

STUDENT CODE OF CONDUCT

2018-2019



Horizon Science Academy – Cleveland High School
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www.hsas.org

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STUDENT RIGHTS AND RESPONSIBILITIES

Students' Rights

- ✓ To feel safe in the school environment
- ✓ To take full advantage of the learning opportunities
- ✓ To work in an environment free from disruptions
- ✓ To express their opinions, ideas, thoughts, and concerns
- ✓ To have a healthy environment that is smoke, alcohol, and drug free,
- ✓ To use school resources and facilities for self-betterment under appropriate supervision,
- ✓ To expect courtesy, fairness, and respect from all members of the community,
- ✓ To be informed of all expectations and responsibilities,
- ✓ To take part in a variety of school activities, and
- ✓ To have the right to due process.

Students' Responsibilities

- To be caring and honest,
- ✓ To do his or her best to learn and master all he or she can,
- ✓ To respect school rules, regulations, and policies,
- ✓ To be sure that personal expressions do not interfere with the rights of others,
- ✓ To follow state law and school policies concerning substance abuse,
- ✓ To respect and protect the personal and property rights of others and of the school,
- ✓ To treat all members of the community with full respect, fairness, and courtesy,
- ✓ To abide by all the expectations of the school and its community,
- ✓ To follow the prescribed guidelines for participation in school activities, and
- ✓ To adhere to due process procedures.

RULES AND REGULATIONS

Uniforms and Personal Appearance

HSA has a dress code policy to help create a safe and orderly environment, instill discipline, and eliminate the competition and distractions caused by varied dress styles. Students will be expected to arrive in dress code every day. Please cooperate, display modesty and neatness, and take pride in these clean, neat and attractive uniforms. We rely on your common sense and your parents' and/or guardians' support in helping to maintain this dress code. Students out of full or partial dress code will be sent home. If parent cannot be reached, the student will not be allowed to attend classes and will wait under the supervision of administration. A broken washer-dryer, forgetting, leaving the uniform somewhere else, etc. are not acceptable excuses for dress code violations.

Identification

All students will be issued photo identification for security and for use in the cafeteria. The ID must be worn and clearly visible at all times; it is a part of the school dress code. The ID is school property and must be returned at the end of the school year. Students are responsible for damaged, defaced or lost IDs and must purchase replacements. Students without their HSA issued ID will not be allowed in the school or on school grounds.

Uniforms for Girls

Tops: School bought polo, sweatshirt or quarter zip is permitted all days. Blue button-down shirts will also still be permitted. Friday spirit shirts only permitted on Friday with full dress code.

Pants: Navy, Khaki or Black Dress Pants

Footwear: All black or brown shoes or boots

NO headgear at all, except for religious reasons which have been documented with the school administration.

Uniforms for Boys

Tops: School bought polo, sweatshirt or quarter zip is permitted all days. Blue button-down shirts will also still be permitted. Friday spirit shirts only permitted on Friday with full dress code.

Pants: Khaki or Black Dress Pants

Footwear: All black or brown shoes or boots

Additional Dress Code Requirements and Limitations

In addition to making sure you are wearing the school uniform, HSA requires that you follow these additional guidelines in terms of uniform appearance and personal appearance.

Skirts:

- NO skirts will be permitted except for religious reasons.
- NO outerwear should be carried or worn in the classroom other than school uniforms.

Pants and Slacks:

- Pants and slacks must fit properly.
- Pants may not be baggy.
- Pants may not be sagged (must be pulled above the waist).
- Belts (pure black) must fit properly and not hang down when buckled.
- No stretch pants, leggings, sweatpants or shorts.

Footwear

- Girls: No sandals, clogs, high heels, or platform shoes will be allowed. Shoes must be all black or brown.
- Boys: No sandals will be allowed. Shoes must be all black or brown.

Personal Appearance:

We will not tolerate extreme facial and body piercing, tattoos, hair dyes, hairstyles and mouth gear other than braces or retainers that will cause a substantial disruption to School, School operations, or impact on another student's rights.

Outerwear:

- Hats, caps, and other headgear may not be worn in the building.
- Outerwear, such as windbreakers, jean jackets, or ski jackets, may not be worn..
- No electronic devices should be worn with the uniform

*Students must wear the proper uniform when in the building, including before and after school. Students must be in full dress-code in order to enter the school building. Students are not permitted to keep their uniform in their locker and change in the building. Students cannot change their clothes after school on the school premises.

Lockers

Each student will be assigned a locker for his/her use at HSA. This locker is for storing books, coats, and personal items necessary for school. The lockers should not be used to store valuable items you bring from home. HSA will **not be liable** for personal items you leave in your locker or bring to school with you. To keep your school items safe, we strongly advise you to keep your locker private. Do not trade lockers with another student. It is your responsibility to see that your locker is kept locked and in order at all times. You should report any damage, vandalism or non-working condition of your locker to the office. If you do not report vandalism, damage or non-working condition of your locker, you will be **held responsible** for it. Please remember that your locker is school property and remains at all times under the control of the school; however, you have full responsibility for the security of your locker and what is in it. Periodic locker checks will be made by HSA staff to ensure that lockers are kept clean and orderly. HSA has the right to inspect lockers in cases of alleged theft or alleged storage of illegal substance etc. Only those assigned should use lockers no one else. Lockers may be used in the morning, during lunch and after school.

