

**City Day Community School**  
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## **2020-2021 Parent Handbook**

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**Paula Leone, Principal**

Welcome to  
City Day Community School

# City Day Community School

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## MISSION

The mission of the City Day Community School is to provide individualized education for our students, which is provided by our highly qualified teachers and trained professional staff, in a physically and emotionally safe environment. We embrace, equip, educate, and compel each student to take advantage of every opportunity to reach their goals and desires to improve their quality of life. We support and encourage parent involvement. We effectively seek and use community partners to support higher student academic achievement.

## VISION

City Day Community School is an environment dedicated to meeting the needs of our children through the delivery of a personalized academic program, so well that they are identified as extremely high academic achievers. We produce students, with the involvement of parents and community, that become productive members of society.

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## **PARENT RESPONSIBILITY**

### **All of our parents are expected to support learning by:**

- Showing interest in your child's school work and activities by attending conferences, meetings, and special events and getting actively involved with the school to help your child succeed.
- Ensure your child reads every day and participate in the school's mandatory daily reading program.
- Encouraging international awareness by watching news programs, reading newspapers, and magazines.
- Monitoring your child's completion of his/her class and homework assignments.
- Communicating regularly with your child's teacher(s).
- Sharing responsibility with the school for your child's academic achievement and their personal conduct.
- During a period of excused absences, arrange to get any school or homework that your child may miss.
- Taking advantage of the tutoring services that are provided by City Day to help your student's academic success.

### **Our parents are also expected to support good behavior by:**

- Teaching children to respect the rights of others.
- Helping children to improve their self-control and exhibit socially acceptable behavior.
- Teaching children that they are accountable for their actions.
- Requiring prompt and regular attendance at school, while maintaining excellent grades all on schoolwork, tests, and any assigned homework.

## **SCHOOL HOURS**

Regular Hours (Monday - Friday) 8:45a.m. - 3:30 p.m.

## **ADMISSION, ENROLLMENT AND WITHDRAWAL POLICY**

### **Enrollment**

City Day Community School is a Community School established under Chapter 3314 of the Revised Code. The school is a public school and students enrolled in and attending the school are required to take proficiency tests and other examinations prescribed by law. In addition, there may be other requirements for students at the school that are prescribed by law. Students who have been excused from the compulsory attendance law for the purpose of home education, as defined by the Administrative Code, shall no longer be excused for that purpose upon their enrollment in a community school.

In accordance with sections 3313.64, 3313.65, 3313.98, and 314.03 of the ORC, the Governing Board at City Day Community School believes that students who are eligible to attend school in grades K – 8<sup>th</sup>, who live in, or adjacent to, the district in which the school is located shall be given the opportunity to attend City Day Community School tuition free.

City Day Community School does not discriminate in its admission practices based on a student's race, religion, color, national origin, handicap, intellectual ability, athletic performance or measurement of

achievement or aptitude. *Note: Students with handicapping conditions may not be accepted for enrollment if the services described in the student's IEP are not available at City Day Community School.*

If the number of applicants meeting admission criteria exceeds the capacity of the school's programs, classes, grade levels, or facilities, students may be admitted by lot from all eligible applicants, except preference shall be given to students attending the school the previous year and may be given to eligible siblings of such students. The lottery will be conducted by the school's sponsor.

A parent, whose child is eligible to attend school in Ohio as outlined in the ORC must complete all necessary enrollment paperwork before being admitted to attend City Day Community School. Parents must withdraw their students from the child's current school, and present proof of the formal withdrawal before their child will be admitted at City Day. School employees will notify the district of residence when a student is admitted and will request student records from the last attending school. Immunization records must be received within 14 days after enrollment and will be verified along with the other records.

The school will admit the number of students that does not exceed the total capacity capabilities of the school, the instructional levels, or its capacity to provide a safe and appropriate education.

Once enrolled at City Day, parents are responsible for arranging the timely transportation of their student(s) to and from school. City Day Community School does not provide transportation services. Parents may contact the school district in which they reside to determine the level of transportation services offered by their resident district.

## **Withdrawal**

The Governing Board of City Day Community School affirms that ORC statutes require 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. 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 the Superintendent/Principal, formally withdraws the child from kindergarten.

In accordance with section 3321.13 of the Ohio Revised Code, whenever any child of compulsory school age withdraws from City Day Community School an administrator of the school shall ascertain the reason for withdrawal. If the child who has withdrawn from school has done so because of change of residence, the administrator shall attempt to ascertain the address of the new location and shall be noted on the school's withdrawal form. The withdrawal form shall be forwarded to the Enrollment Coordinator so the child can be removed from the student database, EMIS, and any other student reporting databases used by City Day Community School. The withdrawal form will be sent to the district of residence for the student as formal notice that the student is no longer attending City Day Community School.

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.

At the written request of the parent, City Day will forward all student records requested by the parent to the receiving school district by mail, fax, or both.

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/Principal shall notify the Judge of the Juvenile Court and the Montgomery County Department of Children's Services of the withdrawal.

In accordance with the City Day Community School Expulsion Policy, the Superintendent/Principal shall initiate expulsion proceedings against a student who has committed an act that warrants expulsion under Board policy even if the student withdraws from school prior to the hearing or decision to impose the expulsion. Any resulting expulsion shall be imposed for the same duration it would have been had the student remained enrolled.

A student will be automatically withdrawn if the student, without a legitimate excuse, fails to participate in one hundred five (105) cumulative hours of learning opportunities offered to the student. Notice shall be forwarded to the District of Residence notifying them of the withdrawal, and the student shall be removed from EMIS, CSADM, and other student databases.

## **ACADEMIC RECORDS**

### **Student Records**

In order to provide appropriate educational services and programming, the Governing Board 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 City Day Community School reasonably believes knows the identity of the student to whom the education record relates.

The Board is responsible for the records of all students who attend or have attended City Day Community School. Only records mandated by the State or Federal government and/or necessary and relevant to the function of City Day Community School or specifically permitted by this Board will be compiled by City Day 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 (including 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 or more of the educational goals of City Day Community School or if the record is necessary in order for a 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.

The Board authorizes the administration to:

- A. forward student records, including disciplinary records with respect to suspensions and expulsions, upon request to a private or public school or school district in which a City Day student is enrolled, seeks or intends to enroll, or is instructed to enroll, on a full-time or part-time basis, upon condition that:
  - 1. a reasonable attempt is made to notify the student's parent or eligible student of the transfer (unless the disclosure is initiated by the parent or eligible student; or the Board's annual notification includes a notice that the Board will forward education records to other agencies or institutions that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer);
  - 2. the parent or eligible student, upon request, receives a copy of the record; and
  - 3. the parent or eligible student, upon request, has an opportunity for a hearing to challenge the content of the record;
- B. provide "personally-identifiable" information to appropriate parties, including parents of an eligible student, whose knowledge of the information is necessary to protect the health or safety of the student or other individuals, if there is an articulable and significant threat to the health or safety of a student or other individuals, considering the totality of the circumstances;
- C. report a crime committed by a child with a disability to appropriate authorities and to transmit copies of the student's special education and disciplinary records to the authorities for their consideration;
- D. release de-identified records and information in accordance with Federal regulations;
- E. disclose personally identifiable information from education records, without consent, to organizations conducting studies "for, or on behalf of" City Day Community School for purposes

of developing, validating or administering predictive tests, administering student aid programs, or improving instruction;

Information disclosed under this exception must be protected so that students and parents cannot be personally identified by anyone other than representative(s) of the organization conducting the study, and must be destroyed when no longer needed for the study. In order to release information under this provision, City Day will enter into a written agreement with the recipient organization that specifies the purpose of the study. While the disclosure of personally identifiable information without consent is allowed under this exception, it is recommended that whenever possible the administration either release de-identified information or remove the students' names and social security identification numbers to reduce the risk of unauthorized disclosure of personally identifiable information.

- F. request each person or party requesting access to a student's record to abide by Federal regulations and State laws concerning the disclosure of information.

The Board will comply with a legitimate request for access to a student's records within a reasonable period of time but not more than forty-five (45) days after receiving the request or within such shorter period as may be applicable to students with disabilities. Upon the request of the viewer, a record shall be reproduced, unless said record is copyrighted, or otherwise restricted, and the viewer may be charged a fee equivalent to the cost of handling and reproduction. Based upon reasonable requests, viewers of education records will receive explanation and interpretation of the records.

The Board shall maintain a record of each request for access and each disclosure of personally identifiable information. Such disclosure records will indicate the student, person viewing the record, their legitimate interest in the information, information disclosed, date of disclosure, and date parental/eligible student consent was obtained (if required).

Only "directory information" regarding a student shall be released to any person or party, other than the student or his/her parent, without the written consent of the parent, or, if the student is an eligible student, without the written consent of the student, except to those persons or parties stipulated by the Board's policy and administrative guidelines and/or those specified in the law.

## **DIRECTORY INFORMATION**

Each year City Day 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 and telephone number. School-sponsored publications may include 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 as follows:

City Day will make directory information available upon a legitimate request unless a parent, guardian, or adult student notifies the School that s/he will not permit distribution of this information, which shall remain on file and in effect during the student's enrollment at City Day.

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 Principal 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).

## **INSPECTION OF INFORMATION COLLECTION INSTRUMENT**

The parent of a student or an eligible student has the right to inspect upon request any instrument used in the collection of personal information before the instrument is administered or distributed to a student. Personal information for this section is defined as individually identifiable information including a student or parent's first and last name, a home or other physical address (including street name and the name of the city or town), a telephone number, or a Social Security identification number. In order to review the instrument, the parent or eligible student must submit a written request to the Principal at least ten (10) business days before the scheduled date of the activity. The instrument will be provided to the parent or eligible student within ten (10) business days of the Principal receiving the request.

The Principal shall directly notify the parent(s) of a student and eligible students, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when such activities are scheduled or expected to be scheduled.

This section does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:

- A. book clubs, magazine, and programs providing access to low-cost literary products;
- B. curriculum and instructional materials used by elementary schools;
- C. tests and assessments used by elementary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;
- D. the sale by students of products or services to raise funds for school-related or education-related activities;
- E. student recognition programs.

The Principal is directed to prepare administrative guidelines so that students and parents are adequately informed each year regarding their rights to:

- A. inspect and review the student's education records;
- B. request amendments if the parent believes the record is inaccurate, misleading, or violates the student's privacy rights;
- C. consent to disclosures of personally-identifiable information contained in the student's education records, except to those disclosures allowed by the law;
- D. challenge City Day noncompliance with a parent's request to amend the records through a hearing;
- E. file a complaint with the United States Department of Education;
- F. obtain a copy of City Day's policy and administrative guidelines on student records.

The Principal shall also develop procedural guidelines for:

- A. the proper storage and retention of records including a list of the type and location of records;
- B. Informing City Day employees of the Federal and State laws concerning student records.

No liability shall attach to any member, officer, or employee of this Board as a consequence of permitting access or furnishing student records in accordance with this policy and regulations.

## **PUBLIC RECORDS**

The City Day Governing Board (The Board) recognizes its responsibility to maintain the public records of the School and to make such records available for inspection and reproduction.

The Board will utilize the following procedures regarding the availability of public records. "Public records" are defined as any document, device, or item, regardless of physical form or characteristic, including an electronic record as defined in statute as having been created, generated, sent, communicated, received, or stored by electronic means, created or received by or coming under the jurisdiction of the Board or its employees, which is kept by the Board and which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the School. "Public records" do not include medical records, trial preparation records, confidential law enforcement investigatory records, records the release of which is prohibited by State or Federal law, and any other exceptions set forth in ORC 149.43. Confidential law enforcement investigatory records, medical records, and trial preparation records are as defined in ORC 149.43.

The public records of the School shall be available at all reasonable times during regular business hours. Upon request, a person may receive copies of public records, at cost, within a reasonable period of time. The School's public records shall be promptly prepared and made available for inspection. A reasonable period of time may be affected by a number of circumstances including, but not limited to, the volume of the records requested, the proximity of the location where the records are stored, the need for the School to review and redact non-public/confidential information contained in the record and/or the need for the School to seek legal advice.

Each request for public records should be evaluated for a response using the following guidelines:

1. Although no specific language is required to make a request, the requester must at least identify the records requested with sufficient clarity to allow the City Day Community School to identify, retrieve, and review the records. If it is not clear what records are being sought, the records custodian or his/her designee may deny the request, but shall provide the requester an opportunity to revise the request by informing the requester of the manner in which the City Day keeps its records.
2. City Day Community School may ask the requester to put a public records request in writing, may ask for the requester's identity, and the intended use for the information being requested. However, the requester does not have to put a records request in writing, and does not have to provide his or her identity, or the intended use of the requested public record. Requesters will be informed that they are not required to put the request in writing, provide their identity, or purpose of the request. City Day Community School may explain how providing the request in writing, the requester's identity, and purpose may enhance the ability to respond to the request.
3. Public records are to be available for inspection at all reasonable times during regular business hours, with the exception of published holidays. Public records must be made available for inspection promptly. Copies of public records must be made available within a reasonable period of time. "Prompt" and "reasonable" take into account the volume of records requested; the proximity of the location where the records are stored; and the necessity for any legal review of the records requested.
4. Each request should be evaluated for an estimated length of time required to gather the records. Routine requests for records should be satisfied within a reasonable amount of time. Routine requests include, but are not limited to, meeting minutes (both in draft and final form), budgets, salary information, forms and applications, personnel rosters, etc. Requests that require legal review are not considered routine requests.
5. All requests for public records must either be satisfied within a reasonable amount of time, or be acknowledged in writing by City Day Community School within one (1) business days of receipt by the appropriate office. If a request is deemed significantly beyond "routine," such as seeking a voluminous number of copies or requiring extensive research, the acknowledgement must include the following:
  - a – An estimated number of business days it will take to satisfy the request.
  - b – An estimated cost if copies are requested.
  - c – Any items within the request that may be exempt from disclosure.
6. Any denial of public records requested must include an explanation, including legal authority. If portions of a record are public and portions are exempt, the exempt portions are to be redacted and the rest released.
7. Those seeking public records will be charged only the actual cost of making copies: the charge for paper copies is 5 cents per page; the charge for downloaded computer files to a compact disc is \$1 per disc and there is no charge for documents e-mailed. Requesters may ask that documents be mailed to them. They will be charged the actual cost of the postage and mailing supplies. City Day Community School may, at its sole discretion, choose to waive copying costs for routine requests or requests involving a small number of copies.

8. E-mail. Documents in electronic mail format are records as defined by the Ohio Revised Code when their content relates to the business of the City Day Community School. E-mail is to be treated in the same fashion as records in other formats and should follow the same retention schedules. Records in private e-mail accounts used to conduct public business are subject to disclosure, and all employees or representatives of City Day Community School are instructed to retain their e-mails that relate to public business and to copy them to their business e-mail accounts and to the City Day Community School's records custodian or his/her designee. When an email's content pertains to the work of City Day Community School, employees and the records custodian or his/her designee are to treat the e-mails from private accounts as records of the public office, filing them in the appropriate way, retaining them per established schedules and making them available for inspection and copying in accordance with ORC Chapter 149.

No public record may be removed from the office in which it is maintained except by a Board officer or employee in the course of the performance of his/her duties.

Nothing in this policy shall be construed as preventing a Board member, in the performance of his/her official duties, from inspecting any record of this District, except student records and certain portions of personnel records.

The Principal shall provide for the inspection, reproduction, and release of public records in accordance with this policy and with the Public Records Law. Administrative guidelines shall be developed to provide guidance to school employees in responding to public records requests. The Superintendent/Principal shall require the posting and distribution of this policy in accordance with statute.

## **RECORDS RETENTION**

The orderly acquisition, storage, and retention of records and reports is essential for the overall efficient and effective operation of City Day Community School ("City Day"). The City Day Governing Authority (the "Board") shall establish a Records Retention Schedule to govern matters pertaining to organizational records, their retention and disposal.

There shall exist a Records Commission, which shall consist of the Board President, Business Manager, and Principal. The members of this Commission shall appoint a records officer to carry out the necessary work associated with City Day's public records.

The Records Commission shall meet at least once annually to review the schedule of records retention and organizational compliance therewith. Upon the approval of the Commission, such records may be disposed of, pursuant to:

- A. The procedures for disposal of records according to the approved schedule of records retention; and

B. As directed by the Commission.

Upon the commission's approval, the certificates of records disposal forms will be forwarded as follows:

Original -Forward the original to the Ohio Historical Society.

