



HUBER HEIGHTS

CITY SCHOOLS

**EXCELLENCE IN
EVERY ENDEAVOR**

PARDON OUR PRIDE

**2009-2010
STUDENT DISCIPLINE
AND
INFORMATION
HANDBOOK**

HUBER HEIGHTS CITY SCHOOL DISTRICT

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The Huber Heights City School District complies with all State and Federal laws regarding non-discrimination and affirms that no student or employee, on the basis of race, color, creed, national origin, sex, age, marital status, or handicap, shall be discriminated against in employment practices or denied any educational benefits or activities offered.

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**HUBER HEIGHTS CITY SCHOOLS
STUDENT DISCIPLINE AND INFORMATION HANDBOOK
2009-10**

Mission Statement
Huber Heights City Schools

The mission of the Huber Heights City School District is to educate all students to achieve at higher academic levels in a safe, disciplined, and nurturing environment supported by parents and the community.

Board Adopted April 13, 2000

STUDENT DISCIPLINE

It is the mission of Huber Heights City Schools to assist our parents and the community in educating their children in order for them to become functioning members of our democracy. Providing a safe and effective learning environment within our schools requires dedication and cooperation among the parents/guardians/custodians, students, teachers, staff, and administrators. The following are responsibilities designed to establish and foster a positive learning climate within our schools.

Parents should:

- A. Insist that their children treat school staff members with courtesy and respect.
- B. Teach their children socially acceptable standards of behavior.
- C. Teach their children to be accountable for their own actions.
- D. Develop a positive self-concept in their children.
- E. Assure that their children attend school regularly and arrive on time.
- F. Explain proper safety rules and monitor their children's conduct while in transit to and from school; assure that their children arrive home from school within a reasonable time.
- G. Require that their children do homework regularly and check its quality and completeness.
- H. Assure that their children are adequately fed before and after school.
- I. Assure that their children are home at a reasonable evening hour and get sufficient sleep.
- J. Assure that their children maintain good personal cleanliness habits.
- K. Respond to communications from school officials and attend conferences with the principal upon request.
- L. Review with interest and concern students' report cards and other progress reports from school officials.
- M. Attend back-to-school events, teacher conferences, and other meetings and activities provided by the school to effect good home-school communications.
- N. Assure that their children will maintain the school as an environment which is free from violence, weapons, and drugs.
- O. Support principals and teachers in the interpretation of school system discipline policies and regulations and in the enforcement of student conduct and citizenship standards by school building personnel.

Students should:

- A. Be prepared for classroom instruction.
- B. Develop positive attitudes toward learning and school citizenship.
- C. Demonstrate respect and courtesy towards students, teachers, administrators, and other school employees.
- D. Follow the established classroom and school rules.

- E. Develop self-discipline.
- F. Never disrupt the learning process for other students.
- G. Never respond in a violent manner at school.
- H. Maintain school as a place free of weapons and drugs.

STUDENT ATTENDANCE IN SCHOOL, GRADES K-12

Regular attendance in school is in the personal interest of students and their parents and in the professional interest of educators in the school system. A student cannot gain full benefit from the academic, social, physical, and vocational education opportunities provided if his/her attendance is sporadic. Such students risk grade retention and/or failure to graduate from school.

The laws of Ohio require that school attendance shall be compulsory between the ages of six and eighteen. Kindergarten attendance is considered essential. Students, parents/guardians/custodians, and school officials have a legal obligation to abide by and enforce the state attendance laws.

The primary responsibility for regular school attendance rests with parents. Teachers and administrators will use all possible means to communicate with, counsel, and impress upon parents/guardians/custodians (using civil authorities when necessary) their legal obligation to assure that their children attend school and classes regularly.

The parent or legal custodian of a student is directed to report to the appropriate school administrator, by telephone or otherwise, that his/her child will be absent for a specified number of days, or part of a day, from school. Notification must occur as early as possible the same day the student is absent from school but no later than one hour after the start of the school day.

Classification of Student Absences from School

A student may be legally absent from school or classes, in accordance with Ohio Revised Code 3321.04, for the following reasons:

- A. A personal illness
- B. Illness in the family
- C. Quarantine of the home
- D. Death of a relative
- E. Observance of religious holidays
- F. Family emergency or set of circumstances which, in the judgment of the principal, constitute a good and sufficient cause for absence from school
- G. Attendance at school-related events.

The principal or attendance officer may require the parent/guardian/custodian to provide a statement signed by a physician which verifies that the student was unable to come to school for reason of illness on the specific days the student was absent.

For a student's absence to be considered legal, parents/guardians/custodians are asked to inform the school on each day the student is absent from school and, upon the student's return to school, to submit a signed note of explanation indicating the date(s) of absences.

Any student absence for which school officials cannot verify a legal reason by means of credible student or parent/guardian/custodian statements, and/or investigation by school officials, is considered truancy or an illegal absence from school.

Whenever a student's absences become excessive or the reasons for a student's absence become suspect, the school attendance officer may be assigned to initiate an investigation. In such cases, the home will be contacted, and complaints may be filed with civil authorities. **Additionally, if a student receives ten consecutive unexcused**

absences or fifteen unexcused absences in a school year, the child's temporary instruction permit or driver's license may be suspended or the opportunity to obtain such a permit or license will be denied pursuant to Ohio Revised Code 3321.13 (B) (2).

Any student who is truant or has unexcused absences for more than 10% of the required attendance days of the current school year and has failed two or more of the required curriculum subject areas in the current grade will be retained unless the principal agrees that the student is academically prepared for the next grade.

STUDENT CODE OF CONDUCT

Board of Education Policy JFC

The Student Code of Conduct confirms that students have a responsibility to use the facilities and services of the personnel of Huber Heights City Schools for the purposes for which they are intended - education; that in order for the schools to operate, certain rules and regulations regarding student behavior have to be established and enforced. Therefore, the Student Code of Conduct is an attempt to list the major rules; but other acts not listed could be disciplined if the act is disruptive to the educational process, hinders other students' learning, or is deemed inappropriate for a school setting.

This code of regulations applies while a student is in the custody or control of the school, on school grounds or closely proximate thereto, while at a school-sponsored function or activity, or on school-owned or school-provided transportation vehicles. In addition, the Student Code of Conduct governs student activities at all times, on or off school property, when such student conduct is reasonably related to the health, safety, and welfare of students; or such conduct would unreasonably interrupt the educational processes, or, regardless of where it occurs; the misconduct is directed at a district official or employee or the property of such official or employee.

It shall be the decision of the appropriate school administrator as to which corrective measures are appropriate or adequate, after carefully weighing all the facts and circumstances pertaining to an incident of misconduct and in light of the student's past record of behavior. The action may include, but not be limited to, loss of school privileges; after-school detention; in-school suspension; out-of-school suspension; assignment to Saturday School; emergency removal; and expulsion. Students aiding, abetting, or conspiring in the commission of any school violation may receive a penalty equal to the attempted violation.

A student found to be in violation of any of these rules may be suspended for a period of up to ten (10 days) and/or be expelled from school. Students who are suspended or expelled from an approved educational program in which Huber Heights City Schools is a participant are also suspended or expelled from Huber Heights City Schools. Any pupil who has been expelled from the school of another district whose period of expulsion has not expired will be temporarily denied admittance to Huber Heights City Schools until the expiration of such expulsion period.

A student who brings a firearm or possesses a firearm while on school property, in a school vehicle, or to any school-sponsored activity shall be expelled from school for a period of one calendar year. A student who brings a knife, possesses a knife, or commits an act which inflicts serious physical harm to a person or property while on school property, in a school vehicle, or to any school-sponsored activity may be expelled from school for a period of one calendar year.

A student sixteen years of age or older who is either convicted in criminal court or adjudicated as delinquent by a juvenile court of a violation of Section 2923.111, 2923.12, 2925.03, 2903.01, 2903.02, 2903.03, 2903.04, 2903.11, 2903.12, 2907.02, 2907.05, or 2905.12 of the *Ohio Revised Code* may be permanently excluded from school. Complicity in any of the above acts may also be the basis for permanent exclusion from all schools in the State of Ohio by the State Superintendent of Instruction. These sections of the *Ohio Revised Code* deal with illegal conveyance or possession of a deadly weapon or dangerous ordinance, carrying a concealed weapon,

aggravated trafficking involving possession of a bulk amount of a controlled substance, aggravated murder, murder, voluntary or involuntary manslaughter, felonious or aggravated assault, rape, gross sexual imposition, or felonious sexual penetration.