Phone Calls

Teachers will not allow students to make phone calls during class time. If a student comes down to the main office to use the phone for any other reason other than sickness or emergency, he/she will be told to see an administrator.

NO SMART DEVICES SHOULD BE SEEN OR HEARD DURING SCHOOL HOURS.

The use of cell phones during the school day for any reason will be accepted (i.e. as a clock, calculator, text messaging, calendar, etc.). Cell phones used or visible during the school hours will be confiscated and given to the administration. **The first consequence** will be a phone call to parent/guardian and the item will be returned at the end of the day. **The second consequence** will be the phone returned to parent following a parent meeting. **The third consequence** will be a suspension and phone being returned to parent following parent meeting.

Public Areas: Hallways, Stairwells, and Lavatories

Hallways, stairwells, and lavatories are areas used by all members of HSA. Because everyone uses these areas, there are rules of conduct that all students must follow.

- Students may not loiter in the halls, lunchroom or lavatories or on staircases.
- Students may not eat in halls, lavatories, or on staircases.
- Students may not run in the halls, lunchroom, lavatories, or on the staircases.
- Students may not use any profane or vulgar language while in school.
- Students may not yell, scream, hit lockers or otherwise make excessive noise while in school.
- Students must do your part to keep these areas clean and safe.
- Do not leave belongings on the floor outside your locker.
- Students need to clean up and appropriately dispose of all trash.
- Report any leaks, spills, or other problems in the lavatory to a teacher or the office.
- Do not roughhouse, push, or wrestle.
- **During class time, students are not to be in the halls, stairwells, or lavatories without a pass from their teacher or the main office.**
- Students in public areas during class time without a visible purpose (studying, taking test or quiz) will be interviewed and asked to go to class.

Searches

If there is reasonable suspicion for conducting a search in which evidence will be obtained indicating the student's violation of either the law or school rules. The search of a student's personal or intimate belongings shall be conducted by the School leader or his /her designee. This person should be of the student's gender and conduct the search in the presence of another staff member of the same gender. However, no strip searches may be conducted by school personnel.

Security Lockdown and Emergency Procedures

Fire and Weather (Tornado) Emergencies

Fire and tornado procedures are posted in every room and drills will be conducted regularly to ensure the safety of all students. During all drills, or real emergencies, students should follow the directions listed in their room, listen to teachers and administrators and remain silent at all times. In the event of a fire, the alarms and strobe lights will be activated and a CODE RED will be announced. For a weather emergency, a CODE GREEN will be announced over the P.A. system.

School Activities

HSA will offer a range of activities that will enrich student learning during the school and after school. Because the safety of students is very important to us, specific rules will apply to these activities.

All off campus events or activities, such as field trips, bus stops, buses, basketball games, etc. carry the same rules as in school activities. Students are expected to maintain their best behavior when representing the school.

After School Activities

There is no better way for students to enrich their education than by taking part in clubs and after-school activities or working with a teacher. These opportunities will allow you to explore more deeply things you already enjoy and to try other areas that may interest you. If you stay for an after-school activity, you will be expected to follow these rules:

- You must be with a teacher or other staff member at all times.
- You must arrange for your own transportation to arrive promptly at the end of the activity.
- You must abide by the HSA code of student conduct while participating in the activity.
- You may not stay after school to wait for another student.
- You may not roam the hallways.

A full list and description of after school clubs and activities will be posted after school starts and students will have an opportunity to join one that interests them.

If you are not attending a school activity you are required to leave the building, or you will be asked to enter a classroom. If there is any inappropriate behavior your parents will be called and they will need to pick you up immediately.

Attendance / Truancy / Withdrawal

The State Law requires all students enrolled at the School to attend school regularly in accordance with the laws of the State. The School will:

- keep accurate attendance records of excused and unexcused absences,
- require a parent/doctor's note from a student returning from an absence and follow through appropriately if the student does not have one,
- incorporate daily participation as part of the teaching/learning process for each grading period, and require accountability from students to complete work they missed while absent including homework, projects, quizzes, tests and other assignments.

Excused Absences

Under State's "Missing Child Law", parents or guardians must notify the school by the morning of any school day their child is not attending. The excuse shall be submitted to the attendance office and filed as part of the student's school record. An excuse for absence from school may be approved for one (1) or more of the following reasons or conditions:

- Personal physical illness such as to prevent attendance at School.
- Personal mental illness such that the student will not benefit from instruction.
- Illness in the family if student is age fourteen or older.
- Quarantine of the home.
- Death in the family.
- Observance of religious holidays.
- Court subpoena.
- Necessary work at home due to absence of parents/ guardians.
- Instruction at home from a person qualified to teach the branches of education in which instruction is required.
- An emergency or set of circumstances which in the judgment of the School constitutes a good and sufficient cause for absence.
- Any school approved enrichment activity

Unexcused Absences

An unexcused absence does become part of a student's school record. An absence will be marked as an unexcused absence if you:

- fail to bring a written note within two school days following an absence
- leave school without signing out of school at the office
- are absent from class without permission -including walking out of class
- are absent from school without parental permission
- get a pass to go to a certain place but do not report there
- are absent for reasons not acceptable to the administration and/or
- are absent for transportation, weather, personal issues and non-medical appointments

Truancy

- Should a student reach a number of 30 hours of unexcused absences, the School will send a warning letter to the parent.
- If a student reaches 60 hours of unexcused absences, the School will send a letter to the parent requesting a conference with the administration.

