/her parent(s).

If the State Superintendent rejects the resolution, the student shall be re-admitted to the District's schools.

No employee shall knowingly admit, or cause by inaction to be admitted, any student who has been permanently excluded.

Re-Admission- If the Superintendent determines that a permanently excluded student no longer represents a danger to the health and safety of other students or staff, the Superintendent may recommend the re-admission of the student.

On the recommendation of the Superintendent, the Board considers a resolution requesting the State Superintendent to revoke the permanent exclusion. If the Board adopts the resolution, it is forwarded to the State Superintendent, together with the reasons for the resolution and any relevant information.

Probationary Admission Following Permanent Exclusion- Under Ohio law, a student permanently excluded from school may request probationary admission for 90 days in any public school district.

If a student requests consideration of probationary admission into this District, the Superintendent may enter into discussions with the student and his/her parent(s) to develop a probationary admission plan designed to meet the educational needs of the child and the disciplinary requirements of the District.

If a satisfactory plan is developed, the Superintendent recommends that the Board allow the student to attend classes according to the terms of the plan. The Board acts on the recommendation within 14 days.

If a student violates the terms of the re-admission plan, the Superintendent may immediately remove the student, pending action by the Board. The Board's action must take place within five days from receipt of the Superintendent's recommendation to revoke the re-admission.

A student in compliance with his/her probationary re-admission plan may request either an extension of the plan for an additional 90 days or for the Superintendent to recommend that the permanent exclusion be revoked.

24. LOCKER USE

The right to inspect students' school lockers or articles carried upon their persons and to interrogate an individual student is inherent in the authority granted school boards. All searches are conducted sparingly and only when such search is reasonably likely to produce tangible results to preserve discipline and good order and the safety and security of persons and their property. The Board permits building administrators/designees to search any unattended bag for safety and identification purposes.

Student lockers are the property of the District, and since random searches have a positive impact on reducing drugs and other criminal activity, the Board permits building administrators/designees to search any locker and its contents as the administrator/ designee believes necessary. Such notice will be posted at or near the entrance to the school grounds and at the main entrance to each school building.

The Board directs the Superintendent to authorize the use of dogs trained in detecting the presence of drugs and explosive devices. The dogs may be used to patrol the school facilities and grounds, including the lockers and parking areas. Use of dogs may be unannounced and random. If a trained canine alerts to a particular vehicle, locker or other container, it shall create reasonable suspicion to search that vehicle, locker or container in accordance with this policy.

25. SEARCHES

Inherent in the authority granted to school boards to manage their schools is the right to inspect students' school lockers or articles carried upon their persons and to interrogate individual students as necessary. That authority is to be exercised sparingly and is to be used only when such inspection or search is reasonably likely to produce anticipated tangible results to aid in the educational process, preserve discipline and good order, or promote the safety and security of persons and their property within the area of the school's responsibility.

The Board directs the Superintendent to authorize the use of dogs trained in detecting the presence of drugs and explosive devices. The dogs may be used to patrol the school facilities and grounds, including the lockers and parking areas. Use of dogs may be unannounced and random. If a trained canine alerts to a particular vehicle, locker or other container, it shall create reasonable suspicion to search that vehicle, locker or container in accordance with this policy.

Principals and their designees are permitted to search the person and personal property (purse, knapsack, book bag, gym bag, etc.) of a student when there is reason to believe that evidence will be obtained indicating the student's violation of either the law or school rules.

A proper search warrant is required for police to conduct any search of a student's personal property kept on school property. If the police or sheriff's department have reason to believe that any item which might pose an immediate threat to the safety or security of others is kept in a student locker, desk or other storage space, searches may be conducted without a warrant. This policy will be posted in every building.