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Note: Only those items indicated with an * are included in this policy manual.

SCHOOL DISTRICT LEGAL STATUS

The United States Constitution grants the individual states responsibility for public education.

The Ohio General Assembly is under mandate by the Ohio Constitution to provide for the organization, administration and control of the public school system supported by public funds. The Ohio Constitution also mandates a State Board of Education (SBOE) and a Superintendent of Public Instruction, the respective powers and duties of which are prescribed by State law.

The Ohio General Assembly has also established a State Department of Education (through which policies and directives of the SBOE and Superintendent of Public Instruction are administered) and has established specific types of school districts.

The Union Local School District is classified as a local school district governed by a locally elected Board of Education.

[Adoption date: January 11, 2001]

[Re-adoption date: October 24, 2013]

LEGAL REFS.: U.S. Const. Amend. X
Ohio Const. Art. VI, 2; 3; 4
ORC 3311.01; 3311.02; 3311.03; 3311.04; 3311.05
3311.16 through 3311.19

CROSS REFS.: BBA, School Board Powers and Duties
BBB, School Board Elections

LBB, Cooperative Educational Programs

THE PEOPLE AND THEIR SCHOOL DISTRICT

A board of education is the legal entity for conducting a system of public education within the geographic area of a school district. The system was created by and is governed by, State statutes. Members of a board are, therefore, state officers chosen by citizens of a district to represent them and the state in the legislative management of public schools.

The Board has the dual responsibility for implementing statutory requirements pertaining to public education and local citizens' desires for educating the community's youth. While the Board has an obligation to determine and assess citizens' desires it is understood that they, at the time, endow their representatives with the authority to exercise their best judgment in determining policies, making decisions and approving procedures for carrying out their responsibilities.

The Board, therefore, reaffirms and declares its intent to:

1. maintain two-way communications with citizens of the District. The public is kept informed of the progress and problems of the District and citizens are urged to bring their aspirations and feelings about their public schools to the attention of this body which they have chosen to represent them in the management of public education;
2. establish policies and make decisions on the basis of declared educational philosophy and goals. All decisions made by this Board are made with primacy given to the purposes set forth, most crucial of which is the optimal learning of the children enrolled in our schools and
3. act as a truly representative body for citizens of the District in matters involving public education. The Board recognizes that ultimate responsibility for public education rests with the State of Ohio, but individual boards of education have been assigned specific authority through statute. The Board relinquishes none of this authority, since it believes that decision-making control over the children's learning should be in the hands of local citizens as much as possible.

[Adoption date: January 11, 2001]

CROSS REFS.: AD, Educational Philosophy
AE, School District Goals and Objectives

COMMUNITY INVOLVEMENT IN DECISION MAKING

Community participation in the schools is essential to promote and maintain the quality of education for all students.

In addition to electing fellow citizens to represent them on the school board, all citizens may express ideas, concerns and judgments about the schools to the administration, to the staff, to any appointed advisory bodies and ultimately to the Board. Ideas should be addressed to the responsible individual in an appropriate fashion.

Residents may be invited by the Board to act as advisors, individually and in groups, in such areas as:

1. clarifying general ideas and attitudes held by residents in regard to the schools;
2. developing Board policies under which the school system is to be managed;
3. establishing administrative arrangements and regulations designed to help implement these policies;
4. determining the purposes of courses of study and special services to be provided for students;
5. evaluating the extent to which these purposes are being achieved by present policies and/or
6. solving a specific problem or set of closely related problems about which a decision must be made.

The Board gives consideration to the advice it receives from individuals and community groups. Final authority for all decisions rests with the Board.

[Adoption date: January 11, 2001]

LEGAL REF.: OAC 3301-35-03(J)

CROSS REF.: BCF, Advisory Committees to the Board

STAFF INVOLVEMENT IN DECISION MAKING

The District involves the efforts of many people and functions best when all personnel are informed of the major activities and concerns.

There should be an exchange of ideas and pertinent information among all elements of a school district. Problems and unfavorable attitudes develop when employees are denied information essential for the performance of their respective assignments or when they feel that their ideas and concerns are not heard. Morale is enhanced when employees are assured that their voices are heard by those in positions of administrative authority.

A pattern of decision making and problem solving close to the task also contributes to efficiency and high morale.

While all employees have the opportunity to bring their ideas or grievances to the Board, it is expected that they proceed through the recognized administrative channels. Final authority for all decisions rests with the Board.

[Adoption date: January 11, 2001]

LEGAL REF.: OAC 3301-35-03

CROSS REFS.: BF, Board Policy Development and Adoption
CCB, Staff Relations and Lines of Authority
CD, Management Team
CE, Administrative Councils, Cabinets and Committees
DBD, Budget Planning
IF, Curriculum Development

CONTRACT REF.: Teachers' Negotiated Agreement
Support Staff Negotiated Agreement

STUDENT INVOLVEMENT IN DECISION MAKING

Students share responsibility for developing a climate in the school which is conducive to learning. Through participation in the decision-making process, students can be an important resource for the improvement of the school, the educational system and the community. Periodically, students may be asked to review school policies, rules and regulations.

[Adoption date: January 11, 2001]

LEGAL REF.: OAC 3301-35-03

CROSS REFS.: JF, Student Rights and Responsibilities
JFC, Student Conduct

NONDISCRIMINATION

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

The Board does not discriminate on the basis of legally acquired genetic information.

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

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

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

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

The Board designates the following individual to serve as the District's compliance officer/civil rights coordinator:

Title: Superintendent
Address: 66779 Belmont Morristown Rd., Belmont, Ohio 43718
Phone number: 740-782-1978

The name, title, and contact information of this individual is annually published in District handbooks and on the District website.

The compliance officer is responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address any inquiries or complaints regarding discrimination/retaliation or denial of equal access in a prompt and equitable manner.

Reports and Complaints of Unlawful Discrimination/Harassment

All persons associated with the District, including, but not limited to, the Board, administration, staff, students and third parties are encouraged to promptly report incidents of unlawful discrimination/harassment.

The Board has developed complaint procedures, which are made available to every member of the school community. The Board also has identified disciplinary penalties, which may be imposed on the offender(s).

Matters, including the identity of both the charging party and the accused, are kept confidential to the extent possible.

[Adoption date: January 11, 2001]

[Re-adoption date: May 19, 2011]

[Re-adoption date: December 15, 2016]

LEGAL REFS.: Civil Rights Act, Title VI; 42 USC 2000d et seq.
Civil Rights Act, (Amended 1972), Title VII; 42 USC 2000e et seq.
Education Amendments of 1972, Title IX; 20 USC 1681 et seq.
Executive Order 11246, as amended by Executive Order 11375
Equal Pay Act; 29 USC 206
Genetic Information Nondiscrimination Act of 2008; 42 USC 2000ff et seq.
Rehabilitation Act; 29 USC 794
Individuals with Disabilities Education Act; 20 USC 1400 et seq.
Age Discrimination in Employment Act; 29 USC 623
Immigration Reform and Control Act; 8 USC 1324a et seq.
Americans with Disabilities Act Amendments Act of 2008; 42 USC 12101 et seq.
Ohio Const. Art. I, Section 2
ORC Chapter 3323
Chapter 4112
OAC 3301-35-02

CROSS REFS.: ACA, Nondiscrimination on the Basis of Sex
ACAA, Sexual Harassment
ACB, Nondiscrimination on the Basis of Disability
EDE, Computer/Online Services (Acceptable Use and Internet Safety)
GBA, Equal Opportunity Employment
GBO, Verification of Employment Eligibility
IGAB, Human Relations Education
IGBA, Programs for Students with Disabilities
JB, Equal Educational Opportunities
JFC, Student Conduct (Zero Tolerance)
JFCEA, Gangs
JFCF, Hazing and Bullying (Harassment, Intimidation and Dating Violence)
Staff Handbooks
Student Handbooks

CONTRACT REFS.: Teachers' Negotiated Agreement
Support Staff Negotiated Agreement

NONDISCRIMINATION

Reporting Harassment/Hate Crimes

Conduct constituting harassment/discrimination may take different forms including, but not limited to, the following:

1. Verbal

The making of unwelcome oral sexual, disparaging, intimidating, innuendoes, suggestive comments, jokes, insults, sexual propositions or threats to or by a fellow student, staff member or other person associated with the District, or third parties (visiting speaker, athletic team member, volunteer, parent, etc.).