Notice of Excessive Absence

In the event a student is absent, with or without legitimate excuse, for 38 or more hours in one school month, or 65 or more hours in a school year, the School shall notify the child's parent, guardian, or custodian of the child's absences, in writing, within 7 days after the date after the absence that triggered the notice requirement.

Habitual Truancy

"Habitual truants," are defined as students that are absent without legitimate excuse for 30 or more consecutive hours, 42 or more hours in one school month, or 72 or more hours in a school year. In the event a student meets the threshold for habitual truancy, the School must take the following steps:

1. The Superintendent/Principal must establish an Absence Intervention Team (hereafter referred to as the "Team").

- A. The Team must be selected within 7 school days of the student reaching the habitual truancy threshold
 - B. The Team must include:
 - i. The student's parent or parent's designee, guardian, custodian, guardian ad litem or temporary custodian (collectively referred to hereafter as "Parent");
 - ii. One representative from the school; and
 - iii. One representative from the school that knows the student.
 - C. The Team may also include a school psychologist, counselor, social worker, or representative of a public or nonprofit agency designed to assist students and their families in reducing absences.
 - D. Within 7 school days of the student reaching the habitual truancy threshold, the Superintendent/Principal shall make at least 3 meaningful, good faith attempts to secure the Parent's participation on the Absence Intervention Team.
 - i. If the Parent responds but is unable to participate, the Superintendent/Principal shall inform them of their right to appoint a designee.
 - ii. If the Parent does not respond within 7 school days the School shall do both of the following:
 - a. Investigate whether the failure to respond triggers mandatory reporting to the county children services agency pursuant to ORC 2151.421; and
 - b. Instruct the Team to develop an Intervention Plan notwithstanding the Parent's absence
2. The Superintendent/Principal must assign student to the Absence Intervention Team within 10 days of becoming habitually truant.
 3. The Team must develop an intervention plan for the student within 14 school days after the student is assigned. The plan is to be aimed at reducing or eliminating further absences. The plan shall be based on the individual needs of the student, but shall state that the School shall file a complaint not later than 61 days after the date the plan was implemented, if the student has refused to participate in, or failed to make satisfactory progress on the intervention plan or an alternative to adjudication for being an unruly child.
 4. Within 7 days after the development of the plan, the School shall make reasonable efforts to provide the student's Parent with written notice of the plan.
 5. In the event the student becomes habitually truant within 21 school days prior to the last day of instruction of the school year, the School may, in its discretion, either:
 - a. assign a School official to work with the student's Parent to develop an absence intervention plan during the summer. If the School selects this method, the plan shall be implemented not later than 7 days prior to the first day of instruction of the next school year; or
 - b. reconvene the absence intervention process upon the first day of instruction of the next school year.

Intervention Strategies

If the School has a chronic absenteeism percentage that is less than 5%, as displayed on the School's most recent local report card, it shall be exempt from the requirement to assign habitually truant students to an absence intervention team for the following school year and shall instead take any appropriate action as an intervention strategy. In the event that the intervention strategies fail, within 61 days after their implementation, the School shall file a complaint, provided (a) the school has made meaningful attempts to re-engage the student through the intervention strategies, and any offered alternatives to adjudication; and (b) the student has refused to participate in or failed to make satisfactory progress on any offered intervention strategies or alternative to adjudication.

The School's intervention strategies may include any of the following:

- (1) Providing a truancy intervention plan for any student who absent, with or without legitimate excuse, for 38 or more hours in one school month, or 65 or more hours in a school year;
- (2) Providing counseling for an habitual truant;
- (3) Requesting or requiring a Parent to attend parental involvement programs;
- (4) Requesting or requiring a parent, guardian, or other person having care of an habitual truant to attend truancy prevention mediation programs;
- (5) Notification of the registrar of motor vehicles;

- (6) Taking necessary or required legal actions.

Withdrawal

Any student that without a legitimate excuse fails to attend one hundred and five (105) consecutive hours will be automatically withdrawn from the school.

If a student occasionally comes, misses a lot of days and is still enrolled at the school, the "Truancy" process needs to be followed.

Make-up Work for Excused Absences

An absence from school, even for several days, does not excuse you from responsibilities in the classroom on the day you return. If you have an excused absence, you will be given the same number of days that you were absent to make up missed work. To be eligible for make-up work, you must show each teacher the "excused absence slip." On the day you return to school, it is **your responsibility** to find out what work is required and when the work needs to be completed.

If you are absent for school-related reasons or for an anticipated or planned absence, make arrangements with your teacher(s) for assignments prior to your absence. For students with excused absences, make-up tests will be scheduled at a time designated by the teacher. It is the **students' responsibility** to ask for the test and take the test at that time. If you fail to do this, the teacher is not obligated to set another time for the makeup. If you fail to make up a test without making other arrangements, the teacher may decide not to give you the test. Make-up work is to be picked up by the parent/guardian or family member **ONLY**. We will **NOT** allow make-up work to be sent home with other students unless they are siblings in the same household.

Make-up Work for Unexcused Absences

If you have an unexcused absence, your grade(s) in a class or classes will be affected in one of these ways.