Copies -Keep one copy for the Record Commission files.

-The Ohio Historical Society will send a copy to the State Auditor's office on the School's behalf. Accordingly, City Day does not need to send a copy to the State Auditor's office.

The Records Commission shall develop the necessary record retention schedule(s) to carry out its purpose.

### **ARRIVAL AND DISMISSAL**

Students arrive to and depart from school by walking, private vehicle, and school bus. The school buses will transport student's to school based on the schedule established by your district of residence (contact your district's transportation office for details and schedules). To ensure a safe and smooth transition to and from the buses, there is to be no private vehicle parking/stopping in the school bus loading zone during restricted hours.

Students will not be allowed to leave school with anyone who is not on the list of persons with authorization to pick up your student's from school. If there is a change in the transportation arrangements for your child you must contact the school, or send a note with your students.

### **ASSEMBLIES**

Throughout the school year we will have assemblies as a regular part of the academic school program. These assemblies will be entertaining and educational. We will group our students into "Family Groups" and they will attend assemblies and family meetings together with students who are in or near their current grade level. Students must be courteous and respectful, and the assembly rules are as follows:

- 1. Enter and sit up straight in your assigned seat without talking.**
- 2. Give your undivided attention to the assembly speaker.**
- 3. Remain seated for the entire program unless you are told to do otherwise.**

### **ASSESSMENTS**

Throughout the school year student progress will be assessed to determine both their academic standing and academic growth. These tests will be in the form of paper exams, exams given on the computer, quizzes and tests in the classroom. Students are encouraged to do their absolute best on any test they are given so the staff will know how to help them grow academically. Please ensure students have proper rest on the days they must take assessment tests.

### **Security Provisions for Statewide Assessments**

It is the intent of City Day Community School to comply with State Department of Education guidelines for test security.

The Dean of Curriculum and Instruction is designated as City Day's Test Coordinator (TC). The TC is responsible for assuring that all the assessment administration and assessment security provisions adopted by the State Board of Education, and all assessment procedures adopted by the Ohio Department of Education and this District, are followed explicitly by the appropriate staff. The TC is responsible for making sure all Statewide assessment materials (i.e., achievement tests) and assessment procedures are secure and not made available to unauthorized parties. The TC is also responsible for assessment security within the school, and for appointing a sufficient number of examiners and monitors to satisfy State regulations. The TC shall identify each person by name with a designated title as being either a test coordinator, examiner, monitor, translator, or scribe in the school who is authorized to be present in an assessment room during an assessment session, including a makeup session, and/or who is authorized to have access to the assessment materials.

The TC is responsible for assuring that all assessment security provisions are met while assessment materials remain in the school.

Persons designated as examiners are responsible for assuring that all assessment security provisions are met while each assessment administration session is in progress and accounting for all assessment booklets by serial number, all CDs containing English audio and foreign language translation of assessments, all answer documents, and all tape recorded student responses from the translation sessions received from a TC, until such time as the examiners return said assessment materials to the TC.

No person shall reveal, cause to be revealed, release, cause to be released, reproduce or cause to be reproduced any secure assessment materials through any means or medium including, but not limited to, electronic, photographic, photocopy, written, paraphrase, or oral.

No unauthorized person shall be permitted to be in an assessment room during any assessment session or be permitted to have access to any secure assessment materials at any time such materials are in the school.

All assessment administration rooms shall be selected such that assessment security can be maintained while student comfort is maximized.

During each assessment administration period, assessments shall be administered in the order prescribed by the Ohio Department of Education.

No student shall take any assessment more than once during any assessment administration period unless authorized by the Ohio Department of Education.

Except for accommodations made in accordance with the rules adopted by the State Board of Education, only materials specifically designated by the Ohio Department of Education shall be provided to students and/or permitted in the assessment administration room during testing.

The examiner and all adult monitors assigned to an assessment administration room shall be informed of, and agree to follow, all prescribed assessment administration and assessment security provisions. Examiners and monitors must remain in the assigned assessment administration room during the entire administration of any assessment to assure compliance with rules governing assessment administration (as adopted by the State Board of Education and/or the Ohio Department of Education).

The following procedures are to be followed in each building:

- A. Statewide assessment booklets, answer documents, and all other assessment materials and instructions are to be secured in a locked cabinet or room before, after, and between assessment administration sessions.
- B. Each examiner shall sign for the number of copies of Statewide assessments and assessment procedures s/he receives from the TC as well as a statement of assurance that s/he will abide by the State-designed assessment procedures, will not reproduce or cause to be reproduced any of the Statewide assessments or procedures, and will not distribute such materials to any person other than the students who shall be taking the assessments.
- C. Only the TC, principal, examiner, and properly-trained adult monitors may be present in the assessment room while the assessments are being administered. The ratio of students to examiners/monitors shall not exceed thirty (30) to one (1).

If an examiner, adult monitor or other professional staff member has reason to believe that there has been an assessment security violation or any alleged unethical testing practice committed by a student or other person, s/he shall contact the TC and/or principal immediately and provide the names of the alleged violators and the nature of the alleged violation(s). The principal shall promptly investigate the alleged violation(s) to verify whether or not they occurred and recommend action(s) to be taken for any confirmed violation(s).

Any alleged assessment security violations of State laws or regulations, an ethical testing practice, this guideline, or the school's security procedures shall be reported to the Ohio Department of Education (ODE) as soon as it becomes known to the participating school (i.e. TC and/or principal).

If the violation(s) **is/are** verified and the violator is a student, s/he may be subject to suspension or expulsion from school and the results of his/her tests nullified. If the violator is a member of the staff, s/he may be subject to loss of certification/licensure and/or dismissal from the school.

The principal shall make the decision whether or not to invalidate the student's assessment score on each assessment that was violated or all of the assessments. Within ten (10) days of completion of the school's investigation, the principal is to file a written report with the Ohio Department of Education delineating the cause and results of the investigation including any corrective actions taken.

- D. When the assessment has been completed, each examiner shall return all copies of the Statewide assessment materials and procedures to the TC. The TC and the examiner together shall verify, in writing, that the number returned is the same as the number issued.
- E. The TC shall store all completed Statewide assessments and assessment procedures in the same locked cabinet or room until the materials are ready for return to the State.

The TC shall contact the Ohio Department of Education and arrange for the return of all Statewide assessments and assessment procedures.

The TC shall be present when the Statewide assessment test materials are picked up and shall require that the person who receives the materials signs a verification sheet that indicates the number received, the condition of the materials, and the date of receipt. A copy of this verification sheet is to be maintained by the TC.

The TC is responsible for making sure that the school complies with all guidelines issued by the State for the proper administration, processing, and handling of the Statewide assessment tests and associated materials, including the standards relative to the ethical use of tests by staff. The TC is also responsible, by October 1st of each school year, for sharing this guideline, including all written security procedures and penalties, in writing and discussing it with all staff members who have access to the secure assessment materials, with all students who are being tested, and with any other person authorized to be present in an assessment administration room and/or to have access to any assessment materials.

The TC and applicable examiner shall orally remind staff, including monitors, and students of these guidelines prior to the beginning of each assessment administration period. Staff members, including adult monitors, must acknowledge receipt of these guidelines and the school's standards relative to the ethical use of assessments on an annual basis.

## **ATTENDANCE POLICY**

The educational program offered by City Day is predicated upon the presence of the student and requires continuity of instruction and classroom participation. Attendance shall be required of all students enrolled in the School during the school days and hours that the School is in session or during the attendance sessions to which s/he has been assigned.

In accordance with statute, the Principal shall require, from the parent of each student who has been absent from school or from class for any reason, a statement of the cause for such absence. The Board reserves the right to verify such statements and to investigate the cause of each single absence or prolonged absence.

The Board may report to appropriate authorities infractions of the law regarding the attendance of students below the age of eighteen (18). Repeated infractions of Board policy requiring the attendance of enrolled students may result in the suspension or expulsion of the student from the regular school program.

The Board considers the following factors to be reasonable excuses for time missed at school:

- A. Personal illness (a written physician's statement verifying the illness may be required);
- B. Quarantine of the home;
- C. Death in the family;
- D. Observation or celebration of a bona fide religious holiday;
- E. Out-Of-state travel (up to a maximum of four (4) days per school year) to participate in a District-approved enrichment, co-curricular or extracurricular activity;
- F. Such other good cause as may be acceptable to the Principal.

Attendance need not always be within the school facilities, but a student will be considered to be in attendance if present at any place where school is in session by authority of the Board.

## **Attendance, Truancy and Tardiness**

### **Truancy Procedures**

The educational program offered by CDCS is predicated upon the presence of the student and requires continuity of instruction and classroom participation. Attendance shall be required of all students enrolled in the schools during the days and hours that the school is in session or during the attendance sessions to which s/he has been assigned.

In accordance with statute, the Superintendent shall require, from the parent of each student of compulsory school age who has been absent from school or from class for any reason, a written statement of the cause for such absence. The Governing Board reserves the right to verify such statements and to investigate the cause of each single absence or prolonged absence.

The Board considers the following factors to be reasonable excuses for time missed at school:

- A. personal illness (a written physician's statement verifying the illness may be required)
- B. illness in the family necessitating the presence of the child
- C. quarantine of the home
- D. death in the family
- E. necessary work at home due to absence or incapacity of parent(s)/guardian(s)
- F. observation or celebration of a bona fide religious holiday
- G. out-of-state travel (up to a maximum twenty-four (24) hours per school year that the student's school is open for instruction) to participate in a District-approved enrichment or extracurricular activity

Any classroom assignment missed due to the absence shall be completed by the student.

If the student will be absent for twenty-four (24) or more consecutive hours that CDCS is open for instruction, a classroom teacher shall accompany the student during the travel period to provide the student with instructional assistance.

- H. such good cause as may be acceptable to the Superintendent
- I. medically necessary leave for a pregnant student

Attendance need not always be within the school facilities, but a student will be considered to be in attendance if present at any place where school is in session by authority of the Board.

The Board shall consider each student assigned to a program of other guided learning experiences to be in regular attendance for the program provided that s/he reports to such staff member s/he is assigned for guidance at the place in which s/he is conducting study, and regularly demonstrates progress toward the objectives of the course of study.

### **Excessive Absences**

When a student of compulsory school age is absent from school with or without legitimate excuse for thirty-eight (38) or more hours in one school month, or sixty-five (65) or more hours in a school year, the Superintendent or his/her designee shall notify the child's parent or guardian of the child's absences, in

writing, within seven (7) school days after the date of the absence that triggered the notice requirement. At the same time written notice is given, any appropriate intervention action listed herein may be taken.

A student will be considered habitually truant if the student is of compulsory school age and absent without a legitimate excuse for thirty (30) or more consecutive hours, for forty-two (42) or more hours in one (1) school month, or for seventy-two (72) or more hours in one (1) school year.

Legitimate excuses for the absence of a student who is otherwise habitually truant include but are not limited to:

- A. the student was enrolled in another school district;
- B. the student was excused from attendance in accordance with R.C. 3321.04; or
- C. the student has received an age and schooling certificate.

### **Absence Intervention Team**

To the extent required by law as determined on an annual basis, within ten (10) days of a student becoming habitually truant, the Superintendent shall assign the student to an absence intervention team.

Within fourteen (14) school days after the assignment of a student to an absence intervention team, the team shall develop an intervention plan for that student in an effort to reduce or eliminate further absences. Each intervention plan shall vary based on the individual needs of the student, but the plan shall state that the attendance officer shall file a complaint not later than sixty-one (61) days after the date the plan was implemented, if the child has refused to participate in, or failed to make satisfactory progress on, the intervention plan. Within seven (7) school days after the development of the plan, reasonable efforts shall be made to provide the student's parent/guardian/custodian, with written notice of the plan.

Each absence intervention team may vary based on the needs of each individual student but shall include two CDCS representatives, at least one of whom knows the child, and the child's parent or parent's designee, or the child's guardian, custodian, guardian ad litem, or temporary custodian. The team also may include a school psychologist, counselor, social worker, or representative of a public or nonprofit agency designed to assist students and their families in reducing absences.

The members of the absence intervention team shall be selected within seven (7) school days of the student meeting the habitually truant threshold. Within the same period of seven (7) school days, the Superintendent or his/her designee shall make at least three (3) meaningful, good faith attempts to secure the participation of the student's parent/guardian/custodian, guardian ad litem, or temporary custodian on that team. A good faith attempt to secure the participation of the parent shall include, but not be limited to, contacting (or attempting to contact) the parent by telephone, email, or regular mail. If the student's parent responds to any of those attempts, but is unable to participate for any reason, the Superintendent shall inform the parent of the parent's right to appear by designee. If seven (7) school days elapse and the student's parent/guardian/custodian, guardian ad litem, or temporary custodian fails to respond to the attempts to secure participation, the attendance officer shall investigate whether the failure to respond triggers

mandatory abuse or neglect reporting to the public children services agency. At the same time, the absence intervention team shall continue to develop an intervention plan for the child notwithstanding the absence of the child's parent/guardian/custodian, guardian ad litem, or temporary custodian.

### **Intervention Strategies**

In order to address the attendance practices of a student who is habitually truant, the intervention team may, as part of an intervention plan, take any of the following intervention actions:

- A. provide counseling to the student;
- B. request or require the student's parent to attend a parental involvement program;
- C. request or require a parent to attend a truancy prevention mediation program;
- D. notify the Registrar of Motor Vehicles of the student's absences;
- E. take appropriate legal action; and
- F. assignment to an alternative school (Note: If the District has established an alternative school, it must appear as an alternative intervention strategy.)

In the event that a student becomes habitually truant within twenty-one (21) school days prior to the last day of instruction of a school year, the Superintendent may, in his/her discretion, assign a school official to work with the child's parent/guardian/custodian, guardian ad litem, or temporary custodian to develop an absence intervention plan during the summer.

The absence intervention process shall commence upon the first day of instruction of the next school year.

### **Reporting Requirements**

The attendance officer shall file a complaint in the juvenile court against a student on the sixty-first (61<sup>st</sup>) day after the implementation of an absence intervention plan or other intervention strategies, provided that all of the following apply:

- A. The student is habitually truant.
- B. CDCS has made meaningful attempts to re-engage the student through the absence intervention plan, other intervention strategies, and any offered alternatives to adjudication, if applicable.

- C. The student has refused to participate in or failed to make satisfactory progress on the plan, as determined by the absence intervention team, or any offered intervention strategies or alternative to adjudication.

If the student, at any time during the implementation phase of the absence intervention plan or other intervention strategies, is absent without legitimate excuse for thirty (30) or more consecutive hours or forty-two (42) or more hours in one school month, the attendance officer shall file a complaint in juvenile court against that student, unless the absence intervention team has determined that the student has made substantial progress on the absence intervention plan.

In the event that the sixty-first (61st) day after the implementation of the absence intervention plan or other intervention strategies falls on a day during the summer months, the absence intervention team or the attendance officer may extend the implementation of the plan and delay the filing of the complaint for an additional thirty (30) days from the first day of instruction of the next school year.

The Superintendent is authorized to establish an educational program for parents of truant students which is designed to encourage parents to ensure that their children attend school regularly. Any parent who does not complete the program is to be reported to law enforcement authorities for parental education neglect, a fourth-class misdemeanor if found guilty.

Whenever any student of compulsory school age has sixty (60) consecutive hours in a single month or a total of ninety (90) hours of unexcused absence from school during the school year, s/he will be considered habitually absent. The Board authorizes the Superintendent to inform the student and his/her parents, guardian, or custodian of the record of absences without legitimate excuse as well as the District's intent to notify the Registrar of Motor Vehicles, if appropriate, and the Judge of the Juvenile Court of the student's unexcused absences.

If a student who is habitually truant violates the order of a juvenile court regarding the student's prior adjudication as an unruly child for being a habitual truant, s/he may further be adjudicated as a delinquent child.

CDCS shall report to the Ohio Department of Education, as soon as practicable, and in a format and manner determined by the Department, any of the following occurrences:

- A. when a notice that a student has been absent with or without legitimate excuse for thirty-eight (38) or more hours in one (1) school month, or sixty-five (65) or more hours in a school year is submitted to a parent/guardian/or custodian;
- B. when a child of compulsory school age has been absent without legitimate excuse from the public school the child is supposed to attend for thirty (30) or more consecutive hours, forty-two (42) or more hours in one school month, or seventy-two (72) or more hours in a school year;

- C. when a child of compulsory school age who has been adjudicated an unruly child for being a habitual truant violates the court order regarding that adjudication;
- D. when an absence intervention plan has been implemented for a child under this policy.