2. Nonverbal

Causing the placement of sexually or otherwise suggestive objects, pictures, writing or graphic commentaries by whatever means, including the use of electronic communications devices, in the school environment, or the making of sexually suggestive or insulting, intimidating or demeaning gestures, sounds, leering, whistling and the like to or by a fellow student, staff member or other person associated with the District, or third parties.

3. Physical Contact

Threatening, intimidating, disparaging action or causing unwanted touching, contact or attempts at same by a fellow student, staff member or other person associated with the District, or third parties.

Any student who believes that he/she is the victim of any of the above actions or has observed such actions taken by another student, staff member or other person associated with the District, or by third parties should report the conduct to the building administrator.

The student may report harassment/discrimination either by a written report or by telephone or personal visit to the designated person. The reporting student should provide the name of the person(s) whom he/she believes to be responsible for the harassment and the nature of the harassing incident(s). A written summary of each such report is to be prepared promptly by the designated person on the Report of Harassment form and a copy forwarded to the principal.

Each report received by a designated person is investigated in a timely manner. While a charge is under investigation, no information is to be released to anyone who is not involved with the investigation, except as may be required by law or in the context of a legal or administrative proceeding. No one interviewed in an investigation is to discuss the subject outside of the investigation.

False Reporting

The District recognizes that determining whether a particular action or incident is harassment or, conversely, is reflective of an action without discriminatory or intimidating intent or effect must be based on all of the facts in the matter. Given the nature of harassing behavior, the District recognizes that false accusations can have serious effects on innocent individuals. Therefore, all students and staff are expected to act responsibly, honestly and with the utmost candor whenever they present harassment allegations or charges against fellow students, a staff member or others associated with the District, or third parties. Any person who knowingly files false charges against an employee or a student in an attempt to demean, harass, abuse or embarrass that individual is subject to disciplinary action consistent with school policy and the Student Conduct Code.

Aggressive Behavior Toward Students

The Board is committed to providing a safe, positive, productive and nurturing educational environment for all of its students. The Board encourages the promotion of positive interpersonal relations between members of the school community. Aggressive behavior toward a student, whether by other students, staff or third parties is strictly prohibited and will not be tolerated (Zero Tolerance). This prohibition includes physical, verbal and psychological abuse. The Board does not tolerate any gestures, comments, threats or actions which cause or threaten to cause bodily harm or personal degradation. This policy applies to all activities in the District, including activities on school property and those occurring off school property, if the student or employee is at any school-sponsored, school-approved or school-related activity or function such as field trips or athletic events where students are under the school's control. The rules also apply to any form of student misconduct directed at a District official or employee or the property of a District official or employee, regardless of where the misconduct occurs.

Aggressive behavior is defined as inappropriate conduct that is repeated enough, or serious enough, to negatively impact a student's educational, physical or emotional well-being. This type of behavior is a form of harassment/discrimination. It would include, but not be limited to, such behaviors as stalking, bullying, intimidating, menacing, coercion, name-calling, taunting, making threats or hazing.

Any student that believes he/she has been or is the victim of aggressive behavior should report the situation to the building principal, assistant principal or Superintendent. Complaints against the Superintendent should be filed with the Board President.

The following definitions are provided for guidance only. If a student or other individual believes there has been aggressive behavior, regardless of whether it fits a particular definition, he/she should report it and allow the administration to determine the appropriate course of action.

“Bullying” is defined as a person willfully and repeatedly exercising power or control over another with hostile or malicious intent (i.e., repeated oppression, physical or psychological, of a less powerful individual by a more powerful individual or group). Bullying can be physical, verbal, psychological or a combination of all three. Some examples of bullying are:

1. Physical – hitting, kicking, spitting, pushing, pulling, taking and/or damaging personal belongings, extorting money, blocking or impeding student movement or unwelcome physical contact.
2. Verbal – taunting, malicious teasing, insulting, name-calling or making threats.
3. Psychological – spreading rumors, manipulating social relationships, coercion or engaging in social exclusion/shunning, extortion or intimidation.

“Harassment” includes, but is not limited to, any act which subjects an individual or group to unwanted abusive behavior of a nonverbal, verbal, written or physical nature on the basis of age, race, religion, color, national origin, marital status or disability.

“Menacing” includes, but is not limited to, any act intended to place a school employee, student or third party in fear of imminent serious physical injury.

“Staff” includes all school employees.

“Third parties” include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors, vendors or others engaged in District business and others not directly subject to school control at intradistrict athletic competitions or other school events.

For a definition of and instances that could possibly be construed as hazing, consult policy JFCF.

Confidentiality

To the extent appropriate and/or legally permitted, confidentiality is maintained during the investigation process. However, a proper investigation will, in some circumstances, require the disclosure of names and allegations.

Notification

Notice of this policy is posted in conspicuous locations in all school buildings and departments within the District and discussed with students, as well as incorporated into the teacher, student and parent/guardian handbooks. All new hires are required to review and sign off on this policy and the related complaint procedure.

Training, in-service and student orientation may be conducted to prevent harassment/hate crimes.

The Superintendent is directed to in-service staff and students on the complaint procedures.

(Approval date: May 26, 2005)

NONDISCRIMINATION ON THE BASIS OF SEX/ SEXUAL HARASSMENT

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

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

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

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

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

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

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

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

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

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

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

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

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

Title: Superintendent

Address: 66779 Belmont Morristown Rd., Belmont, Ohio 43718

Phone number: 740-782-1978

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

Confidentiality/Retaliation

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

[Adoption date: January 11, 2001]

[Re-adoption date: July 20, 2006]

[Re-adoption date: December 15, 2016]

LEGAL REFS.: Civil Rights Act, Title VI; 42 USC 2000d et seq.
Civil Rights Act, Title VII; 42 USC 2000e et seq.
Education Amendments of 1972, Title IX; 20 USC 1681 et seq.
Executive Order 11246, as amended by Executive Order 11375
Equal Pay Act; 29 USC 206
Ohio Const. Art. I, Section 2
ORC Chapter 4112

CROSS REFS.: AC, Nondiscrimination
GBA, Equal Opportunity Employment
GBD, Board-Staff Communications (Also BG)
GBH, Staff-Student Relations (Also JM)
IGDJ, Interscholastic Athletics
JB, Equal Educational Opportunities
JFC, Student Conduct (Zero Tolerance)
JFCF, Hazing and Bullying (Harassment, Intimidation and Dating Violence)
JHG, Reporting Child Abuse
Staff Handbooks
Student Handbooks

CONTRACT REFS.: Teachers' Negotiated Agreement
Support Staff Negotiated Agreement

NONDISCRIMINATION ON THE BASIS OF SEX/SEXUAL HARASSMENT GRIEVANCE PROCEDURES

The Board has created informal and formal discrimination and harassment grievance procedures, providing for a prompt and impartial investigation free of conflicts of interest. All students and District employees are required to fully cooperate when asked to participate in an investigation.