- You may not make up work following an unexcused absence.
- Unexcused absences may result in an "F" or "zero" for the day in each class missed.
- Teachers are not obligated to allow you to make up quizzes or tests.

Daily Attendance Procedures.

1. Every teacher with a second period class is responsible for providing the office with attendance. Attendance is to be input directly into the student information system before 10:00am. A hard copy will no longer be provided.
2. The designated school employee will then investigate each absence unreported by a parent. Each student's home phone number and/or parental cell number must be called by school reach, auto phone call software. A note of the result of each phone call must be reported on the Daily Attendance Log in the Student Information System.
3. The designated school employee inputs into the database daily attendance for each student.
4. Copies of Daily Attendance sheets are available to staff and administration on request.
5. When a student has reached 30 hours of unexcused absences a letter of warning is mailed home to the parent.
6. If a student has reached 60 hours of unexcused absences a letter requesting a parent meeting is sent via certified mail to the parent. If a temporary illness is preventing the student from regular attendance home instruction will be suggested.
7. If a student reaches the required number of hours to be an Habitual Truant the procedures set forth above must be followed.
8. A student that has been absent without excuse for more than 10% of the required attendance days and has failed two or more required subject areas shall result in the student failing the grade.

STUDENT CONDUCT AND DISCIPLINE

The School has as its goal to help every student fulfill his or her intellectual, social, physical and emotional potential. Everything in and about the School has been designed to create an orderly and distraction-free environment in which all students can learn effectively and pleasantly.

To foster this kind of learning environment, the School administrators and teachers shall not allow the following behaviors at School. At School (“at School”) means students are considered to be subject to the authority of the School during school, any time while on school property, while en-route to or from school, or at or during any school-sponsored activities. Examples include, but are not limited to: athletic meets and games, field trips, contests, and concerts. Misbehaviors that occur at such events will be subject to the same penalties as misbehaviors that occur on school grounds. The School maintains its right to discipline actions in violation of this Code of Conduct that occur at School, as defined herein.

All students at School are entitled to the rights guaranteed by the United States Constitution and Bill of Rights, and their rights will not knowingly be denied by the School’s mandatory Code of Conduct or by any disciplinary actions taken by the School. Any student who exhibits any of the Unacceptable Student Behaviors listed below or added to this list at a later date will face immediate consequences. These consequences may vary from notification of parents, detention, and emergency removal from a school activity to suspension, expulsion, and criminal prosecution.

All students at School have the right to feel that they are physically, emotionally, and intellectually safe. Therefore, if at any time you feel you are the subject of harassment, hazing, threats, or other intimidating behavior, you should immediately speak to a School administrator about the problem. The situation will be investigated as soon as possible. All reports of this nature will be kept completely confidential. Similarly, if you are concerned about the safety of another student who seems to be the subject of harassment, hazing, or threats, you should immediately speak to an administrator about the problem. The situation will be investigated as soon as possible. All reports of this nature will be kept completely confidential.

Unacceptable Student Behaviors

Students are considered to be subject to the authority of the school when they are enroute to or from school and at school related or school sponsored events even though those activities may not take place on school grounds. Some examples include: athletic meets and games, field trips, contests, and concerts. Misbehaviors that occur at such events as outlined below will be subject to the same penalties as misbehaviors that occur on school grounds. The School will not suspend, expel or remove a student from school solely on the basis of the student’s absence from School without legitimate excuse. A non-exhaustive list of misbehaviors and penalties are outlined below:

Level I Misbehaviors:

1. Failing to attend school on time or to attend classes on time (subject to the School’s Attendance and Truancy Policies);
2. Failing to attend all assigned classes (subject to the School’s Attendance and Truancy Policies);
3. Taking and using the writings and ideas of another and deceptively submitting them as one’s own work to satisfy a school assignment;
4. Signing the name of another person for the purpose of defrauding School personnel;
5. Cheating on examinations or attempting to obtain answers dishonestly;
6. Engaging in excessive displays of mutual affection;
7. Possessing beepers, pagers, MP3 players, cellular phones, CD players, laser pointers, video games and similar electronic devices in School during unauthorized times;
8. Wearing non-dress code clothing (students are not to dress down on their birthdays and notes will not be accepted on this day);
9. Posting or distributing materials on School property without appropriate permission or that cause a disruption to the educational process;

10. Failure to serve a Saturday suspension;
11. No card playing at any time, this includes before and after school and during lunch periods; and
12. No Soliciting

Corrective Action I

Disciplinary responses, including suspensions, may be used by the Principal or his/her designee to correct Level I misbehaviors. Level I misbehaviors may result in detentions, suspensions, and optional classroom assignments. Disciplinary responses may include, but are not limited to:

- Conference with teacher (with student alone or with parent(s)/guardian(s));
- Conference with administration (with student alone or with parent(s)/guardian(s));
- Parent/guardian contact by phone/email;
- Detention;
- In-School Suspension;
- Saturday Suspension;
- Suspension up to three (3) days; and
- Behavioral Contract.

The Administration may utilize school based or agency mediation programs for conflicts between students as appropriate. Related or repeated occurrence of Level I misbehaviors may result in discipline as a Level II misbehavior.