## **Tardiness Procedures**

Tardiness is a late student. A student is considered tardy to class if the student is not in the classroom by the time the class begins. The school has set procedures when dealing with tardy students. Once a student has accumulated:

### **FIVE (5) unexcused tardy days:**

1. A warning letter will be sent home with the student.
2. A phone call will be made informing the parent/guardian of the attendance policy and the truancy procedures.

### **TEN (10) through FIFTEEN (15) unexcused tardy days:**

1. A second warning letter will be sent home with the student requesting a conference with the parent/guardian.
2. A conference with the student and his/her parent/guardian will be held.
3. Documentation will be made if the parent fails to attend the conference and a letter will be sent home explaining the current status of the situation and warning against any other absences.

### **FIFTEEN (15) and above:**

1. A letter will be sent home with the student.
2. A complaint may be made to Montgomery County Department of Children Services, and to the Montgomery County Juvenile Court.

## **BOOKS**

City Day Community School will supply textbooks and other learning materials to students. These learning materials are the property of City Day Community School. Students are responsible for the care of any item that belongs to the school and is in their care. If a book is lost, it must be paid for. If a book is damaged, a fee will be charged to cover the repair or replacement of the book. Students will not receive any interim or report card information until the fees for damaged or lost books are paid for. Students will not write in the school owned books unless they are instructed to do so by their teacher. Lost books should be turned in to a teacher or into the main office.

## **BUS POLICIES**

City Day does not provide transportation services. Bus services are provided by local surrounding resident districts including, but not specifically limited to, Dayton Public Schools. The bus driver, who is employed by the resident district, is responsible for the management of the bus and the safety of the students. The bus driver is responsible for enforcing the bus rules which may include, but are not limited to:

## **Bus Rules**

1. No changing seats while the bus is in motion.
2. Students must ride their assigned bus. No unauthorized passengers will be allowed on the bus.
3. Keep the talking, laughing, and any noise at a reasonable level.
4. Silence is required at all railroad crossings and as directed by the bus driver.
5. Keep all parts of your body inside the bus. Nothing goes out the windows.
6. When leaving the bus, follow all crossing rules.
7. No throwing or spitting out of the windows.
8. No eating, drinking, or littering on the bus.
9. OBEY the driver's instructions at all times.
10. Parents will be held responsible if a student damages or marks on the bus.
11. No profanity or harassing language.
12. Get on and off the bus only at assigned stops.
13. Behavior that would endanger anyone on the bus, or behavior that would damage the bus is strictly prohibited.
14. No weapons are allowed on the bus.
15. No fighting

**Note: All students who ride the school buses are responsible for knowing and following these rules. Failure to do so may result in disciplinary action, which could include, but is not limited to, bus suspension and the loss of bus riding privileges. If your child is deemed a safety risk, s/he will be removed from the bus immediately.**

**State law prohibits parents or any unauthorized individual from boarding or impeding the orderly boarding or departing of students on school buses. Should there be a situation or problem relating to the school bus, parents must contact the school in order to resolve the concern.**

## **CLASSROOM RULES**

In addition to the school-wide rules, each classroom has its own rules. Students are expected to follow the rules of the classroom they are in. City Day Community School's classrooms are places of learning, which will be free of distractions and disturbances. The rules are designed to make each room orderly, safe and conducive to academic achievement.

## **SCHOOL UNIFORMS**

All students are encouraged to take pride in their personal appearance! You are expected to be clean, dress neatly, and be well groomed. School uniforms are the required dress at City Day Community School. If your student is not in the proper school uniform s/he will not be allowed to attend school that day. You (or your emergency contact) will be contacted and expected to either: 1) bring in the proper uniform for your student to wear, or 2) pick your child up and take them home. They may return when they are in the proper uniform. If your child refuses to wear his/her uniform in the proper manner, s/he will be removed from school until s/he will agree to wear their clothes in the proper manner.

<b>School Uniforms</b>	<ul style="list-style-type: none"> <li>• Solid khaki (medium tan) or solid navy uniform pants or shorts for boys and girls; and skirts, skorts, or jumpers for girls</li> <li>• Solid navy or red polo shirts with no logo, with long or short sleeves (not sleeveless).</li> <li>• Shoes must be hard sole, flat, and completely enclosing the foot.</li> </ul>
<b>Tops</b>	<ul style="list-style-type: none"> <li>• Shirts must be tucked in at all times while on school grounds. It is the family's responsibility to provide a shirt that is long enough to be tucked in comfortably.</li> <li>• The long or short sleeved shirts worn under the uniform must be a solid white or solid navy with no collar; multiple colored shirts may not be worn.</li> <li>• Tank tops and visible camisoles may not be worn.</li> </ul>
<b>Bottoms</b>	<ul style="list-style-type: none"> <li>• Everyone's pants, shorts, skirts, and skorts are to be worn at the waist.</li> <li>• Shorts, skirts, skorts, and jumpers may be no shorter than 2 inches above the knee.</li> <li>• Pants, shorts, and skirts may not have cargo pockets.</li> </ul>
<b>Sweaters</b>	<ul style="list-style-type: none"> <li>• Plain red or navy cardigan or sweater vest (it must be sweater material with no design)</li> </ul>
<b>Other</b>	<ul style="list-style-type: none"> <li>• Girls may wear solid red or solid navy tights, worn under their skirts, skorts, or jumpers.</li> <li>• Students cannot wear mix-matched or a variety color of socks when wearing shorts or a skirt. They must be solid white, solid red or solid navy.</li> <li>• No hats or head coverings.</li> <li>• Students cannot wear any costume jewelry/jewelry with their uniform.</li> <li>• Belts must be plain with no decorations of any kind and cannot disrupt the learning environment.</li> </ul>

You may contact the school office at 937-223-8130 if you are unsure about the uniform your child is required to wear.

## **EMERGENCIES AND ACCIDENTS**

When an accident or injury occurs, your child should report it immediately to the teacher or the aide in charge. Students must maintain an updated emergency information card on file in the main office. Whenever emergency information changes, please notify the office in writing or call the school and we will send a new emergency information card home. Parents are required to keep their work/home phone numbers and addresses current with the school so we will be able to contact you in the event of an actual emergency.

## **FIELD TRIPS**

Field trips may be scheduled throughout the school year. When a field trip is planned, parents are informed about the nature and date of the field trip and any associated cost. Permission slips must be signed and returned to school before a student can participate in the activity. Fees for admission may be collected for certain field trips. Parent volunteers will be needed to accompany our students on their field trips, and you will be solicited to help throughout the year.

## **EMERGENCY SITUATIONS/DRILLS**

Fire, tornado and school safety drills will be held regularly throughout the school year in accordance with State law. Drill instructions are posted in each room and will be discussed with students by their teachers. Fire drills shall be conducted nine (9) times a school year at the times and frequency prescribed by the State Fire Marshal. However, no fire drills are required to be conducted in any month that a school safety drill is conducted. Tornado drills shall be conducted on a regular basis during the tornado season in the spring.

School safety drills shall be conducted on or before December 1st of each school year. During the school safety drill, students must be instructed in the appropriate procedures to follow in situations where students must be secured in their building (rather than evacuated), including:

- A. A threat to the school involving terrorism;
- B. A person in possession of a deadly weapon or dangerous ordnance on school property; and
- C. Other acts of violence.

Prior to conducting the annual school safety drill, each principal shall:

- A. Provide advance notice of the safety drill to the municipal police chief (or in the absence of such officer, the county sheriff). Such notice shall be provided no later than seventy-two (72) hours prior to the date the drill will be held, be sent by mail, facsimile or electronic submission, and include the address of the school and the date and time the drill will be conducted;
- B. Provide follow-up written certification of the date and time the drill was conducted to the municipal police chief (or in the absence of such officer, the county sheriff). The certification of each completed drill must be submitted by mail by December 5<sup>th</sup> of each school year.
- C. Hold annual training sessions for school employees regarding the procedures to follow during school safety drills.

The principal shall keep a written record of the date and time of each drill conducted.

In the case of a drill or an actual emergency, students will:

- Leave all books and personal items (except purses) in the classroom.
- Remain quiet! There will be NO TALKING anytime during the drills.
- Leave the building at the direction of a teacher or aide and report to the classroom grouping area
- Walk quickly in a single file line. DO NOT RUN!
- Stay with their class or assigned group.

In the case of an actual emergency you will be notified personally or in writing of the nature of the emergency.

## **FOOD SERVICES**

City Day Community School shall provide cafeteria facilities and will provide lunch service for purchase and consumption. The food services provided shall meet the requirements of the National School Lunch Programs, Child Nutrition Act as well as state and federal requirements based on the USDA Dietary Guidelines.

A school lunch must include a minimum of three food components. A fruit or vegetable must be selected. If a complete meal is not selected, a student is charged a la carte price. The National School Lunch Program prohibits

the sale of carbonated beverages, popsicles, chewing gum, and candies on school campus during school meal serving times. No foods or beverages, other than those associated with the school's food-service program, are to be sold during food-service hours.

City Day Community School participates in the National School Breakfast/Lunch Program. Under these programs all schools who participate must make free and reduced meals available to eligible students. If you believe your family may be eligible and you have not received a form to apply, please contact the School Registrar in the front office to obtain the proper form to apply to the program.

Our nutrition standards prohibit the placement of vending machines in any classroom where students are provided instruction, unless the classroom also is used to serve students meals. No products are vended which would conflict with or contradict information or procedures contained in the District's educational programs on health and nutrition.

### **GIFTED STUDENT IDENTIFICATION POLICY**

A Gifted Student is a student who performs or shows potential for performing at remarkably high levels of accomplishment when compared to others of their age, experience or environment and who are indentified under Ohio law in ORC 3324.03. Ohio law requires City Day Community School to identify gifted students annually. Children in grades K-12 may be identified as gifted in one or more of the following areas:

1. Superior Cognitive Ability
2. Specific Academic Ability in one or more of the following content areas: Mathematics, Science, Reading/Writing or a combination of the two, and Social Science.
3. Creative Thinking.
4. Visual or Performing Arts Ability such as visual arts, music, dance, or drama.

### **Identification of Gifted Students**

City Day Community School offers comprehensive, consistent and inclusive screening. Formal screening periods will be scheduled in the fall and spring. Parents may refer their children for screening in any or all of the four areas. Referral Forms may be obtained at the school office and should be submitted to the building principal. City Day recognizes scores from any test approved by the Department of Education for gifted identification. Parents of students transferring into the district who have been identified as gifted in other school districts in Ohio or out-of-state should use the Referral Form to initiate a review of data to determine compliance with Ohio Standards.

Children referred as potentially gifted in any of the areas as listed above will be evaluated using assessment tools approved by the State of Ohio for the purpose of screening and identification. City Day assesses all children in grades kindergarten through eighth grade annually as part of our comprehensive testing plan as well as for gifted identification purposes. On alternate years, opportunities for screening and identification are provided for students demonstrating remarkably high levels of accomplishment through nomination by parents, teachers, self or others.

### **Pre-Assessment and Assessment**

The pre-assessment part of the process involves gathering student data from a variety of sources including teacher, parent and peer nominations; grades; portfolios; observations; review of student records; and outstanding products or performances, etc. All students are involved in the pre-assessment pool. By using the pre-assessment process, we ensure equal access to screening and further assessment by all children, including

culturally or linguistically diverse children, children from low socioeconomic backgrounds, children with disabilities, and children for whom English is a second language.

Assessment strategies provide additional data necessary for an identification decision and the delivery of services. Strategies for additional assessment include the individual and group testing requirements of Sections 3324.01-3324.07 of the Ohio Revised Code. Once additional assessment has been completed, the data obtained throughout the stages of identification are determined.

## **Withdrawal**

If at any time, a student wishes to withdraw from gifted programs or services, the request should be written by the parent or child to the gifted coordinator. If a child requests to withdraw, his/her parents will be notified. A meeting with all involved parties will be conducted and a decision based upon that meeting result will be made.

## **Appeal Procedure**

An appeal by the parent is the reconsideration of the results of any part of the identification process which would include: screening procedure or assessment instrument (which results in identification); the scheduling of children for assessment; the placement of a student in any program; and receipt of services. Once parents submit a letter to the principal or designee outlining the nature of the concern, the principal or designee will convene a meeting with the parent/guardian, which may include other school personnel, to discuss the concern. The superintendent or designee will issue a written final decision within 30 days of the appeal. This written notice should include the reason(s) for the decisions(s).

## **GUIDANCE**

A program of guidance and/or counseling shall be offered to all students and shall involve the coordinated efforts of all staff members under the professional leadership of certificated guidance and counseling personnel. These include:

- Educational planning
- Interpretation of test scores
- Study guidelines
- Assistance with home, school, or social issues
- Any question or issue the student would like to discuss

## **HARRASSMENT, BULLYING, STUDENT HAZING AND AGGRESSIVE BEHAVIOR**

It is the policy of City Day Community School to maintain an education environment that is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all school 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, adjacent to school property or at another location if such conduct occurs during an activity sponsored by the Board.

School personnel are encouraged to address the issue of harassment in interactions with students. School personnel seek to educate students about harassment and help eliminate such prohibited behaviors through class discussions, counseling, and reinforcement of socially appropriate behavior.

City Day will vigorously enforce its prohibition against discriminatory harassment based on sex, race, color, national origin, disability, age (except as authorized by law), religion, ancestry, or genetic information (collectively, “Protected Classes”) that are protected by State and Federal civil rights laws (hereinafter referred to as unlawful harassment), and encourages those within the school community as well as third parties, who feel aggrieved to seek assistance to rectify such problems. City Day will investigate all allegations of unlawful harassment and in those cases where unlawful harassment is substantiated, the Board will take immediate steps to end the harassment, prevent its reoccurrence, and remedy its effects. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

## **Definitions.**

Harassment means any threatening, insulting, or dehumanizing gesture, use of technology, or written, verbal or physical conduct directed against a student or employee that:

1. places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property;
2. has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or an employee's work performance; or
3. has the effect of substantially disrupting the orderly operation of a school.

Harassment includes sexual harassment, race/color harassment, religious/creed harassment, national origin harassment and disability harassment

Sexual Harassment means, according to Title VII of the Civil Rights Act of 1964 and Title IX of the Educational Amendments of 1972, any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when: submission to such conduct is made either implicitly or explicitly a term or condition of status in a class, educational program, or activity; submission or rejection of such conduct by an individual is used as the basis for educational decisions affecting such individual or such conduct has the purpose or effect of interfering with the individual's educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Sexual harassment may involve the behavior of a person of either gender against a person of the same or opposite gender.

Prohibited acts that constitute sexual harassment may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment are unwelcome sexual propositions, invitations, solicitations, and flirtation; unwanted physical and/or sexual contact; threats or insinuations that a person's academic grade, classroom work or assignments, academic status, participation in athletics or extra-curricular programs or events, or other conditions of education may be adversely affected by not submitting to sexual advances; unwelcome verbal expressions of a sexual nature; sexually suggestive objects, pictures, videotapes, audio recordings or literature, placed in the educational environment; unwelcome and inappropriate touching, patting, or pinching; obscene gestures; a pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another; remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history; verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature. Not all behavior with sexual connotations constitutes unlawful sexual harassment. Conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects, limits, or denies an individual's education, or such that it creates a hostile or abusive educational environment, or such that it is intended to, or has the effect of, denying or limiting a student's ability to participate in or benefit from the educational program or activities.

**Race/Color Harassment:** Prohibited harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's educational performance; of creating an intimidating, hostile, or offensive learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

**Religious (Creed) Harassment:** Prohibited harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's educational performance; of creating an intimidating, hostile, or offensive learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

**National Origin Harassment:** Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin and when the conduct has the purpose or effect of interfering with the individual's educational performance; of creating an intimidating, hostile, or offensive learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

**Disability Harassment:** Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's educational performance; of creating an intimidating, hostile, or offensive learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's disabling condition, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like.

## **Reports and Complaints of Harassing Conduct**

School personnel will intervene promptly whenever they observe student conduct that has the purpose or effect of ridiculing, humiliating, or intimidating another student, even if such conduct does not meet the formal definition of "harassment."