During such time that a student is suspended out of school, he/she will receive failing grades and no credit for any daily school work, quiz, test, exam, etc., to be assigned and turned in during this time.

Any schoolwork assigned prior to the days of suspension can be turned in for grades and credit, provided the completed assignment is turned in to the teacher by the student's parent/guardian/custodian on the date the assignment is due. Any work assigned during the days of suspension and due after the student's return to school can be turned in for grades and credit if it is turned in to the teacher on time.

OHIO DEPARTMENT OF EDUCATION'S DISCIPLINARY CODES AND DEFINITIONS:

01 Truancy

No student shall be absent from school without a school-approved excuse.

03 Fighting/Violence

No student shall participate in an incident involving physical violence.

04 Vandalism Damage to School or Personal Property

No student shall participate in the willful destruction or defacement of school or personal property.

05 Theft/Sealing Personal or School Property

No student shall participate in the unlawful taking of property belonging to another person.

06 Use, Possession, Sale, or Distribution of a Firearm

The use, possession, sale, or distribution of a firearm on school property or at a school related function is prohibited. A firearm is any weapon which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; or any machine gun. This includes zip guns, started guns, and flare guns. Firearm look-alikes should not be reported with this option.

07 Use, Possession, Sale, or Distribution of a Dangerous Weapon Other Than a Firearm or Explosive, Incendiary, or Poison Gas

The use, possession, sale, or distribution of a dangerous weapon other than a firearm or explosive, incendiary, or poison gas on school property or at a school related function is prohibited. This includes any weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury except that such a term does not include a pocket knife with a blade of less than 2 ½ inches in length (18 D.S.C., Section 930).

08 Use, Possession, Sale, or Distribution of Any Explosive, Incendiary, or Poison Gas

The use, possession, sale, or distribution of any explosive, incendiary, or poison gas on school property or at a school related function is prohibited. This would include any destructive device, which would include a bomb, a grenade, a rocket having a propellant charge of more than four ounces, a missile having an explosive or incendiary charge of more than one-quarter ounce, and a mine or similar device. This definition would also include any weapon that will, or that may be readily converted to, expel a projectile by the action of an explosive or other propellant, and that has any barrel with a bore of more than one-half inch in diameter.

09 Use, Possession, Sale, or Distribution of Tobacco Products

The use, possession, sale, or distribution of tobacco products on school property or at a school related function is prohibited. This includes smokeless tobacco.

10 Use, Possession, Sale, or Distribution of Intoxicating Alcoholic Beverages

The use, possession, sale, or distribution of intoxicating alcoholic beverages on school property or at a school related function is prohibited.

11 Use, Possession, Sale, or Distribution of Drugs Other Than Tobacco or Alcohol

The use, possession, sale, or distribution of any controlled drug other than prescription medication that has been administered in accordance with the district's policies on school property or at school related functions is prohibited.

14 False Alarms/Bomb Threat

Any threat (verbal, written, or electronic) by a student to bomb or use of other substances or devices for the purpose of exploding, burning, causing damage to a school building or school property, or to harm students or staff is prohibited.

18 Disobedient/Disruptive Behavior

Unwillingness to submit to authority, refusal to respond to a reasonable request, or any act that disrupts the orderly conduct of a school function; behavior which substantially disrupts the orderly learning environment (i.e., dress code violations, inappropriate language, cursing, inappropriate gestures) on school property or at a school related function is prohibited.

19 Harassment/Intimidation

Repeatedly annoying or attacking using physical, verbal, written, or electronic action which creates fear of harm, an intimidating or hostile education or work environment, without displaying a weapon and without subjecting the victim to actual physical attack (i.e., bullying, hazing, threat of harm) is prohibited.

20 Firearm Look-Alikes

Any items that resemble a firearm but do not have the explosive characteristics of a firearm but may use a spring loaded device or air pressure by which to propel an object or substance (i.e., toy guns, cap guns, bb guns, pellet guns) on school property or at a school related function is prohibited.

21 Unwelcome Sexual Conduct

Unwelcome sexual advances, requests for sexual favors, other physical or verbal conduct or communication of a sexual nature, including gender-based harassment that creates an intimidating, hostile, or offensive education or work environment (i.e., pinching, grabbing, suggestive comments, gestures, or jokes or pressure to engage in sexual activity) on school property or at a school related function is prohibited.

THE FOLLOWING DISCIPLINARY CODES AND DEFINITIONS ARE IMPLEMENTED BY THE HUBER HEIGHTS BOARD OF EDUCATION IN ADDITION TO THE STATE-RELATED CODES AND REGULATIONS LISTED ABOVE:**A. Disruption of School**

1. No student, by use of violence, force, noise, coercion, threat, intimidation, fear, active or passive resistance, or any other misconduct, shall cause the disruption or obstruction of any lawful mission, process, or function of the school or cause other students to engage in such conduct.
2. The following acts are prohibited:
 - a. Occupying any school building, school grounds, or part thereof, to deprive others of its use.
 - b. Blocking the entrance or exit of any school building, or corridor or room therein, to deprive others of lawful access to and from, or use of, the building or corridor or room.

- c. Attempting to set fire to or damaging any school building or property or initiating a false fire alarm. Students may not use unauthorized fire.
- d. Preventing or attempting to prevent by physical act the convening or continued functioning of any school, class, or activity or of any lawful meeting or assembly on the school premises.
- e. Continuously and/or intentionally creating noise or acting in any manner so as to interfere with a teacher's ability to conduct his/her class.
- f. Wrongfully discharging an alarm system or causing electrical and/or heating systems to malfunction.
- g. Trespassing.
- h. Engaging in sexual acts or conduct on school premises.
- i. Falsifying information given to a school authority.
- j. Refusal to acknowledge/accept any properly administered discipline.
- k. Unauthorized use of a "beeper," electronic paging device, electronic communication device, cell phone, or any object that resembles such devices or is represented to be one of these devices. Such items are not to be visible, turned on, or operational during regular school hours. **(See Guidelines for Administering Student Code of Conduct, Section H)**
- l. Possession or distribution of materials found to be objectionable to a majority of the community due to its pornographic, obscene, or libelous content.
- s. Posting or distributing materials on school property without the permission of the proper authority.
- t. Remaining on school property for more than twenty (20) minutes after the completion of the regular school day, or the school activity in which the student was a participant, without the permission of a staff member.
- u. Spitting, urinating, or defecating in an inappropriate location or appliance not designed for such activity.
- v. Inappropriate use of fire or safety equipment.

B. Damage, Destruction, or Theft of School Property

No student shall attempt to cause damage to school property, including defacing. No student shall steal or knowingly be in possession of stolen school property. This also includes copyright infringement and the corruption and/or deletion of electronic data.

C. Damage, Destruction or Theft of Private Property

No student shall attempt to cause damage to private property, including that of other students, teachers, administrators, or other school employees. No student shall attempt to steal or knowingly be in possession of stolen private property. This also includes copyright infringement and the corruption and/or deletion of electronic data.

D. Aggression Upon Another

No student shall attempt to cause or threaten physical injury or physical imposition or behave in such a way as could reasonably be anticipated to cause physical injury to a school employee, fellow student, or any other person. This includes "horseplay," which is defined as any physical contact, or verbal statements by and/or between a student and any other student, employee, or other party which the student knows or reasonably should know may result in a fight or other physical altercation and the unauthorized throwing of any object, including snowballs.

E. Abuse of Another

No student shall use or direct to, or about, a school employee or student such words, phrases, or actions which are considered to be slanderous, disrespectful, or degrading in nature and/or words or phrases which are racial slurs, obscene, or profane. Profanity is defined as that which would be perceived by a reasonable person as cursing, swearing, obscene, vulgar, abusive, disrespectful, and in general language considered to be in poor taste.

F. Weapons and Dangerous Instruments

No student shall knowingly possess, handle, or transmit a knife, razor, cutting instrument, ice pick, explosive, leaded cane, sword cane, machete, or noxious gas, an instrument which launches a projectile or other dangerous substance, laser pointer, or

other object that could be used as a weapon or is represented as a weapon or dangerous instrument or resembles a dangerous instrument. No student shall discharge any disruptive device.