Members of the school community and third parties are encouraged to promptly report incidents of sex discrimination or sexual harassment. Complaints may be filed with any District employee, or directly with the Title IX Coordinator. District employees are required to report these incidents to the Title IX Coordinator upon becoming aware of an incident, and failure to do so may result in disciplinary action.

Complaints of sex discrimination or sexual harassment must be filed within 180 calendar days of the alleged incident, as delays in filing complaints can make it difficult to investigate. Both the informal and formal grievance procedures are completed within 60 days of the date the incident was reported to the Title IX Coordinator, unless extenuating circumstances exist. Periodic updates are made as appropriate during the investigation.

The Title IX Coordinator determines whether or not, by “a preponderance of the evidence,” the alleged victim’s allegations are true. “A preponderance of the evidence” means that evidence must show the alleged discrimination/sexual harassment was more likely than not to have occurred.

Pending the final outcome of an informal or formal investigation, the District institutes interim measures to protect the alleged victim and informs him/her of available support services. Interim measures may include, but are not limited to: a District-enforced no contact order, schedule changes, academic modifications for the alleged victim, and/or school counseling for the alleged victim. These measures should ensure the alleged victim continues to have equal access to all education programs and activities and the safety of all students is protected.

If any of the named officials are the accused or are the alleged victim, the Board designates an alternate investigator and retains final decision-making authority.

All matters involving sexual harassment complaints remain confidential to the extent possible.

Informal Procedure for Addressing Complaints

An informal grievance procedure can be used when the Title IX Coordinator deems it appropriate and/or when the parties involved (alleged victim and accused) agree that an informal process is appropriate and sufficient. The informal process is not used when the alleged discrimination or harassment may constitute sexual violence or any other criminal act.

The Title IX Coordinator gathers enough information during the informal process to understand and resolve the complaint. The Title IX Coordinator proposes an informal solution based on this fact-gathering process, which may include, but not be limited to: requiring the accused to undergo training on harassment/discrimination, requiring all students and staff to undergo such training, and instituting protective mechanisms for the alleged victim.

Either party has the right to terminate the informal procedure at any time and pursue a remedy under the formal grievance procedure.

Formal Procedure for Addressing Complaints

While the formal grievance procedure may serve as the first step toward the resolution of a charge of sex discrimination or sexual harassment, it also is available when the informal procedure fails to resolve the complaint.

Through the formal grievance procedure, the Title IX Coordinator attempts to resolve the complaint in the following way:

1. The Title IX Coordinator promptly confers with the charging party/alleged victim in order to obtain a clear understanding of that party's statement of the alleged facts. The statement is put in writing by the Title IX Coordinator and signed by the charging party/alleged victim as a testament to the statement's accuracy.
2. The Title IX Coordinator meets with the charged party in order to obtain his/her response to the complaint. The response is put in writing by the Title IX Coordinator and signed by the charged party as a testament to the statement's accuracy.
3. The Title IX Coordinator holds as many meetings with the parties and witnesses (if any) as are necessary to gather facts. The dates of meetings and the facts gathered are all put in writing. The investigation is adequate, reliable, impartial and prompt, and allows both parties an equal opportunity to present witnesses and other evidence.
4. At the conclusion of the investigation, the Title IX Coordinator prepares a written report summarizing: the evidence gathered during the investigation and whether the allegations were substantiated; whether any Board policies or student or employee codes of conduct were violated; any recommendations for corrective action. The investigation report indicates if any measures must be instituted to protect the alleged victim. Such measures may include, but are not limited to extending any interim measures taken during the investigation. The report also informs the alleged victim of available support services, which at a minimum includes offering school counseling services if the alleged victim is a student.

Notice of Outcome

Both the alleged victim and the accused are provided written notice of the outcome of the complaint.

If either party disagrees with the decision of the Title IX Coordinator, he/she may appeal to the Board. After reviewing the record made by the Title IX Coordinator, the Superintendent may attempt to gather further evidence necessary to decide the case and to determine appropriate action to be taken. The decision of the Superintendent is final.

Disciplinary Action

Any disciplinary action is carried out in accordance with Board policies, student and employee codes of conduct, State and Federal law, and, when applicable, the negotiated agreement. When recommending discipline, the Title IX Coordinator considers the totality of the circumstances involved, including the ages and maturity levels of those involved. The Title IX Coordinator and the Superintendent determine if a recommendation for expulsion for an accused student or discharge for an accused employee should be made. If this recommendation is made and a hearing is required, the hearing shall be held in accordance with Board policy, State law and/or the negotiated agreement. Both the parties shall have an equal right to attend the hearing, have a representative and parent (if student) present, present evidence, and question witnesses.

(Approval date: January 11, 2001)
(Re-approval date: July 20, 2006)
(Re-approval date: December 15, 2016)

SEXUAL HARASSMENT COMPLAINT FORM

Date of Report _____

Employee/Student Name _____

Position or Grade _____ Building _____

Date and Time of Alleged Harassment _____

Location of Alleged Harassment _____

Name of Alleged Harasser _____

Position or Grade _____ Building _____

Description of the Incident(s) _____

Name of Witnesses, if any, and Involvement _____

Your Reaction _____

Signature of Complainant _____

ADMINISTRATIVE FOLLOW-UP

Date of Investigation _____

Investigation Details _____

Action Taken _____

Date of Follow-Up Conference _____

Results of the Conference _____

Date of Final Report _____

Date Copy Sent to Complainant _____

Signature of Grievance Officer _____

NONDISCRIMINATION ON THE BASIS OF DISABILITY

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against persons with a disability in any program receiving federal financial assistance. Section 504 defines a person with a disability as anyone who:

1. has a mental or physical impairment which substantially limits one or more major life activities such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working;
2. has a record of such an impairment or
3. is regarded as having such an impairment.

The District acknowledges its responsibility under Section 504 to avoid discrimination in policies and practices regarding its personnel and students. No discrimination against any person with a disability is knowingly permitted in any program or practices in the District.

Under Section 504, the District has the responsibility to identify, evaluate and, if the student is determined to be eligible under Section 504, to afford access to appropriate educational services.

If the parent or person in parental relationship disagrees with the determination made by the professional staff of the District, he/she has a right to a hearing with an impartial hearing officer.