Level II Misbehaviors:

1. Repeated violation of Level I misbehavior.
2. Use, possession, distribution or promotion of tobacco, tobacco product look-alikes, or products intended to replicate tobacco products by appearance or effect.
3. Leaving the School or classroom without permission, in the absence of an emergency declared by the School.
4. Engaging in or causing a disruption on a school transportation.
5. Verbally or physically threatening to injure or harm another person or intimidating another person by creating fear for personal safety.
6. Use, possession, distribution or promotion of alcoholic or other intoxicant or coming to School under the influence of alcohol or drugs.
7. Intentionally causing an interruption of education in the classroom.
8. Using insulting, degrading, demeaning, obscene, abusive or profane language, including racial, sexual, religious or ethnic slurs, written or verbal, toward students, school personnel or individuals on School property.
9. Failing to adhere to School culture and directives of School personnel when subject to the authority of the School.
10. Intentionally participating in or initiating actions that result in a disruption to the school or educational process.
11. Gambling.
12. Trespassing, including entering a school to which the student is not assigned without signing in at the office, entering a school from which the student is suspended without permission from the School administration, bringing an unauthorized visitor to the School, or entering unauthorized areas of the building.
13. Intentionally participating in hazing activities.
14. No student shall commit any act of verbal, written, gesture-oriented, or physical sexual misconduct on school property, school buses, at school-sponsored events, or while using school technology resources. This includes "sexting" which is defined as sending, sharing, viewing, or possessing pictures, text messages, emails or other material of a sexual nature in electronic or other form on a cell phone or other electronic device.

15. Engaging in an activity that may create a condition that is unsafe or unhealthy to others.
16. Use of the elevator. No students are permitted on the elevator for any reasons (except medical conditions by doctor report). This will be strictly enforced with a 5-day suspension to ensure compliance.
17. Use of the copy machine is strictly prohibited.
18. Students are not permitted in unsupervised areas within the School.
19. Bullying, Cyberbullying, Harassment or Intimidation as defined in the School's Anti-Harassment, Intimidation and Bullying Policy.

Corrective Action II

- Corrective actions for Level I
- Suspension up-to five (5) days

Level III Misbehaviors

1. Using or bringing weapons, dangerous instruments, explosives, firearms, or knives to School.
 - a. A weapon is anything that is commonly used or designed to hurt someone or to put someone in fear (examples: guns, knives, knuckles, clubs, box-cutters etc.)
 - b. Knife is defined as cutting instrument consisting of a sharp blade or edge, not to include scissors, wire cutters, or other similar tools determined by the principal(s) to be necessary in the school setting at a particular building or grade level, if used only for the necessary purpose.
 - c. Firearm has the same meaning as provided pursuant to the "Gun Free Schools Act of 1994". At the time this policy was adopted, the above-referenced statute defined a firearm as any weapon (including a starter's gun) which will or is designed to or may readily be converted to expect a projectile by the action of an explosive; including the frame or receiver of any such weapon; and any firearm muffler or silencer; or any destructive device. If the definition of a firearm as provided by the "Gun Free Schools Act of 1994" changes, then the definition set forth in this policy shall automatically change to conform to it.
 - d. A dangerous instrument is anything that although not specifically designed to hurt someone, can be used to hurt someone or put someone in fear (examples: belts, combs, compasses, etc.).
 - e. An explosive is any substance that can potentially generate a release of mechanical or chemical energy (examples: firecrackers, cherry bombs, gun shells, etc.).
 - f. Any object, which closely resembles a weapon or explosive and could put persons in fear for their safety is included in this category (examples: starter pistols, pellet guns, toy guns, smoke bombs, etc.).
 - g. The prohibited items include, but are not limited to, possession of the following:
 - i. Knife less than 2 inches;
 - ii. Knife 2 inches or more;
 - iii. Handgun;
 - iv. Rifle or shotgun;
 - v. BB/pellet/airsoft/paintball firearm;
 - vi. Toy or any look-a-like gun;
 - vii. Destructive device (bomb, grenade, mine, rocket, missile, pipe bomb or similar device);
 - viii. Brass knuckles or metal knuckles;
 - ix. Fireworks;
 - x. Accelerants (any liquid/aerosol, etc. which may be used to start or perpetuate a fire or other hazardous condition);

- xi. Tear gas, mace or pepper spray;
 - xii. Bats, clubs, sticks or other instruments of a bludgeoning type (other than for athletics);
 - xiii. Razors or razor blades;
 - xiv. Spring stick/expandable baton;
 - xv. Throwing star, oriental dart, or any disc having two or more points or pointed blades which is designed to be thrown or propelled; and
 - xvi. Taser/Stun gun;
2. Verbally or physically threatening to injure or harm a student or school staff member.
 3. Fighting, hitting, biting, pinching, or pushing another student or a staff member.
 4. Showing disrespect to teachers or staff and/or using inappropriate language and behavior.
 5. Sexual assault as defined by the State Law.
 6. Intentionally causing or attempting to cause physical injury or intentionally behaving in such way as could reasonably cause physical harm to another person.
 7. Sexual conduct or sexual contact without mutual consent which includes all forms of sexual harassment.
 8. Hate crimes.
 9. Engaging in drug related activities, including but not limited to:
 - a. Making, selling, or distributing drugs/counterfeit drugs at School;
 - b. Bringing readily identifiable drug use/abuse instruments or paraphernalia to School or having such items in his/her possession; and
 - c. Using or possessing drugs/counterfeit drugs at School.
 10. Intentionally burning or attempting to burn property.
 11. Stealing, attempting to steal or possession of stolen property.
 12. Damaging or attempting to damage property: Any property damaged/broken by the student whether playfully or intentionally is to be repaired or replaced at the parents' or guardians' expense.
 13. Forcibly entering a school building locker, classroom, or secured enclosure or area.
 14. Extorting or attempting to extort property or money.
 15. Falsely sounding a fire alarm, or causing a fire alarm to be sounded.
 16. Falsely communicating or causing to be communicated that a bomb is located in or on property.
 17. More than one person acting together to intentionally cause harm or injury to another individual.
 18. Excessive referrals of Level I and/or Level II misbehaviors.