G. Narcotics, Alcoholic Beverages, and Stimulant Drugs

No student shall be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, inhalant, alcoholic beverage, intoxicant, or any prohibited or illegal substance. No student shall possess or transmit any paraphernalia that could be used with any of the above.

H. Failure to Obey Instructions

No student shall fail to comply with any lawful instructions or requests of teachers, student teachers, substitute teachers, security personnel, principals, or other authorized school personnel during any period of time when he/she is properly under the authority of such school personnel. No student eligible for bus transportation shall fail to comply with school bus regulations or fail to obey the directions of the bus driver or other supervision personnel, including chaperones.

I. Tobacco and Related Materials

No student shall possess matches, lighters, or other tobacco paraphernalia in school buildings or on school property.

J. Removing or Altering Student Records

No student shall remove any student record from its official place of deposit without permission of the record custodian or shall inspect, alter, change, transmit, or copy any unauthorized academic information or materials in any format. No student shall forge any school-related documents.

K. Attendance

No student shall fail to comply with state attendance laws, including, but not limited to, truancy from a specific class and tardiness to school in general or to a specific class. No student shall fail to attend a properly assigned detention or Saturday School unless excused by an appropriate staff member. No student shall leave school property or assigned educational location once he/she has come under the supervision of a school employee prior to specified dismissal times without official permission.

L. Dress and Grooming

No student shall dress in a manner which presents a clear and present danger to the student's health or safety, or in a manner which causes an interference with school work, or which creates a classroom or school disruption, or which is considered inappropriate for school attendance.

M. Gambling

No student shall participate in gambling of any kind or be in possession of any gambling devices.

N. Student Activities

No student shall violate the rules or regulations of, or misappropriate funds from, any school activities.

O. Parking Lots

No student shall use any school parking lot during the school day without permission or a proper parking decal. No student shall fail to comply with school parking and driving regulations.

P. Rules and Regulations

No student shall fail to comply with school rules and regulations properly established for the efficient operation of the school. No student shall commit an act in violation of the Ohio Criminal Law, Ohio Traffic Code, or the Ohio Juvenile Code.

Q. Counterfeit Drugs

No student shall directly or indirectly represent any counterfeit controlled substance as an illegal or controlled substance. In addition, no student shall possess, make, sell, offer to sell, or deliver any substance known to be a counterfeit drug.

R. Communicable Diseases

No student shall be on school property with a communicable disease unless school attendance is approved by a medical professional and the appropriate school administrator.

S. Loitering

Loitering means remaining idle in essentially one location, and it includes the concept of walking around aimlessly. No student shall loiter on any school property, including school halls, rest rooms, parking lots, athletic fields, etc., in such a manner as to do any of the following:

- a. Create or cause to be created a danger or a disruption to the proper operation of the school and its programs.
- b. Create or cause to be created any disturbance or annoyance to the comfort of another person.
- c. Obstruct the free passage of pedestrians or vehicles.
- d. Obstruct, molest, or interfere with any persons properly conducting themselves.

This shall include the making of unsolicited remarks of an offensive nature which annoy or disturb the person or persons to whom, or in whose hearing, they are made.

T. Gangs

No student shall display any gang-related clothes, symbols, gang colors, graphics, gestures, materials, marks, or use gang-related language.

U. Hazing

No student or student organization shall cause or participate in the initiation and/or hazing of any student that creates any risk, harm, or undue embarrassment to that student or another person.

GUIDELINES FOR CORRECTING STUDENT CONDUCT

A. Denial of School Privileges

Students at any grade level may be denied school privileges by the principal or his/her designee. Such privileges may include, but are not limited to, the following: recess, eating with friends in the cafeteria, movement in a classroom normally permitted students who exhibit good citizenship, moving freely in non-classroom areas of the school, attending school assemblies and co-curricular/extracurricular events, etc. Special educational events may also be denied.

B. School Detention

Students at grade levels K-12 may be kept either before or after school, at the discretion of teachers and with approval of the principal, for classroom or school misconduct. Students shall be given one day advance notice by the detaining teacher and are responsible for informing their parents. Any parent/guardian/custodian who does not wish a student to be disciplined by school detention may choose a one-day suspension as an alternative. Students who ride the school bus to and from school are subject to the same detention guidelines as those students who walk or otherwise commute to school. It is the parent/guardian/custodian's responsibility to provide transportation for before-school or after-school detention.

C. Probationary Status

Any student in grades K-12 may be placed by the principal on probationary status through the end of a current marking period or semester for repeated misconduct. Such a student may be required to follow an individualized behavior plan or contract. The parent/guardian/custodian shall be notified in writing when a student is placed on probation, and they should be informed of the cause(s) and conditions of the probation.

D. In-School Suspension

Upon decision by the building principal or his/her designee, a student may be removed from classes and school activities and assigned to ISS within the school building for not more than ten (10) consecutive days at any time. No later than the first day of such assignment to ISS, the parent/guardian/custodian shall be notified by the principal via phone call or letter.

E. Saturday School

A student may be required by a principal to attend a Saturday School.

F. Out-of-School Suspension

A principal or the superintendent or their administrative designee may suspend a student out-of-school and from all school activities for a period not to exceed ten (10) consecutive days. Prior to such suspension taking effect, written notice must be given the student and an opportunity for an informal hearing provided. A reasonable effort shall be made to notify the parent/guardian/custodian by phone of the suspension. After suspension of a student by the principal (or the superintendent), a written notice will be sent to parent/guardian/custodian.

During such time that a student is suspended out of school, he/she is not allowed on school property and will receive failing grades and no credit for any daily school work, quiz, test, exam, etc., to be assigned and turned in during this time. Any schoolwork assigned prior to the days of suspension can be turned in for grades and credit, provided the completed assignment is turned in to the teacher by the student's parent/guardian/custodian by the date the assignment is due. Any work assigned during the days of suspension and due after the student's return to school can be turned in for grades and credit if it is turned in to the teacher on time.

G. Emergency Removal

A student may be removed from school by the principal, on an emergency basis, in circumstances where the student's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process, either within the classroom or elsewhere on school premises. The teacher has the authority to remove a student from the curricular or extracurricular activities under his/her supervision. If removal was at the direction of a teacher, as soon as practical after the removal, such teacher must submit to the principal a written statement of reason(s) for removal. Such teacher must be present at the hearing. A student can be so removed for less than a 24-hour period without notice or hearing. If suspension or expulsion is contemplated, notice and opportunity for a hearing must be provided within 72 hours after such emergency removal.

During such time that a student is on an emergency removal from school, he/she will receive failing grades and no credit for any daily school work, quiz, test, exam, etc., to be assigned and turned in during this time. Any schoolwork assigned prior to the days of emergency removal can be turned in for grades and credit, provided the completed assignment is turned in to the teacher by the student's parent/guardian/custodian by the date the assignment is due. Any work assigned during the days of emergency removal and due after the student's return to school can be turned in for grades and credit if it is turned in to the teacher on time.

H. Expulsion

A student may be removed from attendance at school and from all school activities for a period in excess of ten days. Principals may recommend expulsion to the superintendent, who will act upon such recommendation only after written notice of intent to consider expulsion has been sent to the student and parent/guardian/custodian, and an opportunity provided for the student and parent/guardian/custodian to appear before the superintendent or his designee to challenge the reason(s) for expulsion. After the expulsion hearing, a written notice of the results/decision reached will be sent to the parent/guardian/custodian.

A student 16 years of age or older who is either convicted in criminal court or adjudicated as delinquent by a juvenile court of a violation of Section 2923.111, 2923.12, 2925.03, 2903.01, 2903.02, 2903.03, 2903.04, 2903.11, 2903.12, 2907.02, 2907.05, or 2905.12 of the Ohio Revised Code may be permanently excluded from any school in the state of Ohio by the State Superintendent of Instruction. Complicity in any of the above acts may also result in permanent exclusion.

During such time that a student is expelled from school, he/she will receive failing grades and no credit for any daily school work, quiz, test, exam, etc., to be assigned and turned in during this time. Any schoolwork assigned prior to the days of expulsion can be turned in for grades and credit, provided the completed assignment is turned in to the teacher by the student's parent/guardian/custodian by the date the assignment is due. Any work assigned during the days of expulsion and due after the student's return to school can be turned in for grades and credit if it is turned in to the teacher on time.