[Adoption date: January 11, 2001]

[Re-adoption date: October 16, 2008]

LEGAL REFS.: Individuals with Disabilities Education Act; 20 USC 1400 et seq.
Rehabilitation Act of 1973; 29 USC 794
Americans with Disabilities Act Amendments Act of 2008; 42 USC 12101 et seq.
ORC Chapter 3323
Chapter 4112

CROSS REFS.: AC, Nondiscrimination
ACA, Nondiscrimination on the Basis of Sex
AE, School District Goals and Objectives
GBA, Equal Opportunity Employment
IGBA, Programs for Students with Disabilities
IGDJ, Interscholastic Athletics
JB, Equal Educational Opportunities
JFCF, Hazing and Bullying
Staff and Student Handbooks

NONDISCRIMINATION ON THE BASIS OF DISABILITY

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against persons with a disability in any program receiving Federal financial assistance. The Act defines a person with a disability as any one who:

1. has a mental or physical impairment which substantially limits one or more major life activities (major life activities include activities such as caring for one's self, performing manual tasks, talking, seeing, hearing, speaking, breathing, learning and working);
2. has a record of such an impairment and
3. is regarded as having such an impairment.

In order to fulfill its obligation under Section 504, the District recognizes a responsibility to avoid discrimination in policies and practices regarding its personnel and students. No discrimination against any person with a disability will knowingly be permitted in any of the programs and practices in the District.

The District has specific responsibilities under the Act, which include the responsibility to identify, evaluate and, if the child is determined to be eligible under Section 504, to afford access to appropriate educational services. The Special Education Coordinator ("Coordinator") is the coordinator of Section 504 activities for the District.

If the parent or guardian disagrees with the determination made by the professional staff of the District, he/she may request a review of the case by the Coordinator by submitting a written request to the Coordinator. Within 30 days of receipt of the written request, the Coordinator shall schedule a case review. The Coordinator's decision shall be rendered in writing within 14 days of the conclusion of the case review. If the parent or guardian disagrees with the Coordinator's decision, he/she has a right to a hearing with an impartial hearing officer, the right to be represented by counsel in any such proceedings, along with the opportunity for review. Any request for a hearing should be made within 10 days, or as soon as practicable to ensure a prompt resolution of any dispute. The request for an impartial hearing should be submitted in writing to the Superintendent, who shall appoint an impartial hearing officer. The hearing will be conducted in accordance with the procedures set forth in Ohio Administrative Code 3301-51-02(G). Should the parent or guardian wish to appeal that decision, a written request for review should be submitted to the Superintendent within 10 days of the date the determination was mailed. The Superintendent will designate an impartial review officer who will conduct the appeal in accordance with the procedures set forth in Ohio Administrative Code 3301-51-02(G)(12)(c). Similarly, should the District wish to appeal that decision, notice will be given to the parent or guardian and the Superintendent will designate an impartial review officer.

The parent or guardian may also wish to file a complaint with the Office for Civil Rights.

Additionally, under Section 504, the parent or guardian has the right to:

1. inspect and review his/her child's educational records;
2. make copies of these records;
3. receive a list of all individuals having access to those records;
4. ask for an explanation of any item in the records;
5. ask for an amendment to any report on the grounds that it is inaccurate, misleading or violates the child's rights and
6. a hearing on the issue if the school refuses to make the amendment.

(Approval date: January 11, 2001)

DEVELOPMENT OF PHILOSOPHY OF EDUCATION

The Board's philosophy of education gives direction to the educational program and daily operations of the District.

Periodically, the policy committee of the Board and the Superintendent evaluate the philosophy of education. Suggestions from both staff and community are considered.

The committee revises or confirms the existing philosophy or writes a new statement of philosophy. The committee presents its recommendation regarding a philosophy of education to the Board for adoption or re-adoption.

All building and course of study philosophies reflect and extend the Board's philosophy. The Superintendent disseminates the Board's philosophy of education to all staff members and directs that it be published in all handbooks.

[Adoption date: January 11, 2001]

LEGAL REFS.: OAC 3301-35-02; 3301-35-03

CROSS REFS.: ADA, Educational Philosophy
BF, Board Policy Development and Adoption
BFG, Policy Review and Evaluation

EDUCATIONAL PHILOSOPHY

Union Local Schools shall endeavor to educate the students to become responsible citizens prepared to manage their own social, economic and political affairs efficiently; to sustain a high standard of living; and to realize their potentialities for a full and happy life.

Our District shall endeavor to respond to the needs of all students. All students will be encouraged to do their best work on the level at which they are capable so they may be able to adjust to the situations which they may face in a changing world.

School personnel, in cooperation with the home and community, shall endeavor to train students in worthy ideals; they shall encourage the highest standards of morality and help the students appreciate the true worth of honesty, tolerance, respect, sincerity and cooperation.

The school district, through its teachings and its activities, shall endeavor to promote the mental, physical, emotional and social well-being of its students.

[Adoption date: January 11, 2001]

LEGAL REF.: OAC 3301-35-02(A)

CROSS REFS.: AD, Development of Philosophy of Education
AE, School District Goals and Objectives
IA, Instructional Goals

EDUCATIONAL PHILOSOPHY
(Statement of Beliefs)

We believe that:

1. Society benefits from the education and positive contributions of all its members.
2. All individuals are unique and have value and when provided with appropriate opportunities can and will learn.
3. A positive self-image is essential to fulfilling an individual's highest potential and for living a productive life.
4. A safe and secure environment is vital to learning and well-being.
5. Education is a partnership involving school, community and student.
6. All individuals are primarily responsible for making informed decisions and have responsibility for their own actions.
7. Education encourages honesty, mutual respect, responsibility, trustworthiness, compassion, fairness, lack of prejudice, open-mindedness, citizenship and a positive self-image.
8. Education is a vital lifelong process.

Vision Statement

Through a partnership of school, home and community, students will develop respect for self and others and a sense of pride in the entire educational community. Our safe, comfortable and diverse educational environment will enable students to be excited about learning and will provide them the opportunity to attain their highest level of achievement, to become lifelong learners and to contribute productively and responsibly to society.

Mission Statement

In partnership with students, families and the community, our school district will work continuously to enable students to attain improved levels of knowledge and skill required for working, living and learning in a technology-driven information-based society.

SCHOOL DISTRICT GOALS AND OBJECTIVES

1. To aid students in developing their emotional, physical and intellectual capacities.
2. To help students establish ethical and moral values.
3. To help students achieve positive relationships with others-involving school, family, work and government.
4. To give students control of basic skills of learning, thinking and problem solving.
5. To develop a sense of pride in our schools by students, staff and community through quality programs and competent staff.
6. To develop a constructively critical understanding of the American way of life and its techniques for conducting public affairs. This means the program shall prepare children to:
 - A. become intelligent, responsible voters in a democracy;
 - B. develop a sense of individual and community responsibility and
 - C. understand the responsibility of every person for making the American society succeed.
7. To acquaint students with the richness of our heritage.

The goals of our school district are to be considered guides rather than limits; capable of wide interpretation; flexible enough to meet changing needs of both students and society.

[Adoption date: January 11, 2001]

LEGAL REF.: OAC 3301-35-02(A)

CROSS REFS.: ABA, Community Involvement in Decision Making (Also KC)
ADA, Educational Philosophy
DBD, Budget Planning
IA, Instructional Goals
IAA, Instructional Objectives
KA, School-Community Relations Goals

COMMITMENT TO ACCOMPLISHMENT

Evaluation of District operations is a chief responsibility of the Board and is the only means of determining whether the educational goals adopted are being achieved.

The evaluation program may include, but is not limited to, the following areas.

1. curriculum and instruction
2. students, dropouts and graduates
3. school personnel
4. buildings and equipment
5. business operations
6. operations of the Board

Appraising the success of the instructional program is particularly important. Only through an awareness of the strengths and shortcomings of the program can the Board and Superintendent have a sound basis for making improvements. The improvements are made by the Superintendent through the implementation of policies adopted by the Board.