### **Complaint Process**

**1. Formal Complaints.** Students and/or their parents may file reports regarding suspected harassment, intimidation or bullying. Such written reports shall be reasonably specific including person(s) involved, number of times and places of the alleged conduct, the target of suspected harassment, and the names of any potential student or staff witnesses. Such reports may be filed with any school staff member or administrator, and they shall be promptly forwarded to the principal for review and action.

**2. Informal Complaints.** Students, parents or guardians and school personnel may make informal complaints of conduct that they consider to be harassment, intimidation and/or bullying by verbal report to

a teacher, school administrator, or other school personnel. Such informal complaints shall be reasonably specific as to the actions giving rise to the suspicion of harassment, including person(s) involved, number of times and places of the alleged conduct, the target of the prohibited behavior(s), and the names of any potential student or staff witness. A school staff member or administrator who receives an informal complaint shall promptly document the complaint in writing, including the above information. This written report by the school staff member and/or administrator shall be promptly forwarded to the principal for review and action.

**3. Anonymous Complaints.** Students who make informal complaints as set forth above may request that their name be maintained in confidence by the school staff member(s) and administrator(s) who receive the complaint. The anonymous complaints shall be reviewed and reasonable action will be taken to address the situation, to the extent such action may be taken that (1) does not disclose the source of the complaint, and (2) is consistent with the due process rights of the student(s) alleged to have committed acts of harassment, intimidation and/or bullying.

## **School Personnel Responsibilities and Intervention Strategies**

### **1. Teachers and Other School Staff**

Teachers and other school staff, who witness acts of harassment, as defined above, shall promptly notify the principal and/or his/her designee of the event observed, and shall promptly file a written, incident report concerning the events witnessed. Teachers and other school staff who receive student or parent reports of suspected harassment shall promptly notify the principal and/or his/her designee of such report(s). If the report is a formal, written complaint, such complaint shall be forwarded promptly (no later than the next school day) to the principal or his/her designee. If the report is an informal complaint by a student that is received by a teacher or other professional employee, s/he shall prepare a written report of the informal complaint which shall be promptly forwarded (no later than the next school day) to the principal or his/her designee.

In addition to addressing both informal and formal complaints, school personnel are encouraged to address the issue of harassment, intimidation or bullying in other interactions with students. School personnel may find opportunities to educate students about harassment and help eliminate such prohibited behaviors through class discussions, counseling, and reinforcement of socially appropriate behavior. School personnel should intervene promptly whenever they observe student conduct that has the purpose or effect of ridiculing, humiliating or intimidating another student/school personnel, even if such conduct does not meet the formal definition of “harassment, intimidation or bullying.”

### **2. Administrator Responsibilities**

Investigation. The principal and or his/her designee shall be promptly notified of any formal or informal complaint of suspected harassment. Under the direction of the principal or his/her designee, all such complaints shall be investigated promptly. A written report of the investigation shall be prepared when the investigation is complete. Such report shall include findings of fact, a determination of whether acts of harassment, were verified, and, when prohibited acts are verified, a recommendation for intervention, including disciplinary action shall be included in the report. Where appropriate, written witness statements shall be attached to the report.

When a student making an informal complaint has requested anonymity, the investigation of such complaint shall be limited as is appropriate in view of the anonymity of the complaint. Such limitation of investigation may include restricting action to a simple review of the complaint (with or without discussing it with the alleged

perpetrator), subject to receipt of further information and/or the withdrawal by the complaining student of the condition that his/her report be anonymous.

Remedial Actions. Verified acts of harassment shall result in an intervention by the building principal or his/her designee that is intended to ensure that the prohibition against harassment behavior is enforced, with the goal that any such prohibited behavior will cease.

Harassment behavior can take many forms and can vary dramatically in seriousness and impact on the targeted individual and other students. Accordingly, there is no one prescribed response to verified acts of harassment. While conduct that rises to the level of “harassment,” as defined above will generally warrant disciplinary action against the perpetrator of such prohibited behaviors whether and to what extent to impose disciplinary action (detention, in and out-of-school suspension; or expulsion) is a matter for the professional discretion of the principal or his/her designee. The following sets forth possible interventions for the principal or his/her designee to enforce the Board’s prohibition against “harassment.”

Non-disciplinary Interventions. When verified acts of harassment are identified early and/or when such verified acts do not reasonably require a disciplinary response, students may be counseled as to the definition of harassment, its prohibition and their duty to avoid any conduct that could be considered harassing.

If a complaint arises out of conflict between students or groups of students, peer mediation may be considered. Special care, however, is warranted in referring such cases to peer mediation. A power imbalance may make the process intimidating for the victim and therefore inappropriate. The victim’s communication and assertiveness skills may be low and could be further eroded by fear resulting from past intimidation and fear of future intimidation. In such cases, the victim should be given additional support. Alternatively, peer mediation may be deemed inappropriate to address the concern.

Disciplinary Interventions. When acts of harassment, intimidation and bullying are verified and a disciplinary response is warranted, students are subject to the full range of disciplinary consequences. Anonymous complaints that are not otherwise verified, however, shall not be the basis for disciplinary action.

In and out-of-school suspension may be imposed only after informing the accused perpetrator of the reasons for the proposed suspension and giving him/her an opportunity to explain the situation. Expulsion may be imposed only after a hearing before the Governing Board, a committee of the Board or an impartial hearing officer designated by the Board in accordance with Board policy. This consequence shall be reserved for serious incidents of harassment, intimidation or bullying and/or when past interventions have not been successful in eliminating prohibited behaviors.

### **3. Intervention Strategies**

In addition to the prompt investigation of complaints of harassment and direct intervention when such prohibited acts are verified, other school actions may ameliorate any potential problem with harassment in school or at school-sponsored activities. While no specific action is required and school needs for such interventions may vary from time to time, the following list of potential intervention strategies shall serve as a resource for administrators and school personnel:

1. Respectful responses to harassment concerns raised by students, parents or school personnel;
2. Planned professional development programs addressing targeted individuals’ problems; including what is safe and acceptable Internet use;
3. Data collection to document victim problems to determine the nature and scope of the problem;
4. Use of peers to help ameliorate the plight of victims and include them in group activities;
5. Avoidance of sex-role stereotyping (e.g., males need to be strong and tough);

6. Awareness and involvement on the part of all school personnel and parents with regard to victim problems;
7. An attitude that promotes communication, friendship, assertiveness skills and character education;
8. Modeling by school personnel of positive, respectful and supportive behavior toward students;
9. Creating a school atmosphere of team spirit and collaboration that promotes appropriate social behavior by students in support of others (Ohio School Climate Guidelines);
10. Employing classroom strategies that instruct students how to work together in a collaborative and supportive atmosphere; and
11. Form harassment task forces, programs and other initiatives involving volunteers, parents, law enforcement and community members.

### **Intervention Strategies for Protecting Victims**

1. Supervise and discipline offending students fairly and consistently;
2. Provide adult supervision during recess, lunch time, bathroom breaks and in the hallways during times of transition;
3. Maintain contact with parents and guardians of all involved parties;
4. Provide counseling for the victim if assessed that it is needed;
5. Inform school personnel of the incident and instruct them to monitor the victim and the offending party for indications of harassing behavior. Personnel are to intervene when prohibited behaviors are witnessed;
6. Check with the victim daily to ensure that there has been no incidents of harassment/intimidation/bullying or retaliation from the offender or other parties.

### **Reporting Obligations**

Report to the Parent of the Perpetrator. If after investigation, acts of harassment by a specific student are verified, the principal or his/her designee shall notify in writing the parent or guardian of the perpetrator of that finding. If disciplinary consequences are imposed against such student, a description of such discipline shall be included in such notification.

Reports to The Victim And His/Her Parent. If after investigation, acts of harassment against a specific student are verified, the principal or his/her designee shall notify the parent or guardian of the victim of such finding. In providing such notification, care must be taken to respect the statutory privacy rights of the perpetrator of such harassment.

Police and Child Protective Services. Allegations of criminal misconduct will be reported to law enforcement, and suspected child abuse must be reported to Child Protective Services, per required timelines. City Day Community School must also investigate for the purpose of determining whether there has been a violation of City Day policy or procedure, even if law enforcement or CPS is also investigating. All City Day personnel must cooperate with investigations by outside agencies.

In addition to, or instead of, filing a harassment complaint through this policy, a complainant may choose to exercise other options, including but not limited to filing a complaint with outside agencies or filing a private lawsuit. Nothing prohibits a complainant from seeking redress under any other provision of the Ohio Revised Code or common law that may apply.

### **Training**

Orientation sessions for students shall introduce the elements of this policy and procedure. Students will be provided with age-appropriate information on the recognition and prevention of harassment, and their rights and responsibilities under this and other school policies, procedures and rules, at student orientation sessions and on other appropriate occasions. Parents will be provided with information about this policy and procedure, as well as information about other district and school rules and disciplinary policies. This policy and procedure shall be reproduced in student, staff, volunteer and parent handbooks.

School personnel members are encouraged to address the issue of harassment in other interactions with students. School personnel may find opportunities to educate students about bullying and help eliminate bullying behavior through class discussions, counseling and reinforcement of socially appropriate behavior. School personnel should intervene promptly whenever they observe student conduct that has the purpose or effect of ridiculing, humiliating or intimidating another student/school personnel, even if such conduct does not meet the formal definition of “harassment.”

### **CHILD ABUSE AND NEGLECT**

Because of their sustained contact with school-age children, teachers and other employees are in a position to identify abused or neglected children. The School requires that every nurse, teacher, counselor, school psychologist, or administrator complete at least four (4) hours of in-service training in child abuse prevention, school safety, violence prevention, human trafficking, substance abuse, the promotion of positive youth development, and suicide awareness within two years of commencing employment in the School, and every five years thereafter. The School may develop its own curriculum or adopt the curriculum developed by the Ohio Department of Education for the in-service training. The board's harassment, intimidation, or bullying policy, school safety and violence prevention, including human trafficking content, and youth suicide awareness and prevention shall be incorporated into the in-service training. The School shall maintain records of staff participation in in-service child abuse detection.

Every School official, School employee, or employee assigned to the School who knows or has reasonable cause to suspect based on facts that would cause a person in a similar position to suspect, that a student under eighteen (18) years of age or a person, under twenty-one (21) years of age with a developmental disability or physical impairment has suffered or faces a threat of suffering any physical or mental wound, injury, disability, or condition of a nature that reasonably indicates abuse or neglect of the student, shall immediately report that knowledge or suspicion, by telephone or in person, to the public children services agency or a municipal or county peace officer in the county in which the child resides or in which the abuse or neglect is occurring or has occurred. S/he shall also notify the Superintendent or his/her designee.

All suspected cases are to be reported even if documentation is not available. The law provides protection for the reporting person who acts in good faith.

If the agency or officer receiving the report requests a written report, the Superintendent or his/her designee shall provide a written report containing the following information:

1. The names and addresses of the student and the student's parents or the person or persons having custody of the student, if known;
2. The student's age and current condition;
3. The nature and extent of the student's known or suspected injuries, abuse or neglect, or of the known or suspected threat of injury, abuse, or neglect, including any evidence of previous injuries, abuse, or neglect; and
4. Any other information that might be helpful in establishing the cause of the known or suspected injury, abuse, or neglect, or of the suspected threat of injury, abuse, or neglect.

In addition, the Superintendent or his/her designee may take color photographs of areas of trauma visible on the student and include them with the written report.

If the School has notified Student's parents or guardian of a potential threat of Student suicide, and the School has reasonable cause to suspect based on facts that the Student's parents or guardians have disregarded the reported threat, the School shall immediately report that knowledge or suspicion, by telephone or in person, to the public children services agency or a municipal or county peace officer in the county in which the child resides or in which the abuse or neglect is occurring or has occurred.

The identity of the reporting person shall be confidential, subject only to disclosure by consent or court order. Information concerning alleged child abuse of a student is confidential information and is not to be shared with any unauthorized person. A staff member who violates this policy may be subject to disciplinary action and/or civil and/or criminal penalties.

The Superintendent or his/her designee should be mindful of the possibility of physical or mental abuse being inflicted on a student by an employee. Any such instances, whether real or alleged, should be reported to the Superintendent or his/her designee who will investigate and take appropriate action in accordance with Board directives.

A report made under this policy is confidential under Ohio law. No person may disclose the contents of any report made under this policy except as provided above.

*Failure to make a report required by this section, or unauthorized disclosure of the contents of a report made under this section, may result in disciplinary action against the employee.*

## **HOMEWORK POLICY**

Homework is an important part of a student's academic success. As an extension of the classroom work at City Day Community School, homework reinforces and enriches our students' learning experience. Every teacher will have an individual homework policy designed to extend and reinforce each student's class work. Students are expected to complete and submit all homework assignments on time. Students are also expected to make up any homework missed during periods of excused absences. Parents are encouraged to obtain work assignments and materials from teachers if the student is able to do work while s/he is absent from school.

## **INTERNET, NETWORK ACCESS, AND ACCEPTABLE USE POLICY**

City Day Community School assumes that the majority of parents will want their student(s) to have access to educational resources on the Internet and will choose to be a positive contributor to our school's image. Should you wish to deny permission for any reason, you must submit your request in writing. If you would like your child accessing the Internet for educational purposes, no action is required.

Parents should review the CITY DAY COMMUNITY SCHOOL STUDENT INTERNET AND NETWORK ACCESS AND ACCEPTABLE USE POLICY at home. Any questions should be directed to the school office at (937) 223-8130. In accordance with the Electronic Communications Privacy Act of 1986, (18 USS Section 2510) all students are hereby notified that there are no facilities provided by City Day for sending or receiving private or confidential electronic communications. All messages will be determined to be readily accessible to the general public.

Parents/Guardians should review the CITY DAY COMMUNITY SCHOOL STUDENT INTERNET AND NETWORK ACCESS AND ACCEPTABLE USE POLICY with their students. Parents/Guardians agree to release City its personnel and any institutions with which it is affiliated, from any and all claims of damages of any nature arising from a child's use of, or inability to use, the school's computer systems, including but not limited to claims that may arise from the unauthorized use of the system to purchase products or services. Parents should understand that electronic assessments of their child's educational standing and progress will be administered and give consent for the school to perform said assessments. Parents/Guardians agree to instruct their child regarding any restrictions against accessing material that is in addition to the restrictions set forth in the CITY DAY COMMUNITY SCHOOL STUDENT INTERNET AND NETWORK ACCESS AND ACCEPTABLE USE POLICY. Parents/Guardians must emphasize to their child(ren) the importance of not sharing personal information via the Internet.

### **INSPECTION/SEARCHES OF SCHOOL PROPERTY**

School authorities, in the interest of maintenance, health, and safety, may inspect school properties. Desks, though assigned to students, are school property and may reasonably be inspected. The location of drugs, narcotics, liquor, tobacco products, weapons, poisons, and missing properties is a matter relating to health and safety and may be regarded as reasonable purpose for inspection by school personnel. Such inspection may also be part of an attempt to rid the building of fire hazards. In the case of a bomb threat or other emergency, school officials and/or police and fire officials may make a search of all desks. The school may also search a student and his/her possessions when suspected of inappropriate activity.

### **LOST AND FOUND**

All found items should be given to a teacher, staff member, or turned in to the main office.

### **MISSING CHILDREN**

A parent must notify the school by 8:30 a.m. on the day a student is to be absent unless previous notification has been given in accordance with school procedure for reporting absences. If such notification is not received, the principal should notify by telephone or in writing the student's parents, guardian, or legal custodian of a child's absence. The parent is responsible for providing the school with **current** home and/or work telephone numbers and for notifying the school of any change in the above information.

In keeping with the federal Missing Children Acts, the ORC includes certain requirements for school districts. Ohio Revised Code §109.65(D) requires schools to: 1) notify the attorney general and local law enforcement when a missing child attends school; 2) have policies in place regarding the notification of parents within a reasonable time after their children have been determined to be absent from school; and 3) notify local law enforcement when a child is enrolled without a birth certificate and school records (see ORC §3313.672(A) for specific documentation requirements, including acceptable substitutions for a birth certificate).

### **Child Missing from School**

In the event that a student is missing during school hours, the following procedures will be taken. The staff member will call the school office if a child becomes missing. The staff member will document the last time the child was seen. The Principal or Student/Parent Liaison will conduct a school-wide page to search for the child. The Principal or Student/Parent Liaison will also conduct an external search of the premises. All administrative personnel will communicate as to the progress of the search.