I. Juvenile Court

Any violation of the Student Code of Conduct which is also a violation of the laws of the State of Ohio or the City of Huber Heights, such as attendance, may also be referred to Juvenile Court for appropriate action.

GUIDELINES FOR ADMINISTERING THE STUDENT CODE OF CONDUCT

Any violation of the school rule which is also a violation of a criminal law may necessitate the involvement of the police and/or fire department.

A. Vandalism of School Buildings and Property

Students are prohibited from destroying, defacing, or damaging in any way the school buildings, grounds, school buses, or other property of the school system or staff member. Principals shall make every effort, including the involvement of police authorities, in apprehending vandals.

Students so apprehended shall be required to reimburse the district or staff member in money and/or assigned service. The parent/guardian/custodian may be sued by the school district or staff member, if necessary, for recovery of damages.

B. Abuse by Student of Controlled, Dangerous Substances

The possession and/or use by students of narcotic, stimulant, illegal or counterfeit drugs, alcohol, and tobacco is a very serious offense, harmful to the student as well as to the welfare of the whole student body. The possession and/or use of such drugs or chemicals by students is prohibited on school property and at all school curricular and extracurricular activities, both during the school day and outside the school day.

Any student found to be in possession of, using, or distributing to others a narcotic, stimulant, illegal or counterfeit drug, or alcohol may be immediately removed from school and placed on out-of-school suspension for ten (10) days and/or expelled. School officials shall confiscate the chemical and notify the parent/guardian/custodian. The officials may refer the case to police authorities.

A student 16 years of age or older who is either convicted in criminal court or adjudicated as delinquent by a juvenile court of aggravated drug trafficking involving possession of a controlled substance may be permanently excluded from school by the State Superintendent of Instruction.

C. Setting Fires

The Board of Education regards a student who ignites a fire or incendiary device in a school building as a menace to the health and welfare of the entire community of the school. Any student who ignites or attempts to ignite a fire on or about school property or at any school activity (e.g., locker, lavatory, classroom, non-classroom area of school property, or school bus), without permission or authorization of

school personnel, may be suspended and/or expelled from school. In addition, school officials may refer the case to police and/or fire authorities.

D. Bomb Scares and False Alarms

Any student who communicates to the school a false bomb scare, or intentionally initiates a false fire alarm, may be assigned after-school detention, in-school suspension, out-of-school suspension, and/or expelled from school. School officials shall promptly notify the parent/guardian/custodian and may refer the case to police and/or fire authorities.

E. Weapons and Dangerous Instruments

Any student who possesses, handles, or transmits a weapon or dangerous instrument other than a firearm or knife may be assigned after-school detention, in-school suspension, out-of-school suspension, and/or expelled from school, depending upon the seriousness of the situation. School officials shall notify the parent/guardian/custodian and contact the police if the situation warrants it.

A student who brings a firearm on school property, in a school vehicle, or to any school-sponsored activity shall be expelled from school for a period of one calendar year. A student who brings a knife on school property, in a school vehicle, or to any school-sponsored activity may be expelled from school for a period of one calendar year. School officials shall notify the parent/guardian/custodian, and they may contact the police if the situation warrants it.

A student 16 years of age or older who is either convicted in criminal court or adjudicated as delinquent by a juvenile court for illegal conveyance or possession of a deadly weapon or dangerous ordinance or carrying a concealed weapon in school or at a school activity may be permanently excluded from school by the State Superintendent of Instruction.

F. Physical Assaults

Any student who causes or attempts to cause or threatens physical injury or physical imposition, or behaves in such a way as could reasonably be anticipated to cause physical injury to a school employee, fellow student, or any other person, may be assigned after-school detention, in-school suspension, out-of-school suspension, or expelled from school, depending upon the seriousness of the situation. School officials shall notify the parent/guardian/custodian and contact the police if the situation warrants it.

A student sixteen years of age or older who is either convicted in criminal court or adjudicated as delinquent by a juvenile court of aggravated murder, murder, voluntary or involuntary manslaughter, felonious or aggravated assault, rape, gross sexual imposition, or felonious sexual penetration may be permanently excluded from school by the State Superintendent of Instruction.

G. Legal Drugs

Students are not to be in the possession of any prescription or legal non-prescription drug on school property, at school activities, or under the supervision of the school's authority without permission of an appropriate school staff member.

1. Prescription Drugs

- a. A student in possession of a prescription drug that is prescribed for the student, and there is no evidence that the student is distributing it to others, inappropriately displaying it, or representing it as an illegal drug, will have the medication confiscated, parents notified, and be assigned a Saturday Session for the first violation. Repeat violations will result in suspension and possible expulsion.
- b. The sale, distribution, or misrepresentation of a prescribed medication is treated like an illegal substance.

2. Non-prescription drugs that are not illegal for the student to purchase or possess.

- a. A student in possession of a non-prescription drug that is not illegal for the student to purchase, possess, or use, and there is no evidence that the

student is distributing, displaying, or representing it as an illegal drug to others, will have the drug confiscated and be assigned a Saturday Session. Repeat violations will result in suspension and possible expulsion.

- b. A student who distributes or attempts to distribute a legal non-prescription substance to others as a legal drug or substance will be suspended from school.
- c. A student who possesses, transmits, or distributes a legal non-prescription substance by misrepresenting it as a prescription or illegal substance will be suspended and recommended for expulsion.

H. Cell Phones and Electronic Communication Devices

Student cell phones or other electronic communication devices will not be visible, turned on, or operational during regular school hours. Student violations of this policy will include the following:

Middle School Consequences

1. First offense: Friday/Saturday School
2. Second Offense: In School Suspension if available
3. Third Offense: 1 day Out of School Suspension
4. Fourth Offense: 3 days Out of School Suspension
5. Fifth Offense: 5 days Out of School Suspension
6. Sixth Offense: 10 days Out of School Suspension with possible recommendation for expulsion

High School Consequences

1. First offense: Saturday School
2. Second Offense: 1 day Out of School Suspension
3. Third Offense: 3 days Out of School Suspension
4. Fourth Offense: 5 days Out of School Suspension
5. Fifth Offense: 10 days Out of School Suspension with possible recommendation for expulsion.

Inappropriate Cell Phones/Electronic Communication Device Usage Consequences
Student cell phones or other electronic communication devices used for inappropriate behavior may be subject to suspension and possible recommendation for expulsion. Inappropriate usage is defined as using the device for talking, texting, taking photographs or video, and/or other situations deemed inappropriate by school administration. Cell phones or electronic communication devices may be confiscated, examined, and viewed during the course of an investigation. When necessary, legal authorities may be involved.

SCHOOL BUS TRANSPORTATION

The privilege of riding a school bus will exist for eligible students as long as proper conduct warrants this service.

A. Expectations

1. While waiting at the bus stop, students will stand on the sidewalk or designated area in a quiet, orderly manner; and they will demonstrate proper care and respect for the yards and property of their neighbors around the stop.
2. Absolute quiet is to be maintained when the bus driver requests it, especially at railroad crossings and other dangerous areas.
3. When it is necessary to cross the road, either to or from the bus, it shall be done in front of the bus and only when so directed by the bus driver.
4. Students will line up in an orderly manner prior to entering or leaving the bus.
5. Students will obtain the bus driver's approval prior to boarding the bus with any type of animal, insect, dangerous material, or dangerous object.

B. Operation and Safety Rules

The Board of Education empowers its school bus drivers with the necessary authority and/or responsibility to maintain control of the pupils on a bus, entering a

bus, leaving a bus, or interfering with the proper operation of a bus and its purpose of transportation of pupils.

Students are required to follow all rules and procedures established by the bus driver and the Student Code of Conduct. In addition, students are required to comply with the following regulations:

1. Pupils shall arrive at the bus stop before the bus is scheduled to arrive.
2. Pupils must wait in a location clear of traffic and away from the bus stop.
3. Behavior at school bus stop must not threaten life, limb, or property of any individual.
4. Pupils must go directly to an available or assigned seat.
5. Pupils must remain seated, keeping aisles and exits clear.
6. Pupils must observe classroom conduct and obey the driver promptly and respectfully.
7. Pupils must refrain from using profane language.
8. Pupils must refrain from eating and drinking on the bus except as required for medical reasons.
9. Pupils must not use tobacco on the bus.
10. Pupils must not have alcohol or drugs in their possession on the bus except for prescription medication that is required by a student and has been approved by the schools.
11. Pupils must not throw or pass objects on, from, or into the bus.
12. Pupils may, with the approval of the bus driver, carry on the bus only objects that can be held in their laps.
13. Pupils must leave or board the bus at locations to which they have been assigned unless they have parental and administrative authorization to do otherwise.
14. Pupils must not put head or arms out of the bus window.