The Board annually:

1. assesses the District's operations and achievement of goals by information gathered from the Superintendent and Treasurer;
2. evaluates the Superintendent and Treasurer according to job descriptions and Board expectations and
3. evaluates itself according to its established goals and purposes.

[Adoption date: January 11, 2001]

LEGAL REFS.: ORC 3313.60
3319.01; 3319.02; 3319.08; 3319.081
OAC 3301-35-02; 3301-35-03

CROSS REFS.: AF, all subcodes
BCC, Qualifications and Duties of the Treasurer
CBA, Qualifications and Duties of the Superintendent

EVALUATION OF SCHOOL BOARD OPERATIONAL PROCEDURES

The Board plans and carries through an annual appraisal of its functioning as a board. This appraisal considers the broad realm of relationships and activities inherent in Board responsibilities.

The appraisal process and instrument are determined by the Board. The following are areas of Board operations and relationships representative of those in which objectives may be set and progress appraised.

1. Board meetings
2. policy development
3. fiscal management
4. long-range/strategic planning
5. Board role in educational program development
6. Board member orientation
7. Board member development
8. Board officer performance
9. Board-Superintendent relationships
10. Board-Treasurer relationships
11. Board-staff relationships
12. Board-community relationships
13. legislative and governmental relationships
14. management team development and utilization

The Superintendent and others who regularly work with the Board are asked to participate in establishing objectives and reviewing progress.

[Adoption date: January 11, 2001]

[Re-adoption date: March 23, 2006]

CROSS REFS.: AF, Commitment to Accomplishment
BA, Board Operation Goals
BCB, Board Officers
BCD, Board-Superintendent Relationship (Also CBI)
BD, School Board Meetings
BF, Board Policy Development and Adoption
BHA, New Board Member Orientation
CD, Management Team
DA, Fiscal Management Goals

EVALUATION OF SCHOOL BOARD OPERATIONAL PROCEDURES

Boards of education expect a high level of performance from those who are employed to run the schools. Stakeholders also expect a high level of performance from those who are elected to govern the schools.

Ultimately, the performance of an individual Board member is measured at election time. However, that is not enough. Each Board should set aside some time on a regular basis to compare individual assessments of how well the governing body is functioning. The assessment instrument or scoring system is not important. What is important is for the Board to establish a plan to regularly analyze its method of operation. The results of evaluation should be used in setting goals for improved operations in the future.

SELF-EVALUATION INSTRUMENT

Using the numbering system below, rate each item: 1 - ineffective; 2 - somewhat ineffective; 3 - somewhat effective; 4 - effective; 5 - highly effective.

Board Meetings - Official action can be taken only when the Board is in session. Therefore, each meeting must be organized for maximum efficiency.

<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	The Board of Education:
_____	_____	_____	_____	_____	reads agenda and background materials well in advance of meeting.
_____	_____	_____	_____	_____	makes public feel welcome; provides agenda, minutes and related materials.
_____	_____	_____	_____	_____	assures that meeting time, place and facilities are convenient for Board, staff and public.
_____	_____	_____	_____	_____	does not present new issues of complex nature for immediate action.
_____	_____	_____	_____	_____	does not abuse privilege of tabling important issues.
_____	_____	_____	_____	_____	demonstrates knowledge and use of good parliamentary procedure.
_____	_____	_____	_____	_____	makes distinction between Board's role and function of administrators.

_____ expects staff input and Superintendent's recommendation on key issues.

_____ equally applies the public participation policy to all speakers.

_____ makes the most productive use of meeting time.

1 2 3 4 5 The Board of Education:

_____ conducts all meetings in accordance with the "Sunshine Law."

_____ selects officers on basis of ability.

_____ has procedure for submitting agenda items.

Board-Community Relations - The schools belong to the people. As elected officials, Board members have the responsibility to be representative, to be responsive and to be effective agents of change. The Board of Education:

_____ actively seeks input from community in establishing goals and objectives.

_____ gives full support and cooperation to PTA and other parent and community organizations with student-centered missions.

_____ establishes close working relationship with other units of government.

_____ is actively involved in state and federal education legislation.

_____ maintains effective two-way communication between school officials and residents of the District.

_____ ensures best possible relationship between District officials and the media.

_____ makes best use of facilities and resources in meeting needs of community.

- _____ provides leadership in securing maximum community support for a good educational program.
- _____ approves annual budget within resources that can be certified in the "fiscal certificate."

Board-Administrator Relations - A good Board-administrator relationship does not guarantee a successful educational program. It is doubtful, however, if a good program will exist in districts with poor Board-administrator relations. The Board of Education:

- _____ evaluates performance of Superintendent and Treasurer on a regular basis.
- 1 2 3 4 5 The Board of Education:
- _____ assures that the Superintendent complies with Board policies regarding annual staff evaluations.
 - _____ works and plans with administration in spirit of mutual trust and confidence.
 - _____ recognizes Superintendent as chief executive officer and educational leader of the District.
 - _____ provides administrators opportunity for professional growth.
 - _____ avoids interference with duties which are the responsibility of administrators.
 - _____ solicits input from Superintendent in developing and maintaining a comprehensive and legally compliant Board policy manual.
 - _____ addresses potential problems between Board and administrators as soon as issues arise.
 - _____ defends administrators from unjust and unfounded criticism.
 - _____ utilizes the management team concept of operating the District.

Board-Staff Relations - Good education depends on good teachers. It is incumbent on boards to seek maximum input from staff on educational issues while retaining decision-making authority and responsibility for the operation of the District. The Board of Education:

- _____ approves job descriptions for all positions.
- _____ adopts appropriate personnel policies in the areas of employment evaluation, reduction in force and related matters.
- _____ encourages professional growth through staff development, in-service programs, visitations and conferences.
- _____ refers complaints to appropriate person for discussion and resolution.
- _____ preserves and maintains management rights in all labor relations agreements.

Instructional Program - The purpose of public schools is to provide educational opportunities for all students. To this end, it must be determined what are educationally valuable experiences and how they can best be delivered.

- 1 2 3 4 5 The Board of Education:
- _____ provides equal access to curriculum as well as cocurricular and extracurricular activities for all students.
 - _____ approves course additions and deletions to the curriculum.
 - _____ balances the overall needs of students and community with efforts of special interest groups to influence the curriculum.
 - _____ encourages suggestions for curriculum improvement from students, staff and community.
 - _____ safeguards the privacy of student records.
 - _____ encourages a positive approach to student discipline.

_____ safeguards the rights of students to due process.

_____ provides policies that implement the educational standards of the State Board of Education.

Personal Qualities - Maximum results as a school board member will be achieved only if high ethical standards of conduct are maintained in all personal, business and public activities.

<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	As a Board of Education member, I:
_____	_____	_____	_____	_____	am courteous and respectful of fellow Board members.
_____	_____	_____	_____	_____	keep the education and welfare of children as my primary concern.
_____	_____	_____	_____	_____	represent the best interests of all stakeholders rather than special interest groups.
_____	_____	_____	_____	_____	understand the need for compromise; abide by decisions of the majority.
_____	_____	_____	_____	_____	channel complaints and potential problems to proper authority.
_____	_____	_____	_____	_____	have made the time commitment necessary to become an informed and effective Board member.