Corrective Action III

Any student may be suspended or referred for expulsion by the School for violation of a Level III offense. Parents will be informed of any Level III misbehavior offense committed by their child immediately by School administration.

See the "Weapons Expulsion" section below for additional information related to required corrective actions for weapons.

Suspension Procedures

Out-of-school suspension is removal of a student from school for a period of one to ten days. While students

are suspended from school, they may be afforded the opportunity to receive some or all of their homework assignments. During suspension, students are not permitted to participate in extracurricular activities or be on any school property.

The principal, assistant principal or principal designee may suspend a student. Prior to suspending a student, the principal, assistant principal or principal designee must do both of the following:

1. Give written notice of the intention to suspend and the reasons for the intended suspension to the student. If the proposed suspension is based on a violation listed in Ohio Revised Code Section 3313.662(A) and the student is sixteen years of age or older, the notice must contain a statement that the School may seek to permanently exclude the student if the student is convicted of or adjudicated a delinquent child for that violation; and
2. Provide the student an opportunity to appear at an informal hearing before the principal, assistant principal or principal designee and challenge the reasons for the intended suspension or otherwise explain. The hearing can happen immediately and can happen anywhere - the hall, office, classroom, etc.

Within one school day after the time of the student's suspension, the principal, assistant principal or principal designee shall also provide written notice of suspension to the parent/guardian of the student and the treasurer of the Board of Directors. The notice shall contain:

1. The reasons for the suspension;
2. Notice of the right of the student, or student's parent/guardian/custodian to appeal to the Board of Directors or the Board's designee;
3. Notice that the student/parent/guardian/custodian has the right to be represented in all appeal proceedings;
4. Notice of the right to be granted an appeal hearing before the Board of Directors or the Board's designee to be heard against the suspension;
5. Notice of the right to request that the hearing be held in executive session;
6. Notice that the School may seek the student's permanent exclusion if the suspension was based on a violation listed in Ohio Revised Code Section 3313.662(A) that was committed when the student was sixteen years of age or older and if the student is convicted of or adjudicated a delinquent child for that violation; and
7. The date and manner by a student or parent/guardian/custodian may notify the Board of Directors of their intent to appeal the suspension. If the student or parent/guardian wishes to appeal the suspension, the request must be submitted, in writing, to the principal within five (5) days of the written notice of suspension. The principal shall immediately forward this written appeal to the Board of Directors and Board of Directors' appeal hearing designee.

If there are fewer than ten school days remaining, the out-of-school suspension may not be applied to the following school year, but the school leader may require the student to participate in a community service program or other alternative consequences for a number of hours equal to the remaining period of the suspension.

EXPULSION

Except as specifically provided for by statute, the superintendent may expel a student for a period not to exceed the greater of 80 school days or the number of days remaining in the semester or term in which the offense leading to expulsion took place. Students expelled from the school are not permitted to participate in extracurricular activities or be on any school property. Expulsions may extend into the following school year.

Only the superintendent may expel a student. No student shall be expelled unless prior to the expulsion, the principal does both of the following:

- (1) The Assistant Principal of School Culture (APSC) shall deliver the student and parent, guardian or custodian written notice of the intention to expel the student and the reasons for the intended expulsion. The notice shall include the reasons for the intended expulsion, notification of the right of the student, guardian, custodian or their representative to appear before the principal or his/her designee to hear and to challenge the reasons for the intended expulsion or otherwise to explain the student's actions, and the notification of the time and place to appear. The time to appear shall not be sooner than three (3) nor later than five (5) school days after the notice has been given unless the principal grants an extension of time at the request of the student, his/her guardian, custodian, or representative. If an extension of time is granted, the Assistant Principal of School Culture (APSC) shall deliver the student and

his/her parent, guardian, custodian, or representative of the new time and place to appear. If the proposed expulsion is based on a violation listed in Ohio Revised Code Section 3313.662(A) and the student is sixteen years of age or older, the notice must contain a statement that the principal may seek to permanently exclude the student if the student is convicted of or adjudicated a delinquent child for that violation.

- (2) Provide the student and parent, guardian, or custodian an opportunity to appear in person before the Superintendent or the Superintendent's designee to challenge the reason for the intended expulsion or otherwise to explain the student's actions.