C. Transportation Disciplinary Action

Students who violate the Student Code of Conduct or the aforementioned regulations while under the authority of a school bus driver may be disciplined by the appropriate school administrator or designee in a manner deemed appropriate and adequate. This disciplinary action may include, but is not limited to, one or more of the following.

1. Loss of school privileges.
2. Detention before or after school.
3. Assignment to Saturday School Session.
4. Emergency removal from the school bus.
5. Suspension and/or expulsion from bus transportation privileges.
6. Suspension and/or expulsion from school.

SEARCH AND SEIZURE / INTERROGATION (Board of Education Policy JF)

A. Search of School or Personal Property by a Law Enforcement Officer

A law enforcement officer must present a search warrant to the principal or his representative in order to search a student, his/her locker, or personal property while the student is under the jurisdiction of the Board, unless the search is otherwise permissible by law or at the request of a school official.

B. Search of a Student or Personal Property by School Authorities

If an administrator has a reasonable suspicion that a student possesses a dangerous, illegal, or stolen item, or is in possession of an item, which violates the Student Code of Conduct, the administrator may search the student or his/her personal property and may remove the item.

C. Search of Lockers and Other School Property by School Authorities

Although the student and the Board may have joint control of lockers, desks, or other school property, the student never has exclusive control of this property. An administrator may search any school property such as lockers and desks.

1. Items may be removed if the administration of the school has the facts supporting a reasonable belief that articles or materials that are present therein

may be injurious to the student, or to others, or are likely to pose a threat to the maintenance of discipline or order in the school.

2. If the search occurs during regular school hours, the student should be present whenever a search of his/her property is undertaken, and an attempt should be made to secure his/her consent unless, in the opinion of the administrator, this action will interfere with the normal operation of the school.
3. Whenever possible, a witness should be present in instances of a search or seizure of the property of a student.

D. Search of Vehicles on School Property

Anyone parking his/her vehicle on the property of Huber Heights City School District grants implied permission to school authorities to conduct a search of such vehicle, either on a random basis or when reasonable suspicion exists that the vehicle contains evidence of the violation of a school rule or a criminal statute. Failure of a person responsible for a vehicle parked on school property to comply with a reasonable request to open a vehicle and its contents for inspection will be considered refusal to comply with a reasonable request, and the individual will be subject to disciplinary actions.

E. Interrogation by Non-School Agents

Although the Board wishes to cooperate fully with law enforcement agencies, it has a responsibility to protect the constitutional rights of the students entrusted to its care. The interrogation of students by law enforcement officers regarding acts committed outside the Board's jurisdiction shall be held outside the school day and off school property whenever possible. If, in the principal's judgment, this restriction would impede swift law enforcement, the interrogation of a student may be permitted, with the permission of the parent (unless the interrogation involves suspected child abuse by the parent), within a private place designated by the principal and in the presence of a designated school representative.

F. Removal from School by Non-School Agents

Students may be removed from the school by a law enforcement officer only after the parent has been contacted and has given consent or upon arrest of the student.

G. Interrogation by School Authorities

The interrogation of students by school authorities regarding serious acts committed within the jurisdiction of the School Board shall be held in private. Since the interrogation may result in the suspension and/or expulsion of the student, the student shall be accorded the rights and privileges outlined in the material on suspension and expulsion in this manual.

SEARCH OF ELECTRONIC DATA

There should be no student expectations of privacy for any information contained on a school computer. The school retains the ownership and control of all hardware, software, and use privileges and, therefore, can review and inspect any related data at any time without suspicion or cause. The school reserves the right to copy and/or delete all files and records created or stored on school-owned computers and data storage media.

DUE PROCESS FOR STUDENTS

Sound and fair procedures in the administration of discipline suggest that teachers and principals will provide students with an opportunity to explain themselves and the circumstances, as they see them, related to an incident of misconduct. To the extent possible, principals should inform and involve the parent/guardian/custodian in an effort to bring about good conduct. With respect to application of the following corrective measures, more formal due process procedures are required by law in order to ensure that such measures are not imposed without just cause:

In-School Suspension
Out-of-School Suspension from School
Expulsion from School
Emergency Removal of a Student
Removal from Extracurricular Activities

A. Due Process Procedures in the Assignment of In-School Suspension

1. Principals, the Superintendent, or their administrative designees have the authority to assign In-School Suspension.
2. The suspension must be in accordance with the Student Code of Conduct.
4. Suspension may not exceed ten (10) consecutive school days. If, at the time a suspension is imposed, there are fewer than ten school days remaining in the school year, the remaining part or all of the suspension may be applied to the following year.
5. Written notice of the suspension must be sent to the parent/guardian/ custodian of the student, the Treasurer of the Board of Education, and the Assistant Superintendent within one school day after the suspension begins.

B. Due Process Procedures in the Assignment of Out- of School Suspension

1. Principals, the Superintendent, and their administrative designees have the authority to suspend students with Out-of-School Suspension.
2. The Student Code of Conduct must be adopted, posted, and available to students.
3. Suspension must be in accordance with the Student Code of Conduct.
4. Prior written notice of intent to suspend must be given to the student, with reason(s) listed.
5. The student is provided an opportunity for a pre-suspension hearing to challenge the reason for the intended suspension or otherwise explain his/her actions.
6. Suspension may not exceed ten (10) consecutive school days. If, at the time a suspension is imposed, there are fewer than ten school days remaining in the school year, the remaining part or all of the suspension may be applied to the following year.
7. Written notice of the suspension must be sent to the parent/guardian/ custodian of the student, the Treasurer of the Board of Education, and the Assistant Superintendent within one school day after the suspension begins.

C. Due Process Procedures in the Expulsion of a Student

1. Only the Superintendent has the authority to expel.
2. The Superintendent must provide student, as well as parent/guardian/ custodian, with prior notice of intent to expel.
3. Notice must include reason(s) for intended expulsion.
4. Notice must provide pupil and parent/guardian/custodian or representative an opportunity to appear before the Superintendent or his/her designee to challenge the reason(s) for expulsion and to explain the student's action.
5. Notice must include the date, time, and place of the hearing.
6. Written notice of the expulsion must be sent to the parent/guardian/custodian of the student and the Treasurer of the Board of Education within one school day after the expulsion begins.
7. Except in cases involving a firearm, knife, or serious physical harm to persons or property to a school, or on any other property owned or controlled by the school, or violation of Section 3313.662 of the Ohio Revised Code, the superintendent may expel a pupil from school for eighty (80) school days. If, at the time an expulsion is imposed, there are fewer than eighty school days remaining in the school year, the superintendent may apply any remaining part or all of the period of the expulsion to the following school year.
8. In cases involving firearms or knives, or serious harm to persons or property as provided for by Ohio Revised Code 3313.66, the student may be expelled for one calendar year.
9. If the student is at least 16 years old and is found guilty of a violation of section 3313.662 of the Ohio Revised Code, the School Board may request that the State Superintendent of Instruction permanently exclude the student from all

public schools in the state. Complicity in any of the above acts may also result in permanent exclusion from all schools in the State of Ohio. These sections of the Ohio Revised Code deal with illegal conveyance or possession of a deadly weapon or dangerous instrument, carrying a concealed weapon, aggravated trafficking involving possession of a bulk amount of a controlled substance, aggravated murder, murder, voluntary or involuntary manslaughter, felonious or aggravated assault, rape, gross sexual imposition, or felonious sexual penetration.