After the search, parents will be contacted and notified of the steps taken thus far. Parents will be asked if child may have gone home and will be notified that police and emergency contacts will now be called. Parents will be asked for a contact number, and will receive the contact number of the school so that City Day can remain in contact during the search. Parents will be asked to contact the school with any updates.

Police are contacted and provided with a description and picture of the child from the child's cumulative file folder. School personnel are required by law to provide law enforcement officials access to a student's record when conducting a missing child investigation, provided they have the permission of the parents.

School personnel will circulate a copy of the child's photo and description along with an area map and drive to the child's neighborhood to search for the missing student. Parents will be contacted by the school every fifteen (15) minutes for updates.

The school will call the parent and police when the child is found.

### **Missing Child Act**

A student seeking entry into City Day Community School must comply with admission requirements. Upon entry of a new student, the principal will request from the student previous school the student's academic records. If neither the previous school records nor a birth certificate (or other acceptable documentation per above) is forthcoming within 14 days, or if the previous school reports having no record of the student's attendance, the principal shall call the school. If the sending school indicates no history of the student attending that school, City Day shall do the following:

1. If the principal is notified by school personnel that a missing child is attending City Day, the principal will immediately give notice of this fact to the Department of Education and the law enforcement agency having jurisdiction in the area where the missing child resides.
2. City Day shall provide access to the student's records to any law enforcement officer who is conducting an investigation that the student is or may be a missing child, as defined in Section 2901.30 of the Revised Code.

### **NURSING SERVICES AND MEDICATION**

Medical treatment is not a function of the school. Minor cuts and bruises will be given minor first aid. Students should remain at home if they are ill, especially if they are contagious! Nursing services are extremely limited. When available, the school nurse will counsel students and their teachers about health issues. The school nurses' schedule is available in the main office.

### **Medication Policy**

School personnel are not permitted to dispense any medication unless it has been approved by a physician. *When possible, administration of medication at home is strongly encouraged.* If a student must bring medication to school, the following guidelines, based on the Ohio Revised Code will be followed:

1. Students are not allowed to carry prescribed or over-the-counter medicine on their person. An exception may be made for emergency medications that the physician has designated may be carried by the student (i.e. Asthma inhalers /Adrenalin.) that have been previously approved.

2. A Medication Authorization Form must be completed for each prescription and over-the-counter medication. The Medical Authorization Form must be signed by the student's physician/licensed prescriber and delivered to the school office, along with the labeled prescription medication in the original pharmacy container, before the medication will be administered to the student. New Medical Authorization Forms must be submitted each school year.

3. A parent must sign the parent section of the request prior to medication administration.

4. Parents shall agree to deliver the medication to the school, notify the school if there is a change of prescribing physician and submit a revised Medication Authorization Form if any information on the original form changes.

5. Medication must be received in the original container and labeled with the student's name, name of medication, dosage and route of administration, the dates to administer the drug, time of administration, physician's name and pharmacy name and phone number. Upon request, the pharmacist will divide medication into separate containers for home and school. Medication sent to school in any other container will not be administered.

6. No staff member will dispense nonprescribed, over-the-counter (OTC) medication to any student without prior parent authorization. Over-the-counter medications must be in the original container and clearly marked with the student's name, dosage and route of administration and time of administration. If a student is found using or possessing a nonprescribed medication without parent authorization, the student will be brought to the school office while the student's parents are contacted for authorization. The medication will be confiscated until written authorization is received.

7. Medication will be administered by designated school personnel who have received Ohio Department of Health approved medication administration training from the school nurse. Medication will be administered according to the school medication procedure, which provides for safe administration and storage of all medications.

8. A medication record will be kept on each student and will become part of the student's confidential school health record.

9. The school nurse will act as a consultant, and will be contacted when there are any questions about the medication, its administration or side effects. No medication will be administered at school if there are any unanswered questions.

### **Asthma Inhalers**

As of November 2, 1999, Ohio law allows children to carry their own inhalers for asthma. The responsibility for asthma rescue is with the student. If the student is unable to assume this responsibility, then the student should not be allowed to carry their own medication. The asthma medication for such students should be managed and monitored by the school nurse or designated trained staff.

A student may carry and use their inhaler at school and school-related events if a parent annually completes a Self-Medication for Asthma-Inhalers Authorization Form which shall include:

- Student's name and address;
- Name and dose of the medication contained in the inhaler;
- Dates of administration (beginning and end date);
- Written instruction that outline procedures school personnel should follow if the asthma; medication does not reduce student's asthma attack;
- Adverse reactions that may occur if student uses the inhaler and whether the adverse reactions should be reported to the physician;
- Emergency contact information for the physician and family; and
- Any special instructions.

Upon receipt of the Self-Medication for Asthma-Inhalers Authorization Form, the form shall be filed in the student's permanent record and student medication log sheet.

Students authorized to possess an asthma inhaler may not permit any other student to use the inhaler medication. School personnel are not authorized to assist a student in self-administering asthma medication unless the policy and procedures have been met.

## **Severe Allergies and Food Allergies**

City Day Community School strives to provide a safe environment for students with severe allergies. Eight types of food are responsible for more than ninety percent of allergic reactions. These foods are: milk, eggs, peanuts, tree nuts, fish, shellfish, soy, and wheat. Non-food items, such as arts and craft materials, may contain trace amounts of these foods. There is no cure for food allergy, and strict avoidance is the only way to prevent a reaction. Other allergic reactions are known to occur from insect venom (e.g., bee stings), medications, and latex. An allergic reaction can occur within minutes or up to hours after exposure.

City Day is committed to the safety and health of all students and employees. In accordance with Ohio Revised Code Sec. 3313.719, the purpose of this policy is to:

- Provide a safe and healthy learning environment for students with food allergies;
- Reduce the likelihood of severe or potentially life-threatening allergic reaction;
- Ensure a rapid and effective response in the case of a severe or potentially life-threatening allergic reaction; and
- Protect the right of food allergic students to participate in all school activities.

Education and planning is the key to establishing and maintaining a safe school environment for all students. The management of student allergies is a coordinated and collaborative approach among parents, students and the school.

Parents should notify the School Registrar of any severe allergy on or before the first day of each school year. Each school year, parent are required to complete an Allergy & Anaphylaxis Emergency Care Plan which includes the following:

- Student's name, address and date of birth;
- Allergy;
- Weight;
- Whether the student is asthmatic;
- Picture of student;

- Severe symptoms and action required;
- Mild symptoms and action required;
- Medication and doses;
- Signature of parents;
- Signature of physician; and
- Emergency Contact information of parent and physician.

#### Parent's Responsibility:

- Notify the school nurse of the child's allergies;
- Provide necessary health provider information and medical statement;
- Work with City Day personnel to develop a plan that accommodates the individual child's needs throughout the school, including the classroom, cafeteria, after school programs and during school sponsored activities;
- Provide written medical documentation, instructions, and medications as directed by a health care provider;
- Provide properly labeled medications and replace medications after use or upon expiration; and
- Educate the child in the self-management of his/her food allergy.

#### School's Responsibility

- Be knowledgeable about and follow applicable federal laws including American Disabilities Act (ADA), Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, and Family Educational Rights and Privacy Act (FERPA) and any state laws that apply;
- Review the health records submitted by parents and health care providers for allergy testing results correlating with proper medical orders and statements addressing the individualized student;
- Include allergic students in school activities. Students should not be excluded from school activities solely based on their allergy nor should students without allergies be discriminated against;
- Assure that all staff who interact with the student on a regular basis has been educated to allergens and can recognize symptoms, knows what to do in an emergency, and works with other school staff to eliminate the use of food allergens in the allergic student's meals, educational tools, arts and crafts projects, or incentives according to the student's individualized health care plan and intervention guide;
- Coordinate with the school nurse to be sure medications are appropriately stored, and keep student's prescribed epinephrine available;
- Strive for early recognition of symptoms and prompt interventions of the ordered treatment are vital to student survival during anaphylactic shock;
- Discuss field trips with the family of the allergic child to decide appropriate strategies for managing the allergy;
- Follow federal/state laws and regulations, as well as school policies regarding sharing medical information about the student; and
- Educate students not to share food, beverages, personal items, medications, etc.

#### **Emergency Ephinephrine (Epipens)**

Ohio Revised Code 3313.718 allows children to carry their own Epi-Pen/Twinject for severe allergy exposure or symptoms.

A student may carry and use an auto injector at school and school-related events if a parent annually completes a Authorization for the Possession and Use of Ephinephrine Autoinjector (Epipen) which shall include:

- Student's name and address;
- Name and dose of the medication contained in the auto injector;
- Dates of administration (beginning and end date);
- Permission of the physician along with an acknowledgement that the physician has determined that the student is capable of possessing and using the auto injector appropriately and has provided the student with training in the proper use of the auto injector;
- Circumstances in which the auto injector should be used;
- Written instruction that outline procedures school personnel should follow if the medication does not have the expected relief from the student's anaphylaxis;
- Adverse reactions that may occur if student uses the auto injector and whether the adverse reaction should be reported to the physician;
- Emergency contact information for the physician and parents; and
- Any special instructions.

A student may use the auto injector if the Authorization for the Possession and Use of Ephinephrine Autoinjector (Epipen) is received by the school nurse and the school has received a backup dose of the anaphylaxis medication.

Whenever a student uses an auto injector at school or at a school-related event, a school employee shall immediately request assistance from an emergency medical service provider.

### **Care of Students with Diabetes**

City Day Community School shall ensure that each Student with diabetes enrolled in the School receives appropriate and needed diabetes care in accordance with orders signed by the Student's treating practitioner. The diabetes care to be provided includes any of the following:

1. Checking and recording blood glucose levels and ketone levels or assisting the Student with checking and recording these levels;
2. Responding to blood glucose levels that are outside of the Student's target range;
3. In the case of severe hypoglycemia, administering glucagon and other emergency treatments as prescribed;
4. Administering insulin or assisting the student in self-administering insulin through the insulin delivery system the student uses;
5. Providing oral diabetes medications;
6. Understanding recommended schedules and food intake for meals and snacks in order to calculate medication dosages pursuant to the order of the Student's treating practitioner;
7. Following the treating practitioner's instructions regarding meals, snacks, and physical activity; and
8. Administering diabetes medication by a school nurse or, in the absence of a school nurse, a school employee who is trained in diabetes care.

Diabetes medication shall be kept in a location that is easily accessible.

No Student shall be restricted from attending the School on the basis that the Student has diabetes, that the School does not employ a full-time school nurse, or that the School does not have an employee trained in

diabetes care. Parents guardians, or other persons having care or charge of a Student with diabetes shall not be required or otherwise pressured to provide diabetes care at the School or during School-related activities.

#### Parental Notice of Rights under Section 504

Not later than fourteen (14) days after receipt of an order signed by the treating practitioner of a student with diabetes, the Superintendent or his/her designee shall inform the Student's parent, guardian, or other person having care or charge of the student that the student may be entitled to a 504 plan regarding the student's diabetes using the 504 plan information sheet developed by the Ohio Department of Education.

Once notice has been given to the Parent, the School shall comply with all other policies and procedures for the development of a Section 504 plan as if the Student was any other Student with a qualifying disability.

#### School Administration of Diabetes Medication

Diabetes medication prescribed for a Student may be administered so long as all of the following conditions are met:

1. The Principal or his/her designee has a signed, written request from the Parent that the diabetes medication is to be administered, which includes a promise to submit any changes to the prescription;
2. The Principal or his/her designee receives a statement, signed by the prescriber of the medication that includes:
  - a. the name and address of the Student,
  - b. identifies the School and class in which the Student is enrolled,
  - c. states the name and dosage of the diabetes medication and the times or intervals at which the medication is to be administered,
  - d. the date administration of the diabetes medication should begin and end,
  - e. any severe adverse reactions that should be reported to the prescriber and one or more phone numbers at which the prescriber can be reached in the event of an emergency, and
  - f. any other special instructions for administration of the diabetes medication, including sterile conditions and storage; and
3. The Parent provides the diabetes medication in the original container in which it was dispensed by the prescriber or a licensed pharmacist and the container indicates that the Student is the proper recipient of any dosage of the medication.

#### Student Self-Administration of Diabetes Medication

on written request of the parent, guardian, or other person having care or charge of a student and authorization by the student's treating practitioner, a student with diabetes shall be permitted during regular school hours and school-sponsored activities to attend to the care and management of the student's diabetes in accordance with the order issued by the student's treating practitioner if the student's treating practitioner determines that the student is capable of performing diabetes care tasks. The student shall be permitted to perform diabetes care tasks in a classroom, in any area of the school or school grounds, and at any school-related activity, and to possess on the student's self at all times all necessary supplies and equipment to

perform these tasks. If the student or the parent, guardian, or other person having care or charge of the student so requests, the student shall have access to a private area for performing diabetes care tasks.

On the written request of the Student's Parent guardian, or other person having care or charge of a student and authorization by the student's treating practitioner, the School shall permit a Student activities to attend to the care and management of the Student's diabetes in accordance with the order issued by the Student's treating practitioner if the Student's treating practitioner determines that the Student is capable of performing diabetes care tasks during regular school hours and school-sponsored activities in his/her classroom, in any area of the School or school grounds, and at any school-related activity. At the request of the Student or his/her Parent guardian, or other person having care or charge of the Student, the School shall provide the Student with access to a private area for performing diabetes care tasks.

The Student shall be permitted to possess on his/her person all necessary supplies and equipment to perform such tasks at all times. If the Superintendent or his/her designee determines that the Student has performed any diabetes care tasks or used medical equipment for purposes other than the Student's own care, the Board or its designee may revoke the Student's permission to provide for his/her own care.

### Training

The Board may approve training that complies with the nationally recognized guidelines adopted by the Ohio Department of Education. Training shall be coordinated by the School's nurse, or if the School does not employ a nurse, by a licensed health care professional with expertise in diabetes who is approved by the School to provide the training. Upon completion of the training, the Superintendent or his/her designee shall have the discretion to determine which employees are competent to provide diabetes care to Students.

Training shall take place prior to the beginning of each school year or as needed but not later than fourteen (14) days after the School receives an order signed a treating practitioner indicating that a Student has diabetes.

The Superintendent or his/her designee may distribute written notice to each employee of the School notifying them that the School is required to provide diabetes care to a Student with diabetes and is seeking employees who are willing to be trained to provide that care. The notice must contain a description of the tasks to be performed, that training will be provided by a licensed health care professional, and the name of the individual who should be contacted if an employee is interested in providing diabetes care. Any notice must state that participation in training is voluntary, that the employee will not be adversely affected should s/he choose not to participate in training, and that a trained employee will be immune from liability for their actions in providing for the care of a Student with diabetes.

The Board may approve training in the recognition of hypoglycemia and hyperglycemia and emergency response procedures for any School employee who has the primary responsibility of supervising a Student with diabetes during some portion of the school day or to any bus driver that the School employs or contracts with who is responsible for providing transportation to a Student with diabetes.

The Board shall not discourage employees from agreeing to provide diabetes care nor will employee be subject to a penalty or discipline for refusing to volunteer to be trained in diabetes care or for providing care or performing duties required to provide care for a Student with diabetes.

### Reporting

The Board shall report to the Department of Education by December 31 of each year: (1) the number of Students with diabetes enrolled in the School during the previous school year; and (2) the number of errors in the administration of diabetes medication to Students with diabetes during the previous school year.

### Immunity

Neither the School nor any member of the Board or employee of the School shall be held liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from providing care or performing duties pursuant to R.C. § 3313.7112, unless the act or omission constitutes willful or wanton conduct. Nothing in R.C. § 3313.7112 serves to eliminate, limit, or reduce any other immunity or defense that a School, member of the Board, or employee of the School may be entitled to under Chapter 2744 or any other provision of the Ohio Revised Code or under common law of the State of Ohio.

A school nurse or other licensed health care professional shall be immune from disciplinary action by the Board of Nursing or any other regulatory board for providing care or performing duties under R.C. § 3313.7112 if the care provided or duties performed are consistent with applicable professional standards.

### **PARENT-TEACHER ORGANIZATION (PTO)**

The PTO program is organized by parents to provide support and an avenue for communications between the school and our families. Parents are encouraged to participate and join the PTO. You can contact the school office for more information concerning the PTO.