Within one school day after the time of the student's expulsion, the Superintendent shall also provide written notice of expulsion to the parent/guardian of the student and the treasurer of the Board of Directors. The notice shall contain:

1. The reasons for the expulsion;
2. Notice of the right of the student, or student's parent/guardian/custodian to appeal to the Board of Directors or the Board's designee;
3. Notice that the student/parent/guardian/custodian has the right to be represented in all appeal proceedings;
4. Notice of the right to be granted an appeal hearing before the Board of Directors or the Board's designee to be heard against the expulsion;
5. Notice of the right to request that the hearing be held in executive session;
6. Notice that the School may seek the student's permanent exclusion if the suspension was based on a violation listed in Ohio Revised Code Section 3313.662(A) that was committed when the student was sixteen years of age or older and if the student is convicted of or adjudicated a delinquent child for that violation and that the expulsion may be extended if a juvenile court or criminal proceeding regarding such violation is pending at the time the expulsion terminates; and
7. The date and manner by a student or parent/guardian/custodian may notify the Board of Directors of their intent to appeal the expulsion. If the student or parent/guardian wishes to appeal the expulsion, the request must be submitted, in writing, to the principal within fourteen (14) calendar days of the written notice of expulsion. The principal shall immediately forward this written appeal to the Board of Directors and Board of Directors' appeal hearing designee.

If the superintendent expels a student for more than twenty school days or for any period of time if the expulsion will extend into the following semester or school year the notice shall provide the student and the student's parent, guardian, or custodian with information about services or programs offered by public and private agencies that work toward improving those aspects of the student's attitudes and behavior that contributed to the incident that gave rise to the student's expulsion. The information shall include the names, addresses, and phone numbers of the appropriate public and private agencies.

An expelled student will be provided with a date for re-entry and the date for the re-entry conference. The expelled student, and parent or guardian of the student must be present in the re-entry conference. The student and parent or guardian of any student will be notified in the event that the student fails to attend the re-entry conference.

Expulsion proceedings will be pursued against a student who has committed an act warranting expulsion even if the student has withdrawn from school for any reason after the incident giving rise to the hearing, but before the hearing or decision to expel. If after the hearing, the student would have been expelled for a period of time had the student remained in school, the expulsion will be for the same length of time as on a student who has not withdrawn from school.

Weapons Expulsion

A student must be expelled for one year for:

1. Bringing a firearm to the School or onto School Property (any Property owned, used, or leased by the School for school, school extra-curricular activities or school related events).
2. A student may be expelled for one year for:
 - a. Bringing a firearm to an interscholastic competition, an extracurricular event, or any other school program or activity that is not located at the School or on School Property.
 - b. Possessing a firearm at School, on School Property, or at an interscholastic competition, an extracurricular event or any other school program or activity which firearm was initially brought onto the property by another person.

- c. Bringing a knife to School, onto School Property, an interscholastic competition, an extracurricular event, or any other program or activity sponsored by the school or which the school is a participant.
- d. Possession of a knife at School, on School Property, or at an interscholastic competition, an extracurricular event, or any other program or activity sponsored by the School or which the school is a participant which knife was initially brought onto the property by another person.
- e. Committing an act while at School, on School Property, at an interscholastic competition, an extracurricular event, or any other School program or activity that is a criminal offense when committed by an adult that results in serious physical harm to persons or serious physical harm to property.
- f. Making a bomb threat to a school building or to any premises at which a school activity is occurring at the time of the threat.

The specific circumstances under which the Superintendent may, in his/her discretion, reduce a one year expulsion may include: the student was unaware that he/she brought or was in possession of a firearm or knife; the student legitimately did not understand that the item he/she brought or possessed was a firearm or knife; a recommendation from qualified individuals concerning circumstances that justifiably mitigate the student's culpability.

Emergency Removal

If a student's presence poses a continuing danger to persons or property, or an ongoing threat of disrupting the academic process, the student can be removed from school without prior notice of hearing. Written notice of the removal and hearing, which must be held within three (3) school days of the student's removal, shall be provided as soon as practicable. Students are to remain home during school hours and not attend/participate in school sponsored function(s) pending the hearing. Should an out-of-school suspension be warranted, days of removal may be applied to the days of out-of-school suspension.

PERMANENT EXCLUSION

A student may be permanently excluded from school if the student is convicted of, or adjudicated a delinquent child for, committing, when the student was sixteen years of age or older, an act that would be a criminal offense if committed by an adult and if the act is any of the following:

- (1) A violation of section 2923.122 of the Revised Code;
- (2) A violation of section 2923.12 of the Revised Code, of a substantially similar municipal ordinance, or of section 2925.03 of the Revised Code that was committed on property owned or controlled by, or at an activity held under the auspices of, a board of education of a city, local, exempted village, or joint vocational school district;
- (3) A violation of section 2925.11 of the Revised Code, other than a violation of that section that would be a minor drug possession offense, that was committed on property owned or controlled by, or at an activity held under the auspices of, the board of education of a city, local, exempted village, or joint vocational school district;
- (4) A violation of section 2903.01, 2903.02, 2903.03, 2903.04, 2903.11, 2903.12, 2907.02, or 2907.05 or of former section 2907.12 of the Revised Code that was committed on property owned or controlled by, or at an activity held under the auspices of, a board of education of a city, local, exempted village, or joint vocational school district, if the victim at the time of the commission of the act was an employee of that board of education;
- (5) Complicity in any violation described in (1), (2), (3), or (4) above that was alleged to have been committed in the manner described in (1), (2), (3), or (4) above, regardless of whether the act of complicity was committed on property owned or controlled by, or at an activity held under the auspices of, a board of education of a city, local, exempted village, or joint vocational school district.