D. Due Process in the Emergency Removal of a Student

1. The Superintendent, principals and assistant principals have the authority to execute an emergency removal of students from any school curricular or extracurricular activity.
2. Teachers have the authority to remove a student from curricular or extracurricular activities under their supervision.
3. Requirement for prior notice and hearing does not apply to emergency removal.
4. Emergency removal can be from classes, from school, from the bus, or from curricular or extracurricular activities and events.
5. If school officials intend to follow up with a suspension or expulsion, a student must be afforded a hearing within three (3) school days after removal, as well as written notice of the reason(s) for the removal as soon as possible prior to the hearing.
6. If removal was at the direction of a teacher, such teacher must submit to the principal a written statement of reason(s) as soon as practicable after the removal. Such teacher must be present at the hearing.

E. Appeals to the Board of Education

1. A suspension or expulsion may be appealed to the Board of Education at the request of either the student or the parent/guardian/custodian by submitting a written request to the Superintendent or his designee.
2. Suspension or expulsion appeals may be heard by either the Board or its designee.
3. Unless the principal or Superintendent decides otherwise, the suspension or expulsion shall be in effect pending the appeal decision.
4. The pupil or his parent/guardian/custodian may be represented by private counsel at all hearings held to address appeals of suspensions/expulsions.
5. The Board, by majority vote of its full membership or by action of its designee, may affirm the expulsion, reinstate the pupil, or otherwise reverse, rescind, or modify the order of suspension or expulsion.
6. The decisions of the Board or its designee may be appealed to Common Pleas Court under Chapter 2506 of the Ohio Revised Code.

F. Removal from Extracurricular Activities

1. The Superintendent, principal, or his/her administrative designee can prohibit a student from participating in any particular or all extracurricular activities of the district for up to one year for violation of the Student Code of Conduct.
2. Personnel employed by the district to direct, supervise, or coach a pupil activity program can prohibit a student from participating in a particular extracurricular activity for a time period not to exceed the length of the activity's current participation season. Decisions by supervisors and coaches regarding athletic activities can be appealed to the Athletic Director. Decisions by supervisors or coaches in non-athletic activities can be appealed to the principal.

PRIVACY RIGHTS OF PARENTS AND STUDENTS

The Huber Heights City School District Board of Education, in compliance with Federal Regulations, has approved Board policy JO, Student Records.

The regulation covers student record content and circumstances regarding disclosure of information. Parents have a right to review their child's records, challenge the content that may be incorrect or misleading, and/or receive a copy of the records. The regulation also requires the parent's signature for disclosure of information except as

provided by Federal regulation. These rights are transferred to the student at age 18 or upon attendance at a post-secondary school. Student records will be forwarded without written consent to schools or school systems in which the student seeks or intends to enroll.

Unless the parent or student over 18 years of age notifies the school in writing that it is contrary to their wishes, directory information will be released without parental consent. Directory information relating to a student shall include the following: student's name, address, telephone listing, date of birth, major field of study, name(s) of parent(s) or guardian(s), participation in officially recognized activities, photographs, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and most recent education institution attended by student.

Copies of policy JO are available upon request. Complaints of Huber Heights City Schools' alleged non-compliance with the Federal Regulation may be filed with the Health and Human Services Department, Washington, D.C. 20201.

**TITLE IX: NON-DISCRIMINATION ON BASIS OF SEX
SECTION 504 OF REHABILITATION ACT OF 1974: NON-DISCRIMINATION ON
BASIS OF HANDICAP**

The Huber Heights City School District has directed all school employees to comply with Title IX of the Educational Amendment of 1972, Title VI and VII of the Civil Rights Act of 1964, and Section 504 of the Rehabilitation Act of 1973. No person in the United States shall, on the basis of sex, race, creed, religion, origin, or handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity.

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination of qualified handicapped persons in regard to access to programs and courses, access and use of school facilities, and employment.

Title IX covers such areas as access to programs and courses, use of school facilities, physical education, athletics, extra-curricular activities, requirements of students, and employment.

The Huber Heights City School Board will not tolerate harassment, sexual harassment, discrimination, or violence. Employees, students, or persons who use school property or services who engage in harassment, sexual harassment, discrimination, or violence of another person shall be subject to disciplinary actions.

Grievance procedures have been developed. It is hoped that individual complaints alleging any action that would be contrary to State or Federal laws would be resolved by use of these procedures. Copies are available upon request. Complaints may also be filed with the Huber Heights City Schools' compliance officers at 5954 Longford Road, Huber Heights, OH 45424, telephone (937) 237-6300. The compliance officer for Title IX is Anthony Orr, Assistant Superintendent of Administrative Services. The compliance officer for Section 504 is Sue Gunnell, Director of Special Services. Complaints may be filed directly with the Office of Civil Rights, Cleveland, Ohio 44114.

**NOTICE OF RIGHTS UNDER THE PROTECTION
OF PUPIL RIGHTS AMENDMENT (PPRA)**

PPRA affords parents and students who are 18 years of age or emancipated minors ("eligible students") certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

- Consent before students are required to submit to a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED)-
 1. Political affiliations or beliefs of the student or student's parents.

2. Mental or psychological problems of the student or student's family.
 3. Sex behavior or attitudes.
 4. Illegal, anti-social, self-incriminating, or demeaning behaviors.
 5. Critical appraisals of others with whom respondents have close family relationships.
 6. Legally recognized privileged relationships such as with lawyers, doctors, or ministers.
 7. Religious practices, affiliations, or beliefs of the student or parents.
 8. Income, other than required by law to determine program eligibility.
- Receive notice and an opportunity to opt a student out of -
 1. Any other protected information survey, regardless of funding.
 2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student except for hearing, vision, or scoliosis screenings, or any physical screening permitted or required under State law.
 3. Activities involving collection, disclosure, or use of personal information obtained from the students for marketing or to sell or otherwise distribute the information to others.
 - Inspect upon request and before the Administration or use of -
 1. Protected information surveys or students.
 2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes.
 3. Instructional material used as part of the educational curriculum.

Huber Heights City Schools has adopted policies regarding these rights as well as arrangements to protect student privacy in the administration of protected surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. The school district will notify parents and eligible students at least annually of the specific or approximate dates of any planned activities and provide an opportunity to opt a student out of participating in:

- Collection, disclosure, or use of personal information for marketing, sales, or other distribution.
- Administration of any protected information survey not funded in whole or part by ED.
- Any non-emergency, invasive physical examination or screening as described above.

Parents/eligible students who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office
 U.S. Department of Education
 400 Maryland Avenue, SW
 Washington, D.C. 20202-4605

NOTICE OF PRIVACY PRACTICES REGARDING MEDICAL RECORDS. THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT STUDENTS MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION.

If you have any questions about this notice, please contact the Department of Special Services, Huber Heights, City Schools, 5954 Longford Road, Huber Heights, Ohio 45424, (937) 237-6300.

Who Will Follow the Requirement of This Notice The district, its employees, and its business associated may share medical information with each other for the purpose of treatment, payment, or other operations of the district as described in this notice.

Privacy of Health Information We understand that medical information about a student is personal. This notice tells about the ways in which the school district may use and disclose medical information about a student. It also describes a student's rights and certain obligations that the schools have regarding the use and disclosure of medical information. We are required to:

1. Assure the medical information that identifies a student is kept private.

2. Give students this notice of our legal duties and privacy practices with respect to medical information about them.
3. Follow the terms of the notice that is currently in effect.

Use and Disclosure of Medical Information The following describes the different ways that the schools may use and disclose medical information. Generally, private health information may be released without your authorization for the purposes of treatment, payment, or other healthcare operations of the district. Medical information may also be released for the following purposes:

1. As required by law.
2. For public health services.
3. In connection with the investigation of abuse, neglect, or domestic violence.
4. To health oversight agencies in connection with health oversight activities.
5. For judicial and administrative proceedings.
6. For law enforcement purposes.
7. To coroners, medical examiners, and funeral directors.
8. For research if a waiver of authorization has been obtained.
9. To prevent serious and imminent harm to the health or safety of a person or the public.
10. For specialized governmental functions.
11. For military and veterans activities.
12. For national security and intelligence.
13. For protective services for the President and others.
14. To the Department of the State to make medical suitability determinations.
15. To correctional institutions and law enforcement officials regarding an inmate.
16. For workers' compensation if necessary to comply with the laws relating to workers' compensation and other similar programs.