<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	As a Board of Education member, I:
_____	_____	_____	_____	_____	reach decisions on the merits of issues and the best available evidence.
_____	_____	_____	_____	_____	participate in in-service programs at regional, state and national levels.
_____	_____	_____	_____	_____	do not individually or unilaterally make decisions or commitments on the Board's behalf.
_____	_____	_____	_____	_____	am open and honest with other Board members and administrators, share information and avoid "surprises" whenever possible.
_____	_____	_____	_____	_____	am familiar with and abide by the OSBA Code of Ethics.

Additional Comments:

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EVALUATION OF THE SUPERINTENDENT

The Board believes it is essential that it evaluate the Superintendent's performance periodically in order to assist both the Board and the Superintendent in fulfilling their responsibilities and to enable the Board to provide the District with the needed leadership.

The Board shall at least once annually, no later than June 30 of each school year, evaluate the performance of the Superintendent. Such evaluation shall include an assessment of:

1. the working relationship between the Board and the Superintendent;
2. the Superintendent's relationship to staff and students;
3. the Superintendent's personal professional growth;
4. the progress of the District toward achieving the goals of the Board;
5. the implementation of the District's educational philosophy;
6. the climate of confidence and sense of purpose evidenced at every level in the District;
7. the Board's effectiveness in providing direction and
8. the needs of the District.

Each evaluation of the Superintendent shall be preceded by a statement in writing of those standards by which performance shall be measured. Such standards shall include:

1. a description of the Superintendent's duties and responsibilities and
2. goals and objectives for the school year agreed upon annually by the Board and the Superintendent.

The evaluation of the Superintendent's performance shall be compiled on a prepared standard form by individual Board members and submitted to the Board President. The Board President shall prepare a composite summary of the Superintendent's performance which shall then be reviewed jointly by the Board and the Superintendent in executive session.

The evaluation shall be considered by the Board in deciding whether to renew the Superintendent's contract of employment.

The Board shall make the final determination regarding the renewal or failure to renew the contract of the Superintendent.

Renewal, termination or suspension of the Superintendent's contract shall be in accordance with sections of the Ohio Revised Code relative to the employment and evaluation of the Superintendent.

[Adoption date: January 11, 2001]

LEGAL REF.: ORC 3319.01

CROSS REF.: CBA, Qualifications and Duties of the Superintendent

EVALUATION OF THE TREASURER

The Board evaluates the performance of the Treasurer in order to assist both the Board and the Treasurer in the proper discharge of their responsibilities and to enable the Board to provide the District with the best possible leadership.

The objectives of the Board's evaluation are to:

1. promote professional excellence and improve the skills of the Treasurer;
2. improve the quality of District business practices and
3. provide a basis for the review of the Treasurer's performance.

Criteria for the evaluation of the Treasurer are based upon the Treasurer's job description and relate directly to each of the tasks described. The job description and any revisions thereto are developed in consultation with the Treasurer and Superintendent and adopted by the Board.

Evaluation criteria are reviewed as necessary or as requested by the Treasurer, but not less frequently than annually. Any proposed revision of the evaluation criteria shall be provided to the Treasurer for his/her comments before its adoption.

[Adoption date: January 11, 2001]

LEGAL REF.: ORC 3313.22

EVALUATION OF PROFESSIONAL STAFF (Ohio Teacher Evaluation System)

A determination of the efficiency and effectiveness of the teaching staff is a critical factor in the overall operation of the District. The Board evaluates teachers in accordance with State law and the standards-based statewide teacher evaluation framework adopted by the State Board of Education (SBOE).

The Board directs the Superintendent/designee to implement this policy in accordance with State law. The requirements of this policy prevail over any conflicting provisions of collective bargaining agreements entered into on or after September 24, 2012.

Notwithstanding Ohio Revised Code Section (RC) 3319.09, this policy applies to any person employed under a teacher license issued under RC 3319, or under a professional or permanent teacher's certificate issued under former RC 3319.222, and who spends at least 50% of the time employed providing content-related student instruction. This teacher evaluation policy does not apply to substitute teachers or instructors of adult education.

Credentialed Evaluators

Evaluations carried out under this policy are conducted by persons holding evaluator credentials established by the Ohio Department of Education (ODE). Evaluators must complete state-sponsored evaluation training and pass the online credentialing assessment. The Board adopts a list of approved credentialed evaluators chosen from ODE's list.

Effectiveness Rating

Teachers are assigned an effectiveness rating of Accomplished, Skilled, Developing or Ineffective. This rating will be determined based on 50% teacher performance and 50% student growth measures. Student growth will be determined through multiple measures.

Teacher Performance Calculation

Teachers are evaluated via two formal observations and periodic classroom walk-throughs. The teacher performance measure is based on the Ohio Standards for the Teaching Profession.

The Superintendent/designee selects/develops evaluation tools to calculate teacher performance. The Board directs the Superintendent/designee to develop procedures for these evaluation tools.

Student Growth Calculation

For the purpose of this policy, student growth means the change in student achievement for an individual student between two or more points in time. Student growth is evaluated by a combination of: (1) Value-added data or an alternative student academic progress measure if adopted under RC 3302.03(C)(1)(e); (2) ODE-approved assessments and/or (3) Board-determined measures. When available, value-added data or an alternative student academic progress measure if adopted under RC 3302.03(C)(1)(e) shall be included in the multiple measures used to evaluate student growth in proportion to the part of the teacher's schedule of courses or subjects for which the value-added progress dimension is applicable.

If a teacher's schedule is comprised only of courses or subjects for which value-added data is applicable, the entire student academic growth factor of the evaluation for such teachers shall be based on the value-added progress dimension.

Value-added data based on the results of assessments administered in the 2014-2015 and 2015-2016 school years will not be used to assess student academic growth. Such data also will not be used when making dismissal, retention, tenure or compensation decisions. Evaluations for teachers of grade levels and subject areas for which the value-added progress dimension is applicable, and where no other measure is available to determine student academic growth, shall be based solely on teacher performance.

Students with 45 or more excused or unexcused absences during the full academic year will not be included in the calculation of student academic growth. Data from Board-determined multiple measures will be converted to a score of: (1) Least Effective, (2) Approaching Average, (3) Average, (4) Above Average or (5) Most Effective student growth levels.

Teachers with approaching average and least effective student growth ratings must develop an improvement plan with their credentialed evaluators. The Superintendent/designee assigns credentialed evaluators to teachers with approaching average or least effective student growth ratings.

Evaluation Time Line

District administrators evaluate teachers annually. Annual evaluations include two formal observations at least 30 minutes each and periodic classroom walk-throughs. Teachers, who are on limited or extended limited contracts pursuant to State law and under consideration for nonrenewal, receive at least three formal observations during the evaluation cycle.

All teacher evaluations are completed by May 1. Teachers evaluated under this policy are provided with a written copy of their evaluation results by May 10.

The Board evaluates teachers receiving effectiveness ratings of Accomplished on those teachers' most recent evaluations carried out under this policy, and whose student growth measures are at least average or higher every three years. Such evaluations are completed by May 1 of the evaluation year. Teachers evaluated on this basis are provided a written copy of their evaluation results by May 10 of the evaluation year. In years when an evaluation will not take place, one observation is carried out and at least one conference with the teacher is held.