### **PROGRESS REPORTS AND REPORT CARDS**

Report cards are sent home at the end of each quarter grading period. Student's developmental progress is evaluated academically and socially. Mid-quarter interim reports will be sent home throughout the year. These reports are used as a method to inform parents of their child's progress more frequently. If you have a question about a progress report or an interim report please contact the school and we will answer any questions you have.

### **PROMOTION AND RETENTION**

A student will be promoted to the succeeding grade level when s/he has completed the course and State mandated requirements at the presently assigned grade; achieved the instructional objectives set for the present grade; demonstrated sufficient proficiency to permit him/her to move ahead to the educational program of the next grade; and, demonstrated the degree of social, emotional, and physical maturation necessary for a successful learning experience in the next grade.

A student may be retained at his/her current grade level when s/he has in the opinion of the professional staff, in elementary school failed to demonstrate proficiency in mathematics and reading; and in middle school failed to demonstrate proficiency in the core subjects of math, reading, writing, science, and social studies; failed to achieve the instructional objectives set forth at the current grade level that are requisite for success at the succeeding grade level; and scored below the basic level on any State-mandated proficiency test.

Any student that has failed two or more of the required curriculum subject areas in the current grade, or, has been truant more than ten percent (10%) of the required attendance days of the school year will not

be promoted unless the principal and the teachers of the failed subjects agree that the student is academically prepared to be promoted to the next grade level.

State law requires that each school district in Ohio annually assess reading skills at the end of first, second, and third grades. The student's classroom teacher will be involved in the assessment, and s/he will identify students reading below grade level. Parents or guardians of students in grades K-5 who are reading below grade level will be notified and informed that intervention will be provided. Summer remediation will be offered to third grade students who score below proficient on the Third Grade Reading Achievement Assessment. Summer remediation may be offered at other grade levels.

Once a student has been identified as reading below grade level, the teacher will involve the student's parent in developing the intervention strategy for the student. The parent will be offered the opportunity to be involved in the intervention services. Intervention begins with the classroom teacher in the regular classroom. It can also involve a number of other persons - intervention specialist, tutor, parent, volunteer, peer tutor, etc. Intervention is provided any time an attempt is made to remediate a student's difficulties, clarify instruction, or provide instruction using a different strategy or modality.

Third grade students identified as having a limited level of skill on the state-adopted reading test must either be: (1) promoted to the 4th grade if the student's principal and reading teacher agree that other evaluations of the student's skill in reading demonstrate that the student is academically prepared to be promoted to 4th grade; (2) promoted to the 4th grade but provided with intensive intervention services; or (3) retained in the 3rd grade.

Ohio tests students in 3rd-8th grades in reading, mathematics, science and social studies. If a student fails to attain at least a basic level of skill on one of these assessments, City Day Community School may use this test score as a factor in determining whether a student should be retained.

### **Third Grade Reading Guarantee (TGRG) Midyear Promotion**

A retained third grade student, due to the TGRG, will have two opportunities to demonstrate readiness for 4th grade. If a child reaches the state's and/or districts cut score on either of the following assessments, s/he will be considered for mid-year promotion to fourth (4th) grade:

- The fall administration of an approved state vendor assessment; or
- The fall administration of the state reading assessment.

After a retained third (3rd) grader has met either of the above-mentioned criteria by December 31st of a given year, a conference will be held including the parent(s), current teacher, building administrator(s), and any other necessary school personnel. If all parties are in agreement that it is in the child's best interest, s/he will be promoted to 4th grade as soon as feasibly possible.

### **REMOVAL, SUSPENSION, EXPULSION AND PERMANENT EXCLUSION OF STUDENTS**

The City Day Community School Governing Board recognizes that exclusion from the educational program of the schools, whether by emergency removal, out-of-school suspension, expulsion, or permanent exclusion, is the most severe sanction that can be imposed on a student, and one that cannot be imposed without due process. However, the Board has zero tolerance of violent, disruptive or inappropriate behavior by its students.

No student is to be removed, suspended out-of-school, expelled and/or permanently excluded unless his/her behavior represents misconduct as specified in the Student Code of Conduct/Student Discipline Code

approved by the Board. The Code shall also specify the procedures to be followed by school officials when implementing such discipline. In addition to the procedural safeguards and definitions set forth in this policy and the student/parent handbook, additional procedures and considerations shall apply to students identified as disabled under the IDEA, ADA, and/or Section 504 of the Rehabilitation Act of 1973.

Students may be subject to discipline for violation of the Student Code of Conduct/Student Discipline Code even if that conduct occurs on property not owned or controlled by the Board but where such conduct is connected to activities or incidents that have occurred on property owned or controlled by the Board, or conduct that, regardless of where it occurs, is directed at a CDCS official or employee, or the property of such official or employee.

For purposes of this policy and the Student Code of Conduct/Student Discipline Code, the following shall apply:

- A. "Emergency removal" shall be the exclusion of a student who poses a continuing danger to CDCS property or persons in the School or whose behavior presents an on-going threat of disrupting the educational process provided by CDCS.
- B. "Suspension" shall be the temporary exclusion of a student by the Superintendent and/or Principal from the CDCS' instructional program for a period not to exceed ten (10) school days. Suspension shall not extend beyond the current school year, if at the time a suspension is imposed, fewer than ten (10) days remain in the school year.

The Superintendent may instead require a student to participate in a community service program or another alternative consequence for a number of hours equal to the remaining part of the period of the suspension. The student shall be required to begin such community service program or alternative consequence during the first full week day of summer break.

In the event, the student fails to complete the required community service or the assigned alternative consequence, the Superintendent may determine the next course of action. Such course of action, however, shall not include requiring the student to serve the remaining time of the suspension at the beginning of the following year.

The procedures for suspension are set forth in the Student Code of Conduct/Student Discipline Code and Due Process Rights Policy.

- C. "Expulsion" shall be the exclusion of a student from CDCS for a period not to exceed the greater of eighty (80) school days or the number of school days remaining in a semester or term in which the incident that gives rise to the expulsion takes place or for one (1) year as specifically provided in this policy and the Student Code of Conduct/Student Discipline Code. Only the Superintendent may expel a student. The procedures for expulsion are set forth in the Student Code of Conduct/Student Discipline Code and Due Process Rights Policy.

#### 1. Firearm or Knife

Unless a student is permanently excluded from school, the Superintendent shall expel a student from school for a period of one (1) year for bringing a firearm or knife to a school building or on to any other property (including a school vehicle) owned, controlled, or

operated by the Board, to an interscholastic competition, an extra-curricular event, or to any other school program or activity that is not located on CDCS property, except that the Superintendent may reduce this period on a case-by-case basis in accordance with this policy. Similarly, the Superintendent shall expel a student from school for a period of one (1) year for possessing a firearm or knife at school or on any other property (including a school vehicle) owned, controlled, or operated by the Board, at interscholastic competition, an extra-curricular event, or at any other school program or activity that is not located on CDCS property, except the Superintendent may reduce this period on a case-by-case basis in accordance with this policy. The expulsion may extend, as necessary, into the school year following the school year in which the incident that gives rise to the expulsion takes place. The Superintendent shall refer any student expelled for bringing a firearm (as defined in 18 U.S.C. 921(a)(3)) or weapon to school to the criminal justice or juvenile delinquency system serving CDCS.

A firearm is defined as any weapon, including a starter gun, which will or 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 silencer, or any destructive device. A destructive device, includes, but is not limited to any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than four (4) ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or other similar device.

A knife is defined as any a weapon or cutting instrument consisting of a blade fastened to a handle; a razor blade; or any similar device (including sharp, metal martial arts weapons such a ninja throwing stars) that is used for, or is readily capable of, causing death or serious bodily injury.

The Superintendent may, in his/her sole judgment and discretion, modify or reduce such expulsion in writing, to a period of less than one (1) year, on a case-by-case basis, upon consideration of the following:

- a. Applicable State or Federal laws and regulations relating to students with disabilities (for example, where the incident involves a student with a disability and the misconduct is determined by a group of persons knowledgeable about the child to be a manifestation of the student's disability);
- b. The degree of culpability given the age of the student and its relevance to the misconduct and/or punishment and/or evidence regarding the probable danger posed to the health and safety of others, including evidence of the student's intent and awareness regarding possession of the firearm or knife; and/or
- c. The academic and disciplinary history of the student, including the student's response to the imposition of any prior discipline imposed for behavioral problems.

## 2. Violent Conduct

If a student commits an act at school, on other school property, at an interscholastic competition, extra-curricular event, or any other school program or activity and the act:

- a. would be a criminal offense if committed by an adult; and

- b. results in serious physical harm to person(s) as defined in R.C. 2901.01(A)(5), or to property as defined in R.C. 2901.01(A)(6).

The Superintendent may expel the student for a period of up to one (1) year. The Superintendent may extend the expulsion into the next school year or reduce the expulsion as necessary on a case-by-case basis as specified below. The student need not be prosecuted or convicted of any criminal act to be expelled under this provision.

The Superintendent may, in his/her sole judgment and discretion, reduce such expulsion to a period of less than one (1) year, on a case-by-case basis, upon consideration of the following:

- a. Applicable State or Federal laws and regulations relating to students with disabilities (for example, where the incident involves a student with a disability and the misconduct is determined by a group of persons knowledgeable about the child to be a manifestation of the student's disability); or
- b. other extenuating circumstances, including, but not limited to, the academic and disciplinary history of the student, including the student's response to the imposition of any prior discipline imposed for behavioral problems.

If at the time of the expulsion, there are fewer days remaining in the school year than the number of days of the expulsion, the Superintendent may apply any or all of the remaining period to the following school year.

### 3. Bomb Threats

If a student makes a bomb threat to any premises at which a school activity is occurring at the time of the threat, the Superintendent may expel the student for a period of up to one (1) year. The Superintendent may extend the expulsion into the next school year or reduce the expulsion as necessary on a case-by-case basis as specified below. The student need not be prosecuted or convicted of any criminal act to be expelled under this provision.

The Superintendent may, in his/her sole judgment and discretion, reduce such expulsion to a period of less than one (1) year, on a case-by-case basis, for the following reasons:

- a. for students identified as disabled under the IDEA, ADA, and Section 504 of the Rehabilitation Act of 1973, upon recommendation from the group of persons knowledgeable of the student's educational needs; or
- b. other extenuating circumstances, including, but not limited to, the academic and disciplinary history of the student, including the student's response to the imposition of any prior discipline imposed for behavioral problems.

If at the time of the expulsion, there are fewer days remaining in the school year than the number of days of the expulsion, the Superintendent may apply any or all of the remaining period to the following school year.

- D. "Permanent exclusion" shall mean the student is banned forever from attending a public school in the State of Ohio (See Policy 5610.01).

If a student is expelled for more than twenty (20) school days or for any period of time that extends into the next school year, the Superintendent shall provide the student and his/her parents with the names, addresses, and telephone numbers of those public or private agencies in the community which offer programs or services that help to rectify the student's behaviors and attitudes that contributed to the incident(s) that caused the expulsion.

If the Superintendent determines that a student's behavior on a school vehicle violates school rules, s/he may suspend the student from school bus-riding privileges for the length of time deemed appropriate for the violation and remediation of the behavior. Any such suspension must comply with due process and the Student Code of Conduct/Student Discipline Code.

The Board authorizes the Superintendent to provide for options to suspension/expulsion of a student from school which may include alternative educational options.

The Superintendent shall initiate expulsion proceedings against a student who has committed an act that warrants expulsion under Board policy even if the student withdraws from school prior to the hearing or decision to impose the expulsion. The expulsion must be imposed for the same duration it would have been had the student remained enrolled.

The Board may temporarily deny admittance to any student who has been expelled from the schools of another Ohio district or an out-of-state district, if the student's expulsion period set by the other district has not expired. The expelled student shall first be offered an opportunity for a hearing. This provision also applies to a student who is the subject of a power of attorney designating the child's grandparent as the attorney-in-fact or caretaker authorization affidavit executed by the child's grandparent and is seeking admittance into CDCS.

The Board may temporarily deny admittance to any student who has been suspended from the schools of another Ohio district, if the student's suspension period set by the other district has not expired. The suspended student shall first be offered an opportunity for a hearing before the Board.

The Superintendent may require a student to perform community service in conjunction with or in place of a suspension or 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.

A copy of this policy is to be posted in a central location in the school building and made available to students and parents upon request.

### **DUE PROCESS RIGHTS**

The City Day Community School Governing Board recognizes that students waive certain constitutional rights, regarding their education. Accordingly, the Board establishes the following procedures:

### **Student subject to suspension:**

When a student is being considered for an out-of-school suspension by the Superintendent and/or Principal:

- A. The student will be informed in writing of the potential suspension and the reasons for the proposed action.
- B. The student will be provided an opportunity for an informal hearing to challenge the reason for the intended suspension and to explain his/her actions.
- C. An attempt will be made to notify parents or guardians by telephone if a suspension is issued.
- D. Within one (1) school day of the suspension the Superintendent and/or Principal shall notify the parents, guardians, or custodians of the student. The notice will include the reasons for the suspension and the right of the student, parent, guardian, or custodian to appeal to the Board or its designee; the right to be represented at the appeal; and the right to request the hearing be held in executive session if before the Board. The notice shall also specify that if the student, parent, guardian, or custodian intends to appeal the suspension to the Board or its designee, such notice of appeal shall be filed, in writing, with the Superintendent and/or Principal within five (5) calendar days after the date of the notice to suspend.
- E. Notice of this suspension will also be placed in the student's school record (not for inclusion in the permanent record).
- F. If a student leaves school property without permission immediately upon violation (or suspected violation) of a provision of the Student Code of Conduct/Student Discipline Code or prior to an administrator conducting an informal hearing as specified above, and the student fails to return to school on the following school day, the Superintendent and/or Principal may send the student and his/her parent(s)/guardian(s) notice of the suspension, and offer to provide the student and/or his/her parents an informal hearing upon request to discuss the reasons for the suspension and to allow the student to challenge the reasons and to explain his/her actions, any time prior to the end of the suspension period.

### **Appeal of Suspension to the Superintendent**

The student's parent(s) or guardian(s) may appeal the suspension to the Board or its designee. They may be represented in all such appeal proceedings.

A verbatim record will be kept of the hearing which may be held in executive session at the request of the parent, or guardian, if held before the Board.

The procedure to pursue such appeal will be provided in regulations approved by the Superintendent. Notice of appeal must be filed, in writing, with the Superintendent and/or Principal within five (5) calendar days after the date of the notice to suspend.

### **Appeal to the Court**

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

**Students subject to expulsion:**

When a student is being considered for expulsion by the Superintendent:

- A. The Superintendent and/or Principal shall give the student and parent, guardian, or custodian written notice of the intended expulsion, including reasons for the intended expulsion.
- B. The student and parent or representative have the opportunity to appear before the Superintendent or designee to challenge the proposed action or to otherwise explain the student's actions. The written notice will state the time and place to appear, which must not be earlier than three (3) school days nor later than five (5) school days after the notice is given, unless the Superintendent grants an extension upon request of the student or parent.
- C. Within one (1) school day of the expulsion, the Superintendent and/or Principal shall notify the parents, guardians, or custodians of the student and the Board President. The notice will include the reasons for the expulsion and the right of the student, parent, guardian, or custodian to appeal to the Board or its designee; the right to be represented at the appeal; and the right to request the hearing be held in executive session if before the Board. The notice shall also specify that if the student, parent, guardian, or custodian intends to appeal the expulsion to the Board or its designee, such notice of appeal shall be filed, in writing, with the Superintendent and/or Principal within fourteen (14) calendar days after the date of the notice of expulsion. If the offense is one for which CDCS may seek permanent exclusion, then the notice will contain that information.

**Appeal of Expulsion to the Board**

A student who is eighteen (18) or older or a student's parent(s) or guardian(s) may appeal the expulsion by the Superintendent to the Board or its designee. They may be represented in all such appeal proceedings and will be granted a hearing before the Board or its designee.

A verbatim record will be kept of the hearing which may be held in executive session at the request of the student, parent, or guardian.

The procedure to pursue such appeal will be in accordance with regulations approved by the Superintendent. Notice of appeal must be filed, in writing, within fourteen (14) calendar days after the date of the Superintendent's decision to expel with the Treasurer of the Board or the Superintendent.