Rights Regarding Medical Information The legal custodians/parents (or student if 18 years of age or older) have the following rights regarding medical information that we maintain about a student:

Right to Inspect and Copy They have the right to inspect and copy medical information that may be used to make decisions about their child, including medical and billing records. To inspect and copy medical information about a student. They must submit their request in writing to the Treasurer. If they request a copy of this information, we may charge a fee for the costs of copying, mailing, or other supplies associated with their request. We may deny a request to inspect and copy in certain very limited circumstances. If they are denied access to medical information, they may request that the denial be reviewed.

Right to Amend If they feel that the medical information we have about the student is incorrect or incomplete, they may ask us to amend the information. They have the right to request an amendment for as long as the information is kept by or for the district. To request an amendment, a request must be made in writing and submitted to the Treasurer. In addition, they must provide a reason that supports their request. We may deny a request if the information:

1. Is not in writing or properly supported by reason.
2. Was not created by us.
3. Is not part of the medical record kept by the district.
4. Is not part of the information they would be permitted to inspect and copy.
5. Is not accurate and complete.

Right to an Accounting They have the right to an "accounting of disclosures." This is a list of the disclosures we have made of restricted medical information about their child. To request this list, they must submit the request in writing to the Treasurer. The request must state a time period that may not be longer than six years and may not include dates before April 14, 2003. The request must also indicate in what form they want the list (for example, on paper or electronically). The first list requested within a twelve-month period is free. For additional list, we may charge for the cost of providing the list. We will notify

them of the cost involved and they may choose to withdraw or modify their request before any cost is incurred.

Right to Request Restrictions They have the right to request a restriction or limitation on the medical information that we use or disclose about the student for treatment, payment, or healthcare operations. They also have the right to request a limit on the medical information that we disclose to someone who is involved in the care or the payment of the care. However, we are not required to agree to the request. If we do agree, we will comply with the request unless the information is needed to provide their student with emergency treatment. To request restrictions, they must make a written request to the Treasurer telling what information they want to limit, whether they want to limit our use, disclosure, or both, and to whom they want the limits to apply (for example, disclosures to their spouse).

Right to Request Confidential Communications They have the right to request that we communicate with them about medical matters in a certain way or at a certain location (for example, by mail or only at work). To request confidential communications, they must make the request in writing to the Treasurer and specify how or where they wish to be contacted. We will not ask the reason for the request and will accommodate all reasonable requests.

Right to a Paper Copy of This Notice They have the right to a paper copy of this notice. They may ask us to give them a copy of this notice at any time. Even if they have agreed to receive this notice electronically, they are still entitled to a paper copy. They may obtain a copy of this notice by contacting the Treasurer's Office.

Changes to This Notice We reserve the right to make changes to this notice and to make the revision or change applicable to medical information we already have about you. A copy of the current notice is available for review in each school building.

Complaints If you believe your privacy rights have been violated, you may file a complaint with the district. To file a complaint, please contact the Treasurer, Huber Heights City School District, 5954 Longford Road, Huber Heights, Ohio 45424, (937) 237-6300.

All complaints must be submitted in writing. You can also complain to the Office of Civil Rights, U. S. Department of Health and Human Services, 200 Independence Avenue, S.W., Room 209F, HHH Building, Washington, D.C. 20201-0004, (800) 368-1019.

Other Uses of Medical Information Other uses and disclosures of medical information not covered by this notice will be made only with written permission. If you provide us with permission to use or disclose medical information about you, you may revoke that permission in writing at any time. If you revoke your permission, we will no longer use or disclose medical information about you for the reason covered by your written authorization. However, we will not be able to take back any disclosures that we already made during any period in which your permission was in effect.

RIGHT TO REVIEW TEACHER QUALIFICATIONS

As a parent of a student in the Huber Heights City School District, you have a right to know the professional qualifications of the classroom teachers who instruct your child. Federal laws allow you to ask for certain information about your child's classroom teachers and requires us to give you this information in a timely manner if you ask for it. Specifically, you have the right to ask for the following information about each of your child's classroom teachers:

- Whether the Ohio Department of Education has licensed or qualified the teacher for the grades and subjects he/she teaches.
- Whether the Ohio Department of Education has decided that the teacher can teach in a classroom without being licensed or qualified under state regulations because of special circumstances.

- The teacher's college major; whether the teacher has any advanced degrees; and, if so, the subject of the degrees.
- Whether any paraprofessionals provide services to your child and, if they do, their qualifications.

If you would like to receive any of this information, please call the Administrative Offices at 237-6300.

ACCEPTABLE USE AND INTERNET SAFETY POLICY FOR THE HUBER HEIGHTS CITY SCHOOL DISTRICT'S COMPUTER NETWORK

The Huber Heights City School District Board of Education is pleased to make available to students access to interconnected computer systems within the district and to the Internet, the worldwide network that provides various means of accessing significant educational materials and opportunities.

In order for the district to be able to continue to make its computer network and Internet access available, all students must take responsibility for appropriate and lawful use of this access. Students must understand that one student's misuse of the network and Internet access may jeopardize the ability of all students to enjoy such access. While the district's teachers and other staff will make reasonable efforts to supervise student use of network and Internet access, they must have student cooperation in exercising and promoting responsible use of this access.

If any user violates this Policy, the student's access will be denied, if not already provided, or withdrawn, and he/she may be subject to additional disciplinary action.

I. PERSONAL RESPONSIBILITY

By using the Internet and computers at school, you are agreeing not only to follow the rules of this policy, but you are agreeing to report any misuse of the network to the person designated by your school for such reporting. Misuse means any violations of this policy or any other use that is not included in the Policy but has the effect of harming another or his/her property.

II. ACCEPTABLE USES

- A. **Educational Purposes Only.** Huber Heights City Schools is providing access to its computer networks and the Internet for only educational purposes. If you have any doubt about whether a contemplated activity is educational, you may consult with the person(s) designated by the school to help you decide if a use is appropriate.
- B. **Unacceptable Uses of Network.** Among the uses that are considered unacceptable and which constitute a violation of this policy are the following:
 1. Uses that violate the law or encourage others to violate the law. Don't transmit offensive or harassing messages; offer for sale or use any substance the possession or use of which is prohibited by the Huber Heights City School District student discipline policies; view, transmit, or download pornographic materials or materials that encourage others to violate the law; intrude into the networks or computers of others; and download or transmit confidential, trade secret information or copyrighted materials. Even if materials on the networks are not marked with the copyright symbol, you should assume that all materials are protected unless there is explicit permission on the materials to use them.
 2. Uses that cause harm to others or damage to their property. For example, don't engage in defamation (harming another's reputation by lies); employ another's password or some other user identifier that misleads message recipients into believing that someone other than you is communicating or otherwise using his/her access to the network or the Internet; upload a worm, virus, "Trojan house," "time bomb," or other harmful form of programming or vandalism; participate in "hacking" activities or any form of unauthorized access to other computers, networks, or information systems.

3. Uses that jeopardize the security of student access and of the computer network or other networks on the Internet. For example, don't disclose or share your password with others; don't impersonate another user.
 4. Uses that are commercial transactions. Students and other users may not sell or buy anything over the Internet. You should not give others private information about you or others, including credit card numbers and social security numbers.
 5. Users shall not read another individual's mail or file; attempt to interfere with another individual's ability to send or receive electronic mail; nor attempt to read, delete, copy, modify, or forge another individual's mail or files.
- C. **Netiquette:** All users must abide by rules of network etiquette, which include the following:
1. Be polite. Use appropriate language. No swearing, vulgar, suggestive, obscene, belligerent, or threatening language.
 2. Avoid language and uses which may be offensive to other users. Don't use access to make, distribute, or redistribute jokes, stories, or other material which is based upon slurs or stereotypes relating to race, gender, ethnicity, nationality, religion, or sexual orientation.