The Board evaluates teachers receiving effectiveness ratings of Skilled on those teachers' most recent evaluations carried out under this policy, and whose student growth measures are at least average or higher every two years. Biennial evaluations conducted under this policy are completed by May 1 of the evaluation year. Teachers evaluated on a biennial basis are provided a written copy of their evaluation results by May 10 of the evaluation year. In years when an evaluation will not take place, one observation is carried out and at least one conference with the teacher is held.

Testing for Ineffective Teachers in Core Subjects

Beginning with the 2015-2016 school year, teachers of core subject areas, as defined by State law, who have received a rating of Ineffective for two of the three most recent school years must register for and take all written examinations of content knowledge selected by ODE.

Retention and Promotion

The Board uses evaluation results for retention and promotion decisions. The Board adopts procedures for use by District administrators in making retention and promotion decisions based on evaluation results.

Seniority shall not be the basis for making retention decisions, except when choosing between teachers who have comparable evaluations.

Poorly Performing Teachers

The Board uses evaluation results for removing poorly performing teachers. The Board adopts procedures for removing poorly performing teachers based on evaluation results.

Professional Development

The Board allocates financial resources to support professional development in compliance with State law and the SBOE's evaluation framework.

[Adoption date: January 11, 2001]
[Re-adoption date: May 16, 2013]
[Re-adoption date: December 19, 2013]
[Re-adoption date: October 16, 2014]
[Re-adoption date: September 17, 2015]

LEGAL REFS.: ORC 3319.11; 3319.111; 3319.112; 3319.114; 3319.16; 3319.58
 Chapter 4117
 OAC 3301-35-05

CROSS REFS.: AF, Commitment to Accomplishment
 GBL, Personnel Records
 GCB, Professional Staff Contracts and Compensation Plans

CONTRACT REF.: Teachers' Negotiated Agreement

EVALUATION OF PROFESSIONAL STAFF
(Administrators Both Professional and Support)

The Superintendent institutes and maintains a comprehensive program for the evaluation of administrative personnel. Administrative personnel are all persons issued contracts in accordance with the Ohio Revised Code. Evaluations should assist administrators in developing their professional abilities in order to increase the effectiveness of District management.

The purpose of administrator evaluations is to assess the performance of administrators, to provide information upon which to base employment and personnel decisions and to comply with State law. All administrators are evaluated annually. In the year an administrator's contract does not expire, the evaluation is completed by the end of the contract year, and a copy is given to the administrator.

In the year an administrator's contract does expire, two evaluations are completed, one preliminary and one final. The preliminary evaluation is conducted at least 60 days prior to June 1 and prior to any Board action on the employee's contract. A written copy of the preliminary evaluation is given to the administrator at this time. Evaluations are considered by the Board in determining whether to re-employ administrators.

The final evaluation includes the Superintendent's intended recommendation for the contract of the employee. A written copy of the final evaluation must be provided to the employee at least five days prior to the Board's action to renew or nonrenew the employee's contract. The employee may request a meeting with the Board prior to any Board action on his/her contract. The employee may have a representative of his/her choice at the meeting.

The evaluation measures the administrator's effectiveness in performing the duties included in his/her written job description and the specific objectives and plans developed in consultation with the Superintendent.

Evaluation criteria for each position are in written form and are made available to the administrator. The results of the evaluations are kept in personnel records maintained in the central office. The evaluated administrator has the right to attach a memorandum to the written evaluation. Evaluation documents, as well as information relating thereto, are accessible to each evaluatee and/or his/her representative.

This evaluation procedure does not create an expectancy of continued employment. Nothing contained herein prevents the Board from making any final determination regarding the renewal or nonrenewal of an administrator's contract.

Ohio Principal Evaluation System (OPES)

Procedures for evaluating principals and assistant principals are based on principles comparable to the Ohio Teacher Evaluation System, but are tailored to the duties and responsibilities of principals and assistant principals and the environment in which they work. Principals and assistant principals are evaluated under the above system, with the inclusion of the following components.

Principals and assistant principals are assigned an effectiveness rating of Accomplished, Skilled, Developing or Ineffective. This rating will be determined based on 50% measures of principal or assistant principal performance and 50% student growth measures. Student academic growth is determined through multiple measures.

Principals and assistant principals are evaluated via two formal observations and periodic building walk-throughs. The 50% principal and assistant principal performance measure is based on the Ohio Standards for Principals. Proficiency on the standards includes consideration of professional goal setting, communication and professionalism, and skills and knowledge.

Student academic growth is evaluated by a combination of: (1) Value-added data; (2) Ohio Department of Education (ODE)-approved assessments and/or (3) Board-determined measures. When available, value-added data shall be included in the multiple measures used to evaluate student growth.

Value-added data based on the results of state assessments administered in the 2014-2015 and 2015-2016 school years will not be used to assess student academic growth. Such data also will not be used when making dismissal, retention, tenure or compensation decisions.

The principal's performance rating is combined with the results of student growth measures to produce a summative evaluation rating according to ODE requirements.

The Superintendent/designee evaluates all principals and assistant principals annually. Annual evaluations include two formal observations at least 30 minutes each and periodic building walk-throughs.

The Board allocates financial resources to support professional development in compliance with State law and the State Board of Education's evaluation framework.

[Adoption date: January 11, 2001]

[Re-adoption date: May 16, 2013]

[Re-adoption date: October 24, 2013]

[Re-adoption date: March 23, 2015]

[Re-adoption date: September 17, 2015]

[Re-adoption date: March 17, 2016]

LEGAL REFS.: ORC 3319.02; 3319.03; 3319.04; 3319.111; 3319.16; 3319.17; 3319.171;
3319.22
OAC 3301-35-05

CROSS REFS.: AF, Commitment to Accomplishment
GBL, Personnel Records

EVALUATION OF PROFESSIONAL STAFF
(Administrators Both Professional and Support)

To assist administrators in the development of their professional abilities, to provide information for employment decisions and to comply with mandates of Ohio law, the following procedures are employed by the Superintendent/designee in evaluating administrative personnel.

1. The evaluator employs the evaluation criteria which are designed to measure the administrator's effectiveness in performing the duties set forth in his/her written job description. All administrators will be evaluated prior to the end of July. The evaluator will also assess the administrator's progress in meeting plans and objectives set for that school year. Areas of outstanding, satisfactory and poor performance will be noted. The Superintendent/designee will meet with each administrator to discuss the written evaluation. The evaluatee is given a copy of the evaluation and has an opportunity to discuss the evaluation with the evaluator at this second meeting.
2. An ongoing dialogue concerning the administrator's objectives will continue and the evaluator and evaluatee will meet as needed or requested.
3. For those employees whose contracts are expiring at the end of the current school year, two evaluations must be completed. A preliminary evaluation must be received by the employee at least 60 days prior to any Board action on the employee's contract. A final evaluation must include the Superintendent's intended recommendation for the contract of the employee. A written copy of the final evaluation must be provided to the employee at least five days prior to the Board's action to renew or nonrenew the employee's contract.
4. The employee may request a meeting with the Board prior to any Board action on his/her contract. The employee may have a representative of his/her choice at the meeting.
5. Assistant superintendents, principals, assistant principals and other administrators are automatically re-employed if they are not evaluated according to State law or provided a meeting, if requested, to discuss their renewal or nonrenewal.
6. All evaluation criteria, procedures and written job descriptions are reviewed annually by the Superintendent/designee and revised as necessary.