While a hearing before the Board may occur in executive session, the Board must act in public.

**Appeal to the Court**

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

**Students subject to emergency removal:**

Students whose conduct warrants emergency removal shall be dealt with in accordance with the rights and procedures outlined in Policy 5610.03 - Emergency Removal.

**Students subject to permanent exclusion:**

Students whose conduct is that for which permanent exclusion is warranted shall be dealt with in accordance with the rights and procedures outlined in Policy 5610.01 – Permanent Exclusion of Nondisabled Students.

### **Students subject to suspension from bus riding/transportation privileges:**

Students whose conduct warrants suspension from bus riding and/or transportation services shall be dealt with in accordance with the rights and procedures outlined in Policy 5610.04 - Suspension of Bus Riding/Transportation Privileges.

The Superintendent shall ensure that all members of the staff use the above procedures when dealing with students. In addition, this statement of due process rights is to be placed in all student handbooks in a manner that will facilitate understanding by students and their parents.

These procedures shall not apply to in-school disciplinary alternatives including in-school suspensions. An in-school suspension is one served entirely within a school setting. Nor shall these disciplinary alternative procedures apply to students who are prohibited by authorized school personnel from all or part of their participation in co-curricular, interscholastic, and/or non-interscholastic extra-curricular activities.

### **RESTITUTION**

Parents of students who damage school property or school vehicles, may be required to pay the cost of restoring or repairing the damaged items, and the students' interim reports and/or report cards will be held until payment has been received.

### **SCHOOL COMMUNICATION**

In addition to telephone and electronic communications, printed items will be issued for students to take home to their parents. It is important for students take these communications home which include, but are not limited to:

- Phone calls, texts, and emails;
- Interim reports, report cards, field trip permission Slips (all must be returned to school with a parent/guardian signature); and
- Newsletters, flyers, and special notices.

### **STUDENT ACCIDENTS**

The Board believes that School personnel have certain responsibilities in case of accidents which occur in school. Said responsibilities extend to the administration of first aid by persons trained to do so, summoning of medical assistance, and notification of administration personnel, notification of parents, and the filing of accident reports.

Employees should administer first aid within the limits of their knowledge of recommended practices. All employees should make an effort to increase their understanding of the proper steps to be taken in the event of an accident.

Regardless of the seriousness of any accident, the administrator in charge must submit an accident report to the Principal.

The Principal shall develop administrative guidelines to implement this policy.

## **STUDENT CONDUCT AND DISCIPLINE**

Developing our student's self discipline is a legitimate and constructive goal of City Day Community School. Parents, our communities, and the school play key roles in shaping a student's conduct and discipline. An essential element of effective discipline is regular parent communication through telephone calls, conferences, written notes, and school visitations.

City Day is a place where effective learning will occur daily and, accordingly, City Day must maintain standards of conduct and discipline. All City Day students and staff have the right to a safe and orderly learning environment. Therefore students are prohibited from engaging in behaviors that endanger the safety of others or interfere with the school's programs, which also includes school buses. Unacceptable conduct is defined as **Minor or Major Behavior Issues**, as defined by the School Discipline Form (attached). These behaviors can be escalating in nature, or they can be precise violations of school rules. Prompt and effective disciplinary action will be taken to correct any event that includes any disruptive, harassing, or illegal behavior.

When disciplinary actions are necessary, City Day Community School will strive to maintain a constructive approach that focuses on positive changes in behavior and minimizes any interruption of the educational process. Discipline shall be constructive and educational in nature, and may include such measures as praise for appropriate behavior, diversion, talking with the child, and separation from problem situations. Age and the maturity level of the student will require different types of disciplinary actions. These factors will be considered when corrective measures are necessary.

Professional staff should not find it necessary to resort to physical force or violence to compel obedience. If all other means fail, staff members may always resort to removal of the student from the classroom or school through suspension or expulsion procedures. Professional staff as well as classified staff may, within the scope of their employment, use and apply reasonable and necessary force and restraint to quell a disturbance threatening physical injury to others, to obtain possession of weapons or other dangerous objects upon or within the control of the student, in self-defense, or for the protection of persons or property.

### **Positive Behavior Intervention and Supports and Limited Use of Restraint and Seclusion**

City Day Community School is committed to the use of Positive Behavior Intervention and Supports ("PBIS") with students. Professional staff members and support staff shall work to prevent the need for the use of restraint and/or seclusion. PBIS emphasizes prevention of student behavior problems through the use of non-aversive techniques, which should greatly reduce, if not eliminate, the need to use restraint and/or seclusion.

Professional staff members and support staff who are appropriately trained to protect the care, welfare, dignity, and safety of students are permitted to physically restrain and/or seclude a student, when there is immediate risk of physical harm to the student and/or others, there is no other safe and effective intervention possible, and the physical restraint or seclusion is used in a manner that is age and developmentally appropriate. Nothing within the Policy shall limit a school employee from restraining a student in accordance with applicable statute/law. Training in methods of PBIS and the use of restraint and seclusion will be provided to all professional staff and support staff determined appropriate by the principal or his/her designee. Training will be in accordance with the State's Standards. Only school staff that are trained in permissible seclusion and physical restraint measures shall use such techniques.

Every use of restraint and seclusion shall be documented and reported in accordance with this Policy.

The following are prohibited under all circumstances, including emergency safety situations:

- A. Prone restraint as defined in Executive Order 2009-13S;
- B. Corporal punishment;
- C. Child endangerment as defined in R.C. 2919.22;
- D. Seclusion or restraint of preschool students in violation of the provisions of Ohio Adm. Code Rule 3301-37-10(D);
- E. The deprivation of basic needs;
- F. Restraint that unduly risks serious harm or needless pain to the student, including the intentional, knowing, or reckless use of any of the following techniques:
  - 1. Using any method that is capable of causing loss of consciousness or harm to the neck or restricting respiration in any way,
  - 2. Pinning down with knees to torso, head and/or neck,
  - 3. Using pressure points, pain compliance and joint manipulation techniques,
  - 4. Dragging or lifting of the student by the hair or ear or by any type of mechanical restraint,
  - 5. Using other students or untrained staff to assist with the hold or restraint, or
  - 6. Securing a student to another student or to a fixed object.
- G. Mechanical or chemical restraints (which does not include devices used by trained school personnel, or by a student, for the specific and approved therapeutic or safety purposes for which such devices were designed and, if applicable, prescribed, or medication administered as prescribed by a licensed physician);
- H. Aversive behavioral interventions; or
- I. Seclusion of students in a locked room.

## **Seclusion**

Seclusion may be used only when a student's behavior poses an immediate risk of physical harm to the student or others and no other safe and effective intervention is possible. Seclusion may be used only as a last resort safety intervention that provides the student with an opportunity to regain control of his/her actions. Seclusion must be used in a manner that is age and developmentally appropriate, for the minimum amount of time necessary for the purpose of protecting the student and/or others from physical harm, and otherwise in compliance with this Policy and the Ohio Department of Education's ("ODE") corresponding policy. Seclusion shall be implemented only by professional staff members and support staff who have been trained in accordance with this Policy to protect the care, welfare, dignity and safety of the student.

Additional requirements for the use of seclusion: If professional staff members and support staff use seclusion, they must: 1) continually observe the student in seclusion for indications of physical or mental distress and seek immediate medical assistance if there is a concern; 2) use verbal strategies and research-based de-escalation techniques in an effort to help the student regain control as quickly as possible; 3) remove the student from seclusion when the immediate risk of physical harm to the student and/or others has dissipated; 4) conduct a debriefing including all involved staff to evaluate the trigger for the incident, staff response, and methods to address the student's behavioral needs; and 5) complete all required reports and document their observations of the student.

Requirements for a room or area used for seclusion: A room or area used for seclusion must provide for adequate space, lighting, ventilation, clear visibility, and the safety of the student. A room or area used for seclusion *must not be locked* or otherwise prevent the student from exiting the area should staff become incapacitated or leave the area.

Additional prohibited seclusion practices: Seclusion shall never be used as a punishment or to force compliance. Seclusion shall not be used for staff convenience, as a substitute for an educational program, as a form of discipline or punishment, as a substitute for less restrictive alternatives, as a substitute for inadequate staffing, as a substitute for staff training in positive behavior supports and crisis prevention and intervention; as a means to coerce, retaliate, or in a manner that endangers a student; or if it deprives the student of basic needs. Seclusion of preschool-age children is prohibited, except that a preschool-age child may be secluded from his or her classmates, either in the classroom or in a safe, lighted, and well-ventilated space, for an amount of time that is brief in duration and appropriate to the child's age and development, if the child is always within sight and hearing of a preschool staff member.

## **Restraint**

There are different types of restraint, as defined above, including physical restraint, prone restraint, mechanical restraint, and chemical restraint. The use of restraint other than physical restraint is prohibited. Physical restraint may be used only when the student's behavior poses an immediate risk of physical harm to the student and/or others and no other safe and/or effective intervention is possible. The physical restraint must be implemented in a manner that is age and developmentally appropriate, does not interfere with the student's ability to communicate in his/her primary language or mode of communication, and otherwise in compliance with this Policy and the ODE's corresponding policy.

Additional requirements for the use of physical restraint: If professional staff members and support staff use physical restraint, they must: 1) continually observe the student in restraint for indications of physical or mental distress and seek immediate medical assistance if there is a concern; 2) use verbal strategies and research-based de-escalation techniques in an effort to help the student regain control; 3) remove the student from physical restraint immediately when the immediate risk of physical harm to the student and/or others has dissipated; 4) conduct a debriefing including all involved staff to evaluate the trigger for the incident, staff response, and methods to address the student's behavioral needs; and 5) complete all required reports and document their observations of the student. Physical restraint shall not be used for punishment or discipline, or as a substitute for other less restrictive means of assisting a student in regaining control.

Prohibited Restraint Practices: The following restraint practices are prohibited under all circumstances, including emergency safety situations: 1) prone restraint as defined in Executive Order 2009-13 (which defines prone restraint to mean "all items or measures used to limit or control the movement or normal functioning of any portion, or all, of an individual's body while the individual is in a face-down position for an extended period of time"); 2) physical restraint that restricts the airway of a student or obstructs the student's ability to breathe; 3) physical restraint that impacts the student's primary mode of communication; 4) restraint of preschool-age students, except for holding a child for a short period of time, such as in a protective hug, so that the child may regain control; 5) restraint that deprives the student of basic needs; 6) restraint that unduly risks serious harm or needless pain to the student (including physical restraint that involves the intentional, knowing, or reckless use of any of the following techniques: using any method that is capable of causing loss of consciousness or harm to the neck or restricting/obstructing respiration in any way; pinning down the student by placing knees to the torso, head and/or neck of the student; using pressure points, pain compliance, or joint manipulation; dragging or lifting of the student by the hair or ear or by any type of mechanical restraint; using other students or untrained staff to assist with the hold or restraint; or securing the student to another student or to a fixed object); mechanical restraint (that does not include devices used by trained professional staff members and support staff, or by a student, for the specific and approved therapeutic or safety purposes for which such devices were designed and, if applicable, prescribed); or chemical restraint (which does not include medication administered as prescribed by a licensed physician).

**Additional Prohibited Practices.** The following practices are prohibited under all circumstances, including emergency safety situations: Corporal punishment, child endangerment as defined in Ohio Revised Code 2919.22 and aversive behavioral interventions.

All professional staff members and support staff, as defined in this Policy, shall be trained annually on the requirements of the Ohio Department of Education's Policy on Positive Behavior Intervention and Supports, and Restraint and Seclusion; Ohio Administrative Code 3301-51-15; and this Policy.

Each use of seclusion or restraint shall be documented in writing and reported to the building administration immediately; reported to the parent immediately; and documented in a written report. A copy of the written report shall be made available to the parent or guardian within twenty-four (24) hours, and the school shall maintain a copy of the report in the student's file. These reports are educational records subject to the Family Educational Right to Privacy Act, and a school district is prohibited from releasing any personally identifiable information to anyone other than the parent, in accordance with the requirements of that Act.

City Day has established a monitoring procedure as part of their restraint and seclusion policy to ensure policy and practice are implemented as set forth therein. A parent may present a written complaint to the principal to initiate a complaint investigation by the school regarding an incident of restraint or seclusion. City Day will respond to the parent's complaint in writing within thirty (30) days of the filing of a complaint regarding an incident of restraint or seclusion.

## **STUDENT RECOGNITION**

City Day Community School offers many opportunities for recognizing student achievement. These programs include:

- **STUDENT OF THE WEEK** – one student from each class will be selected by his/her teacher for excellence in behavior and will be allowed to share an interesting item, person, or place that they have visited with the class on Friday of the following week.
- **GREEN CLUB**- students from each grade level fall into this category if s/he receives a score higher than a 79% on a short-cycle assessment (given monthly on current classroom content).
- **HONOR ROLL** - students from each grade level are selected based on their ability to achieve a "B" average during the quarter. Student's report cards will notify parents if their students made the honor roll for a specific quarter. The school will hold awards ceremonies to honor the achievements of honor roll students.

In addition to teachers, school administrators continually plan rewarding activities and look for opportunities to motivate and recognize student achievement. Student recognition programs are used as incentives and reinforcements for positive behavior and significant contributions to the school environment.

## **STUDENTS WITH DISABILITIES.**

City Day adheres to the Operating Standards for Ohio Educational Agencies Serving Children, and has adopted the Ohio Department of Education's Special Education Model Policies and Procedures (see ODE's website).

## **HOMELESS STUDENTS.**

The Liaison for Homeless Children and Youth is responsible for safeguarding the rights of homeless children and youth experiencing homelessness who attend City Day Community School. The Liaison must be notified immediately upon the enrollment or assignment of a homeless child. The Liaison will coordinate school operations and services so that:

- A. homeless children/youth are identified, with special attention given to the locating and enrolling of homeless children/youth who are not currently attending school;
- B. homeless children/youth have a full and fair opportunity to succeed in school;
- C. homeless families and children/youth receive all educational services for which they are eligible, including any preschool programs, and referrals to health care services, dental services, mental health services, and other appropriate services;
- D. parents or guardians of homeless students are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in their children's education;
- E. public notice of the educational rights of homeless children/youth is disseminated at locations where homeless families and children/youth receive services, such as schools, family shelters, soup kitchens, public aid offices, city hall, food pantries, public libraries, court houses, and police stations;
- F. the parents or guardians of any homeless child and any unaccompanied homeless minor are fully informed of all transportation services, including transportation to the school of origin and are assisted in accessing transportation to the school that is appropriately selected;
- G. appropriate data is collected and reported regarding homeless children and youth as required by the U.S. Department of Education and the Ohio Department of Education for use in making necessary program adjustments.

Upon enrollment of a child or youth experiencing homelessness, the Liaison will coordinate with appropriate administrative staff to assure that the school last attended by the child/youth is immediately contacted to provide relevant academic or other relevant records. If upon enrollment the student does not have any immunization required for enrollment by State law or any other medical records, the Liaison will assist the family or student in obtaining the immunizations or necessary medical records. The Liaison will also contact the Director of Transportation to assure transportation of the homeless student is provided in accordance with the Board's Transportation Policy.

Any disputes regarding the enrollment or assignment of a homeless student will be referred to the Liaison for expeditious resolution. The Liaison should attempt to resolve disputes within five (5) school days. Any dispute which cannot be resolved by the Liaison should be reported to the State Coordinator for the Education of Homeless Children and Youth at the Ohio Department of Education. According to State guidelines, the State Coordinator has an additional five (5) school days from the time of notification to bring about resolution. Individuals not satisfied with the State Coordinator's proposed resolution can appeal such decision to the State Superintendent of Public Instruction within five (5) school days for final resolution of the dispute.

As part of his/her assigned duties, the Liaison will coordinate and collaborate with the State Coordinator for Homeless Children and other community and school personnel responsible for providing education and related services to homeless children including but not limited to:

- A. School services with local social service agencies and other agencies or programs providing services to homeless children and their families; and
- B. With other school districts on inter-district issues, such as transportation or the transfer of school records.

Such coordination should be designed to: (1) facilitate homeless children/youth having access and reasonable proximity to available education and related support services; and (2) raise the awareness of school personnel and service providers of the effects of short-term stays in a shelter and other challenges associated with homelessness.

As part of his/her assigned duties, the Liaison for Homeless Children and Youth will inform school personnel, services providers and advocates working with homeless families about his/her duties.