III. INTERNET SAFETY

- A. **General Warning: Individual Responsibility of Parents and Users.** All users and their parents/guardians are advised that access to the electronic network may include the potential for access to materials inappropriate for school-aged pupils. Every user must take responsibility for his/her use of the computer network and Internet and stay away from these sites. Parents of minors are the best guides to materials to shun. If a student finds that other users are visiting offensive or harmful sites, he/she should report such use to the person designated by the school.
- B. **Personal Safety.** Be safe. In using the computer network and Internet, do not reveal personal information such as your home address or telephone number. Do not use your real last name or any other information which might allow a person to locate you without first obtaining the permission of a supervising teacher. Do not arrange a face-to-face meeting with someone you "meet" on the computer network or Internet without your parent's permission (if you are under 18). Regardless of your age, you should never agree to meet a person with whom you have only communicated on the Internet in a secluded place or in a private setting.
- C. **"Hacking" and Other Illegal Activities.** It is a violation of this policy to use the school's computer network or the Internet to gain unauthorized access to other computers or computer systems or to attempt to gain such unauthorized access. Any use which violates state or federal law relating to copyright, trade secrets, the distribution of obscene or pornographic materials, or which violates any other applicable law or municipal ordinance is strictly prohibited.
- D. **Confidentiality of Student Information.** Personally identifiable information concerning students may not be disclosed or used in any way on the Internet without permission of a parent or guardian or, if the student is 18 or over, the permission of the student himself/herself. Users should never give out private or confidential information about themselves or others on the Internet, particularly credit card numbers and Social Security numbers. A supervising teacher or administrator may authorize the release of directory information, as defined by Ohio law, for internal administrative purposes or approved educational projects and activities.
- E. **Active Restriction Measures.** The school, either by itself or in combination with the Data Acquisition Site providing Internet access, will utilize filtering software or other technologies to prevent students from accessing visual depictions that are (1) obscene, (2) child pornography, or (3) harmful to minors.

The school will also monitor the online activities of students through direct observation and/or technological means to ensure that students are not accessing such depictions or any other material which is inappropriate for minors.

Internet filtering software or other technology-based protection systems may be disabled by a supervising teacher or school administrator, as necessary, for purposes of bona fide research or other educational projects being conducted by students age 17 and older.

The term “harmful to others” is defined by the Communications Act of 1934 (47 USC Section 254[h][7]) as meaning any picture, image, graphic image file, or other visual depiction that

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

IV. PRIVACY

Network and Internet access is provided as a tool for your education. Huber Heights City Schools reserve the right to monitor, inspect, copy, review, and store at any time and without prior notice any and all usage of the computer network and Internet access and any and all information transmitted or received in connection with such usage including electronic mail and other forms of messaging. All such information files shall be and remain the property of Huber Heights City Schools, and no user shall have any expectation of privacy regarding such materials. Any usage in support of illegal activities may be reported to the proper authorities.

V. FAILURE TO FOLLOW POLICY

The user’s use of the computer network and Internet is a privilege, not a right. A user who violates this Policy shall, at a minimum, have his/her access to the computer network and Internet terminated, and the district may refuse to reinstate for the remainder of the student’s enrollment in Huber Heights City Schools. A user violates this Policy by his/her own action or by failing to report any violations of other users that come to the attention of the user. Further, a user violates this Policy if he/she permits another to use his/her account or password to access the computer network and Internet, including any user whose access has been denied or terminated.

VI. WARRANTIES/INDEMNIFICATION

The Huber Heights City School District makes no warranties of any kind, either expressed or implied, in connection with its provision of access to and use of its computer networks and the Internet provided under this Policy. It shall not be responsible for any claims, losses, damages, or costs (including attorney’s fees) of any kind suffered, directly or indirectly, by any user or his/her parent(s) or guardian(s) arising out of the user’s use of its computer networks or the Internet under this Policy. By signing this Policy, users are taking full responsibility for his/her use, and the user who is 18 or old, or in the case of a user under 18, the parent(s) or guardian(s) are agreeing to indemnify and hold the school, the Huber Heights City School District, the Data Acquisition Site that provides the computer and Internet access opportunity to the district, and all of their administrators, teachers, and staff harmless from any and all loss, costs, claims, or damages resulting from the user’s access to its computer network and the Internet, including but not limited to any fees or charges incurred through the purchases of goods or services by the user. The user, or, if the user is a minor, the user’s parent(s) or guardian(s), agree to cooperate with the school in the event of the school’s initiating an investigation of a user’s use of his/her access to its computer network and the Internet, whether that use is on a school computer or another computer outside the school district’s network.

VII. UPDATES

Users and, if appropriate, the user's parents/guardians may be asked from time to time to provide new or additional registration and account information or to sign a new Policy, for example, to reflect developments in the law or technology. Such information must be provided by the user (or his/her parents or guardians) or such new Policy must be signed if the user wishes to continue to receive service. If some or all of the information changes after you have provided your account information, you must notify the person designated by the school to receive such information.

PROFANITY AND HORSEPLAY

The Huber Heights City School District Board of Education and staff consider an environment conducive to learning to be a high priority. If staff and students do not feel comfortable and safe in our schools, then teaching and learning become secondary.

In an effort to provide an optimal learning environment in our schools, we are taking a strong stance in two areas of concern: profanity and horseplay. These two areas are considered part of the Student Code of Conduct and Board Policy JFC. The appropriate administrator will take into consideration all of the facts known to them in deciding a consequence for violation of the Student Code of Conduct but will use this policy as establishing basic guidelines.

PROFANITY

Profanity is defined as language which would be perceived by a reasonable person as cursing, swearing, obscene, vulgar, abusive, disrespectful, and in general language considered to be in poor taste.

1. Profanity spoken by students but not directed at anyone will result in the following consequences:
First Offense: Friday/Saturday School
Second Offense: One day of suspension
Third Offense: Three days of suspension
Fourth Offense: Five days of out-of-school suspension
Fifth Offense: Ten days of out-of-school suspension with a recommendation to expel
2. Profanity spoken by a student directed toward another student will result in the following consequences:
First Offense: Three days of out-of-school suspension
Second Offense: Five days of out-of-school suspension
Third Offense: Ten days of out-of-school suspension with a recommendation to expel
3. Profanity spoken by a student directed to or about any staff member will result in a ten-day suspension with a recommendation to expel.

HORSEPLAY

Horseplay is any physical contact or verbal statements by and/or between a student and any other student, employee, or other party which the student knows, or reasonably should know, may result in a fight or other physical altercation.

1. Horseplay stopped by a teacher before a fight begins will result in the following consequences:
First Offense: Friday/Saturday School
Second Offense: One day of suspension
Third Offense: Three days of suspension
Fourth Offense: Five days of out-of-school suspension
Fifth Offense: Ten days of out-of-school suspension with a recommendation to expel
2. Horseplay that escalates into a fight will result in the following consequences:
First Offense: Three days of out-of-school suspension
Second Offense: Five days of out-of-school suspension
Third Offense: Ten days of out-of-school suspension with a recommendation to expel

An assault or unprovoked attack will result in a ten-day suspension with a recommendation to expel.

Please review with your son/daughter appropriate school language and conduct. In order for these procedures to be effective and to improve the learning environment of our schools, your help and cooperation as parents are essential. If you have any questions about the procedures outlined above, please contact your child's Principal.

NOTICE OF RECORD RETENTION PROCEDURES

When a student withdraws or graduates from Huber Heights City Schools, only those records we believe to be necessary to summarize a student's educational experiences in Huber Heights City Schools will be maintained as part of the student's permanent record. All other documents will be destroyed. We do not take responsibility to retain records from other schools or agencies.

CHILD FIND RULE 3301-51-03

The Huber Heights City School District is trying to ensure that all children who reside within the district and are below twenty-two years of age who have a disability, regardless of the severity of their disability, and are in need of special education and related services are identified, located, and evaluated. This includes children attending either private schools or enrolled in parochial schools.

For children ages three through five, a disability means a child has a documented deficit in one or more of the following developmental areas: communication, vision, hearing, motor skills, social/emotional behavioral functioning, self-help skills and/or cognitive skills.

For school age students, a disability means a student is identified as having one or more of the following conditions: autism, deaf-blindness, hearing impairment including deafness, cognitive disability, multiple disabilities, learning disability, orthopedic impairment, other health impaired, emotional disturbance, traumatic brain injury, and/or visual impairment including blindness. Children may have a disability and be in need of special education even though they are advancing grade to grade.

The Huber Heights City School District offers evaluation services for all children with a suspected disability below age twenty-two. Once the school district is notified about a child with a suspected disability, the parent(s)/legal guardian(s) are contacted and informed of their rights as required by IDEA, Operating Standards for Students with a Disability and Model Procedures as adopted by the Board of Education.

The Huber Heights City School District maintains an educational management information system and submits data to the Department of Education pursuant to rule 3301-14-01 of the Administrative Code.

If you know of a child with a suspected disability, notify Special Services, Huber Heights City Schools, at 237--6300.