(Approval date: January 11, 2001)

EVALUATION OF SCHOOL COUNSELORS

Professional school counselors offer students access to high-quality services that support students' academic, career and social/emotional development. The Board evaluates school counselors in accordance with State law and the standards-based statewide counselor evaluation framework adopted by the State Board of Education (SBOE). The framework is aligned with the Ohio Standards for School Counselors.

The Board directs the Superintendent/designee to implement this policy in accordance with State law. The policy becomes operative at the expiration of any collective bargaining agreement covering school counselors that is in effect on September 29, 2015. The requirements of this policy prevail over any conflicting provisions of collective bargaining agreements entered into on or after September 29, 2015.

Annually, the Board submits to the Ohio Department of Education (ODE) a report regarding implementation of this policy. The name of, or any personally identifiable information about, any counselor reported in compliance with this provision cannot be required.

Effectiveness Rating

School counselors are assigned an effectiveness rating of Accomplished, Skilled, Developing or Ineffective. Each school counselor is evaluated based on multiple factors including performance on all areas identified by the standards for school counselors and the ability to produce positive student outcomes using metrics in order to determine the holistic final summative rating of effectiveness according to ODE requirements. The choice of metrics for student outcomes will be determined locally and will include information from the school or school district's report card when appropriate.

Evaluation Time Line

District administrators evaluate school counselors annually except as otherwise appropriate for high performing school counselors. Annual evaluations include two formal observations of at least 30 minutes each and informal observations. Counselors will be provided with a written report of the evaluation.

The Board evaluates school counselors receiving effectiveness ratings of Accomplished on the counselors' most recent evaluations carried out under this policy, and whose metric of student outcomes for the most recent school year for which data is available is skilled or higher on the evaluation rubric every three years. In years when an evaluation will not take place, one observation is carried out and at least one conference with the counselor is held.

The Board evaluates school counselors receiving effectiveness ratings of Skilled on the counselors' most recent evaluations carried out under this policy, and whose metric of student outcomes for the most recent school year for which data is available is skilled or higher on the evaluation rubric every two years. In years when an evaluation will not take place, one observation is carried out and at least one conference with the counselor is held.

Professional Growth and Improvement Plans

School counselors with a final summative rating of Accomplished must develop a professional growth plan.

School counselors with a final summative rating of Skilled must develop a professional growth plan collaboratively with their evaluator.

School counselors with a final summative rating of Developing must develop a professional growth plan with their evaluator. The Superintendent/designee approves the professional growth plan.

School counselors with a final summative rating of Ineffective must develop an improvement plan with their evaluator. The Superintendent/designee approves the improvement plan.

The District has discretion to place a school counselor on an improvement plan at any time based on deficiencies in any individual component of the evaluation system.

Retention and Promotion

The Board uses evaluation results for retention and promotion decisions for school counselors beginning with the 2017-2018 school year. The Board adopts procedures for use by District administrators in making retention and promotion decisions based on evaluation results.

Poorly Performing Counselors

The Board uses evaluation results for removing poorly performing counselors beginning with the 2017-2018 school year. The Board adopts procedures for removing poorly performing school counselors based on evaluation results.

Professional Development

The Board allocates financial resources to support professional development in compliance with State law and the SBOE's evaluation framework.

[Adoption date: September 28, 2016]

LEGAL REFS.: ORC 3319.113; 3319.61
3302.03
Chapter 4117
OAC 3301-35-05

CROSS REFS.: AF, Commitment to Accomplishment
GBL, Personnel Records
GCB, Professional Staff Contracts and Compensation Plans

CONTRACT REF.: Teachers' Negotiated Agreement

EVALUATION OF SUPPORT STAFF

Regular evaluation of all support staff is intended to bring about improved services, to provide a continuing record of the service of each employee and to provide evidence on which to base decisions relative to assignment and re-employment.

The Superintendent establishes a continuing program of performance evaluation for the support staff. The program includes written evaluations and a means of making the results known to the evaluated employee.

The services of all support staff employees are evaluated at least once each year. Procedures used in the evaluation process are subject to Board approval or in accordance with the negotiated agreement.

[Adoption date: January 11, 2001]

LEGAL REFS.: ORC 3319.081
 Chapter 124
 OAC 3301-35-03(A)(8)

CONTRACT REF.: Support Staff Negotiated Agreement

EVALUATION OF INSTRUCTIONAL PROGRAMS

The Superintendent, on a regular basis, evaluates the effectiveness of the instructional program in achieving the District's educational goals and objectives. Periodically, he/she submits a written and comprehensive report of his/her evaluative findings to the Board for its consideration and action. The specific purposes of this report are to provide data for planning and budgeting for instructional improvements and for informing the public about the performance of the public schools. These data may include:

1. relation of student growth and development to the objectives of the school system;
2. suitability of educational programs in terms of community expectations;
3. report on how evaluation findings are used for program improvement;
4. student achievement in light of testing results of standardized achievement tests and competency tests;
5. the number of students who continue in a program of higher education and the percentage of these who graduate;
6. extent of and trends in, admissions to colleges and universities;
7. employment records of graduates not going to college and
8. all other relevant data which the Superintendent deems necessary.

The Superintendent is instructed to keep himself/herself informed relative to current research and successful practices and to employ the best and most reliable methods and measures in the evaluative process. The results of the competency-based educational testing program are used as a part of the evaluation.

[Adoption date: January 11, 2001]

LEGAL REFS.: ORC 3301.13
3313.60
3323.02
OAC 3301-35-02(B); 3301-35-03(K)

CROSS REFS.: IA, Instructional Goals
IAA, Instructional Objectives
IL, Testing Programs
ILA, Competency-Based Education

EVALUATION OF EDUCATIONAL RESOURCES

The Superintendent evaluates the effectiveness of the educational resources used by the District to achieve the District's educational goals and objectives.

The individual resource areas are assessed yearly while the overall program is assessed every five years according to professionally recognized criteria and procedures.

Following are the educational resources listed in the State Board of Education Minimum Standards.

1. Professional and support staff are recruited, employed, assigned, evaluated and provided in-service education without unlawful discrimination.
2. Instructional materials and equipment support attainment of objectives specified in courses of study.
3. Facilities accommodate the enrollment and the philosophy of education and educational goals of the school.
4. Student health and safety is safeguarded by an organized program of school health services designed to identify student health problems and to coordinate school and community health resources for students.
5. Student cumulative records are maintained.
6. Student admission, placement and withdrawal is processed according to established procedures.
7. Student attendance and conduct is administered according to established objectives and procedures.
8. School guidance services are provided for students in kindergarten through grade 12 in accordance with a written plan adopted by the Board.
9. Student activity programs are operated in accordance with the Board's philosophy of education and educational goals and safeguard the interest of the school, participants and spectators. Schools will not sponsor interscholastic athletics for students in kindergarten through sixth grade.
10. A planned, community relations program is implemented to encourage citizen participation in and support for, the educational program.

LEGAL REF.: OAC 3301-35-03

CROSS REFS.: AC, Nondiscrimination/Harassment
FA, Facilities Development Goals
IA, Instructional Goals
IJ, Guidance Program
IK, Academic Achievement
IKE, Promotion and Retention of Students
JEC, School Admission
JHF, Student Safety
JO, Student Records
KA, School-Community Relations Goals