### **SUBSTITUTE TEACHERS**

Substitute teachers will be in classrooms to teach while regular teaches are absent. These are certified professional teachers, and they must be treated with the same amount of respect that the permanent teacher recieves. All school and classroom rules apply at all times.

### **TELEPHONES**

Students are not allowed to use telephones at school without the permission of a school employee. Administrators, teachers, and staff will call parents or guardians when they are needed. Incoming messages for students should be given to the school secretary and they will be delivered to students as they are recieved.

### **VISITORS**

Parents/Guardians are always welcome at City Day Community School, and are encouraged to make an appointment to see a teacher, counselor, administrator or visit classes without disrupting the learning process. The doors to the building will remain locked throughout the school day for security purposes with the exception of the front lobby doors. Please enter the front lobby doors and proceed to the main office for a visitor's pass. We encourage parents/guardians to visit your child's school on a regular basis. Your interest, support and encouragement are demonstrated by your presence, and involvement. Come see us; we are proud of what we're doing, and what your student can accomplish.

### **CONFLICT OF INTEREST**

#### **Purpose**

The purpose of this conflict of interest policy is to protect the interests of City Day Community School ("City Day ") when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an employee, officer or director of City Day; the private interest of an employee, officer or director of a contractor; the private interest of an employee, officer or director of City Day's community school sponsor; or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflicts of interest applicable to political subdivisions, nonprofit and charitable organizations.

#### **Definitions**

1. Interested Person

Any director, officer, employee, consultant or member of a committee with board-delegated powers, who has a direct or indirect financial interest, as defined below, is an interested person. Any director, officer, employee or consultant of a contractor to City Day, or City Day's community school sponsor, who has a direct or indirect financial interest, may also be an interested person.

2. Financial Interest

A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:

- a) An ownership or investment interest in any entity with which City Day has a transaction or arrangement;
- b) A compensation arrangement with City Day or with any entity or individual with which City Day has a transaction or arrangement; or
- c) A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which City Day is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.

**Having an Impermissible Interest in a Contract**

1. No Interested Person shall knowingly do any of the following:

- a) Authorize, or employ the authority or influence of the Interested Person's position to secure authorization of any contract in which the Interested Person, a member of the Interested Person's family, or any of the Interested Person's business associates has an interest;
- b) Have an interest in the profits or benefits of a contract entered into by or for the use of City Day;

2. Notwithstanding the foregoing, a contract in which an Interested Party, member of an Interested Party's family, or one of an Interested Party's business associates has an interest, shall not be deemed to constitute an impermissible interest when all of the following apply:

- a) The subject of the contract is necessary supplies or services;
- b) The supplies or services are unobtainable elsewhere for the same or lower cost, or are being furnished to City Day as part of a continuing course of dealing established prior to the Interested Party becoming associated with City Day;
- c) The treatment accorded City Day is either preferential to or the same as that accorded other customers or clients in similar transactions;
- d) The entire transaction is conducted at arm's length, with full knowledge by the Governing Authority, of the interest of the Interested Party, member of the Interested Party's family, or business associate, and the Interested Party takes no part in the deliberations or decision of the Governing Authority with respect to the contract.

3. Violations of Conflicts of Interest Policy

- a) If the Governing Authority has reasonable cause to believe a Interested Party has failed to disclose actual or possible conflicts of interest, it shall inform the Interested Party of the basis for such belief and afford the Interested Party an opportunity to explain the alleged failure to disclose.
- b) If, after hearing the Interested Party's response and after making further investigation as warranted by the circumstances, the Governing Authority determines the Interested Party has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

**Record of Proceedings**

The minutes of the Governing Authority meeting shall contain:

- a) The name(s) of the person(s) who disclosed or otherwise was found to have an interest in connection with an actual or possible conflict of interest, the nature of the interest, any action taken to determine whether a conflict of interest was present, and the Governing Authority's decision as to whether a conflict of interest in fact existed.
- b) The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

### **Annual Statements**

Each director, officer, employee, consultant and member of a committee with board-delegated powers shall annually sign a statement, which affirms such person:

- a) Has received a copy of the conflict of interest policy;
- b) Has read and understands the policy;
- c) Has agreed to comply with the policy; and
- d) Understands City Day is charitable and in order to maintain its federal tax exemption it must engage primarily in activities, which accomplish one or more of its tax-exempt purposes.

### **Periodic Reviews**

To ensure City Day operates in a manner consistent with public and/or charitable purposes and does not engage in activities that could jeopardize its public funding and/or tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

- a) Whether compensation arrangements and benefits are reasonable, based on competent survey information and the result of arm's length bargaining.
- b) Whether partnerships, joint ventures, and arrangements with management organizations, if any, conform to City Day's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further public and/or charitable purposes and do not result in increment, impermissible private benefit or in an excess benefit transaction.

### **Use of Outside Experts**

When conducting the periodic reviews as provided for in Article VI, City Day may, but need not, use outside advisors. If outside experts are used, their use shall not relieve the Governing Authority of its responsibility for ensuring periodic reviews are conducted.

## **INVENTORY PROCEDURE**

### **General Procedure for Consumable Inventory**

- A. In order for CDCS to meet requirements for preparing GAAP (Generally Accepted Accounting Procedures) basic financial statements, it is necessary to conduct an annual inventory of consumable supplies and materials on hand at fiscal year-end, June 30th.
- B. The Physical Inventory Supervisor will be the Business Manager.
- C. Inventory sheets will be provided by the Business Manager's office and will include:
  1. Date
  2. Department
  3. Item Description
  4. Part #/Catalog #

5. Quantity
6. Unit Cost
7. Extended Cost
8. Grand Total Cost

### **Responsibilities of Physical Inventory Supervisor**

- A. To supervise the inventory for a specific location.
- B. To ensure that qualified stock counters and sheet writers are available for the inventory period.
- C. To serve as the contact with the Business Manager's office during the inventory.

### **Action to be Taken (Pre-Inventory Planning)**

- A. Select a sufficient number of inventory stock counters, sheet writers, and if necessary, material handlers to complete the inventory within the allotted time period. Provide the inventory crew with instructions on completing the inventory sheets.
- B. Arrange so that areas subject to inventory are clean and that stock is arranged in an orderly and accessible manner. All scrap should be removed to a separate section and clearly identified.
- C. Issue instructions that operations, when possible, will cease and no stock will be moved during the inventory recording period. In areas where movement of inventory is anticipated, schedule counting of items to be as little disruptive as possible. Consequently, count high moving items last and slow-moving items first. Areas where work must be continuous should be noted to the inventory controller, and records kept of counted inventory used until verified and released.
- D. Advise all inventory participants that their work may be subject to verification by State Auditors.
- E. If perpetual records are used, make sure that all postings are current. Auditors may wish to test the accuracy of perpetual records prior to the actual inventory.
- F. Meet with inventory crews to do the following:
  1. Give specific area assignments to the inventory crews so that physical boundaries are clearly identified. This will avoid overlapping or failure to cover an area.
  2. Remind inventory crews not to destroy sheets but rather to void them in case of error.
  3. Remind inventory crews not to borrow inventory sheets from each other.
  4. Advise inventory crews their count is being audited, therefore accuracy is important.
  5. Review with the inventory crew the procedure for preparing inventory sheets. Stress accuracy of the counts.

### **Actions to be Taken (During Inventory)**

- A. Issue inventory sheets and record to whom issued. REMEMBER - ALL SHEETS MUST BE ACCOUNTED FOR!
- B. Check to see that all completed inventory sheets are accounted for.

- C. Return all (used and unused) inventory sheets in numerical sequence to the Treasurer's office no later than the scheduled completion date.

### **Exceptions to above procedures**

- A. Food Service

Donated commodities should be recorded and costed separately from balance of supply inventory.

### **Follow-through procedure**

Upon completion of the inventory process, return all consumable inventory sheets to the Business Manager's office. After verification by the Business Manager's office, the CDCS Consumable Inventory Fiscal Year End Report will be compiled and a request sent to the State Auditor for observation and verification of the inventory. Upon verification by the auditors, the inventory process will be complete for that fiscal year.

### **New Equipment Inventory Control Procedures**

All equipment with a value of \$1,000.00 or more or that has a life of over ten (10) years, is to be given an inventory number and recorded on the New Equipment Inventory listing located in the Princ's office.

- A. Remove equipment from the shipping container. Inspect it to be sure all parts have been received and are in good condition.
- B. After inspection, an inventory ID Number should be attached. These numbers are to be issued in sequence, by the Physical Inventory Supervisor. The sticker should be attached as close as possible to the serial number, without covering any information pertinent to the repair or replacement of the equipment.
- C. All information pertaining to the equipment, i.e., item, serial number, vendor, date of purchase, cost, room located in, maintenance agreement, etc. should be recorded on the new inventory listing.
- D. All information should be submitted to the Business Manager for placement in the "New Equipment" file.

### **Textbook Inventory Procedures**

- A. All nonconsumable textbooks, teachers editions of textbooks, and reference books that are not controlled by the library, are to be stamped and numbered.

- 1. **Hardback Textbooks and Teacher's Editions**

Each book is stamped with the School name on the inside front cover and on any page in the middle of the book.

- 2. **Paperback Books**

Once the books are received, all pertinent information concerning the purchase is recorded in the "Textbook Inventory" file located in the Business Manager's office. Information such as title, publisher, cost, building and teacher, and copyright are recorded.

- B. At the end of each school year, a new inventory report is sorted by teacher. Each teacher updates and returns his/her report to the Physical Inventory Supervisor to update the records. Reasons for most changes are replacement of texts with a new edition or a destroyed or lost book.

## **PROPERTY INVENTORY**

As steward of CDCS' school property, the Governing Authority (the "Board") recognizes that efficient management and full replacement upon loss requires accurate inventory and properly maintained property records.

The Board shall conduct a complete inventory by physical count of all CDCS-owned equipment and supplies annually and G.A.A.P. conversion requirements.

For purposes of this policy "equipment" shall mean a unit of furniture or furnishings, an instrument, a machine, an apparatus or a set of articles which retains its shape and appearance with use, is nonexpendable, costs at least \$500.00 as a single unit and does not lose its identity when incorporated into a more complex unit. When defining supplies for inventory purposes, no items will be counted whose total value is less than \$500.00.

It shall be the duty of the Business Manager to ensure that inventories are systematically and accurately recorded and property records of equipment are updated and adjusted annually by reference to purchase orders and withdrawal reports.

Major items of equipment shall be subject to annual spot check inventory to determine loss, mislocation, or depreciation; any major loss shall be reported to the Board.

Property records of consumable supplies shall be maintained on a continuous inventory basis.

The Business Manager shall maintain a system of property records which shall show, as appropriate to the item recorded, description and identification, manufacturer, year of purchase, initial cost, location, condition and depreciation, and current evaluation in conformity with insurance requirements.

## **PROCUREMENT – FEDERAL GRANTS/FUNDS**

Procurement of all supplies, materials, equipment, and services paid for from Federal funds or CDCS matching funds shall be made in accordance with all applicable Federal, State, and local statutes and/or regulations, the terms and conditions of the Federal grant, CDCS policies, and administrative procedures.

The Superintendent and/or his/her designee shall maintain a procurement and contract administration system in accordance with the USDOE requirements (2 C.F.R. 200.317-.326) for the administration and management of Federal grants and Federally-funded programs. CDCS shall maintain a contract administration system that requires contractors to perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

All CDCS employees, officers, and agents who have purchasing authority shall abide by the standards of conduct covering conflicts of interest and governing the actions of its employees, officers, and agents engaged in the selection, award, and administration of contracts.

CDCS will avoid acquisition of unnecessary or duplicative items. Additionally, consideration shall be given to consolidating or breaking out procurements to obtain a more economical purchase. And, where appropriate, an analysis shall be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach. These considerations are given as part of the process to determine the allowability of each purchase made with Federal funds.

To foster greater economy and efficiency, CDCS may enter into State and local intergovernmental agreements where appropriate for procurement or use of common or shared goods and services.

## **Competition**

All procurement transactions shall be conducted in a manner that encourages full and open competition and that is in accordance with good administrative practice and sound business judgment. In order to promote objective contractor performance and eliminate unfair competitive advantage, CDCS shall exclude any contractor that has developed or drafted specifications, requirements, statements of work, or invitations for bids or requests for proposals from competition for such procurements.

Some of the situations considered to be restrictive of competition include, but are not limited to, the following:

- A. unreasonable requirements on firms in order for them to qualify to do business;
- B. unnecessary experience and excessive bonding requirements;
- C. noncompetitive contracts to consultants that are on retainer contracts;
- D. organizational conflicts of interest;
- E. specification of only a "brand name" product instead of allowing for an "*or equal*" product to be offered and describing the performance or other relevant requirements of the procurement; and
- F. any arbitrary action in the procurement process.

Further, CDCS does not use statutorily or administratively imposed State, local, or tribal geographical preferences in the evaluation of bids or proposals, unless (1) an applicable Federal statute expressly mandates or encourages a geographic preference; or (2) CDCS is contracting for architectural and engineering services, in which case geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

## **Solicitation Language**

Pursuant to 2 C.F.R. 200.319(c)(1), 7 C.F.R. 3016.36(c)(3)(i) and 7 C.F.R. 3019.44(a)(3)(i), CDCS shall require that all solicitations incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, shall set forth those minimum essential characteristics and standards to which it shall conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible.

When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a "brand name or equivalent" description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which shall be met by offerors shall be clearly stated; and identify all requirements which the offerors shall fulfill and all other factors to be used in evaluating bids or proposals.

The Board will not approve any expenditure for an unauthorized purchase or contract.

## **Contract/Price Analysis**

CDCS shall perform a cost or price analysis in connection with every procurement action in excess of \$150,000, including contract modifications. A cost analysis generally means evaluating the separate cost elements that make up the total price, while a price analysis means evaluating the total price, without looking at the individual cost elements. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation; however, CDCS shall come to an independent estimate prior to receiving bids or proposals.

When performing a cost analysis, CDCS shall negotiate profit as a separate element of the price. To establish a fair and reasonable profit, consideration is given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

## **Suspension and Debarment**

CDCS will award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of the proposed procurement. All purchasing decisions shall be made in the best interests of CDCS and shall seek to obtain the maximum value for each dollar expended. When making a purchasing decision, CDCS shall consider such factors as (1) contractor integrity; (2) compliance with public policy; (3) record of past performance; and (4) financial and technical resources.

The Superintendent shall have the authority to suspend or debar a person/corporation, for cause, from consideration or award of further contracts. CDCS is subject to and shall abide by the non-procurement debarment and suspension regulations implementing Executive Orders 12549 and 12689, 2 C.F.R. Part 180.

Suspension is an action taken by CDCS that immediately prohibits a person from participating in covered transactions and transactions covered under the Federal Acquisition Regulation (48 C.F.R. chapter 1) for a temporary period, pending completion of an agency investigation and any judicial or administrative proceedings that may ensue. A person so excluded is suspended. (2 C.F.R. Part 180 Subpart G) Debarment is an action taken by the Superintendent to exclude a person from participating in covered transactions and

transactions covered under the Federal Acquisition Regulation (48 C.F.R. chapter 1). A person so excluded is debarred. (2 C.F.R. Part 180 Subpart H)

CDCS shall not subcontract with or award subgrants to any person or company who is debarred or suspended. For contracts over \$25,000, CDCS shall confirm that the vendor is not debarred or suspended by either checking the Federal Government's System for Award Management, which maintains a list of such debarred or suspended vendors at [www.sam.gov](http://www.sam.gov); collecting a certification from the vendor; or adding a clause or condition to the covered transaction with that vendor. (2 C.F.R. Part 180 Subpart C)

### **Procurement by Small Purchase Procedures**

Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than the Simplified Acquisition Threshold fixed at 41 U.S.C. 403(11) (currently set at \$100,000). CDCS shall obtain price or rate quotations for an adequate number (two (2) or more) of qualified sources.

### **Maintenance of Procurement Records**

CDCS maintains records sufficient to detail the history of all procurements. These records will include but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price (including a cost or price analysis).

### **Food Procurement**

In accordance with 7 C.F.R. 210.21(d), CDCS shall, to the maximum extent practicable, purchase domestic commodities and products. "Domestic commodities and products" means: (1) agricultural commodities that are produced in the United States; and (2) food products that are processed in the United States substantially using agricultural commodities that are produced in the United States.