SUSPENSION/EXPULSION OF DISABLED STUDENTS

The School also has as its goal to ensure that all children with disabilities, including students with disabilities who have been suspended, expelled or otherwise removed, receive a free and appropriate education. The School shall abide by Federal and State laws regarding the discipline and removal of a child with a disability on a case-by-case basis.

Removals of Not More Than 10 Days

The School may remove a student with a disability who violates the code of student conduct from the student's current placement to an appropriate interim alternative educational setting, another setting, or suspension, for not more than ten consecutive school days in a manner consistent with the removal of students without disabilities. This also applies to additional removals of not more than ten consecutive school days in that same school year for separate incidents of misconduct or non-consecutive school days, so long as those removals do not constitute a change of placement as described below. The School will not provide services for removals of not more than 10 days.

Removals of More Than 10 Days

For removals of more than ten consecutive school days or non-consecutive school days that constitute a pattern of removals, both of which constitute a change of placement, the School will conduct a Manifestation Determination Review. The Manifestation Determination Review is to determine whether the behavior that gave rise to the violation of the code of student conduct was a manifestation of the student's disability as set forth below. If the misbehavior is determined not to be a manifestation of the student's disability, the School may apply discipline procedures in a manner consistent with that of students without disabilities.

The School will provide services for removals of more than 10 days so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the student's educational goals as determined by the student's IEP team. The School may also conduct a functional behavioral assessment and provide behavioral intervention services as appropriate. The School will notify the parents on the date the School makes a decision to remove a student with a disability, because of a violation of the code of student conduct, that constitutes a change in placement. The student's IEP team is responsible to determine the alternative setting for services.

Manifestation Determination Review

The purpose of a Manifestation Determination Review is to determine whether a student's misbehavior is a manifestation of that student's disability. Prior to any student's change of placement to another setting for a violation of the student code of conduct, the School will conduct a meeting with the parent, and relevant members of the student's IEP team and review all relevant information in the student's records and information provided by the parent to determine:

- * If the conduct in question was caused by, or had a direct and substantial relationship to, the student's disability; or
- * If the conduct in question was the direct result of the School's failure to implement the IEP.

The parent will be provided with notice of the Manifestation Determination Review meeting and a copy of the School's procedural safeguards notice. In addition, the parent will be notified of the School's decision on the date a decision is made.

Manifestation

If the School determines that the student's behavior was a manifestation of the student's disability, the student's IEP team will either:

- * Conduct a functional behavioral assessment, unless one was conducted before the behavior occurred, and implement the plan;
- or
- * If a behavioral intervention plan already has been developed, review the plan and modify it, as necessary to address the behavior.

In either case, the School will return the student to his original placement unless the parent and the School agree to a change of placement and except in instances involving a weapon, illegal drugs or serious bodily injury described below.

Not a Manifestation

If the School determines that the student's behavior was not a manifestation of the student's disability, the School may discipline the student in a manner consistent with students without disabilities and will continue to

provide services.

Exception for Guns, Drugs and Serious Bodily Injury

Notwithstanding the above, the School may remove a student with a disability to an interim alternative setting for up to 45 school days, without conducting a manifestation determination review, when a student commits any of the following at the School, on School premises or at a School function:

- *Carries a weapon to or possesses a weapon;
- *Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance; or
- * Has inflicted serious bodily injury upon another person;

Appeal

The student or parents have the right to appeal the School's decisions as described above

NOTICE OF NONDISCRIMINATION AND GRIEVANCE PROCEDURES

INCLUDING TITLE II, TITLE VI, TITLE IX, SECTION 504 AND ADA

The School does not discriminate on the basis of religion, race, color, national origin, sex, disability or age in its programs, activities, or employment. The Board of Principals will vigorously enforce its prohibition against harassment based on sex, race, color, national origin, religion, disability, genetic information or any other unlawful basis.

Further, it is the policy of the School to provide an equal opportunity for all students, regardless of race, color, creed, age, disability, religion, gender, ancestry, national origin, place of residence, or social or economic background, to learn through the curriculum offered in the School.

The following person has been designated to handle inquiries regarding the nondiscrimination policies of the School or to address any complaint of discrimination:

6000 South Marginal Road
Cleveland, Ohio 44103

RIGHT TO INSPECT AND AMEND EDUCATIONAL RECORDS

FERPA provides Parents/Guardians and Students with the opportunity to inspect student educational records within forty-five (45) calendar days of receipt of such request. FERPA also provides Parents/Guardians and Students with the opportunity to ask for amendments or for a hearing to challenge the content of the educational records if it is believed to contain inaccurate, misleading information. A written request identifying the records to be inspected must be provided to the School. The School official will arrange for access and will notify the requesting party of the time and place where the records may be inspected. If copies are requested, the School may charge the requesting party reasonable copying costs. Parents/Guardians and Students possess the right to request and receive from the School the following: (1) an explanation of information in the student's education records; (2) a copy of all or part of the student's education record; and (3) a list of the types and locations of the student's education records collected, maintained, or utilized by the School.

Parents/Guardians or Students requesting an amendment should submit a such request in writing and clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading and submit this to the Principal. If the School decides not to amend the record, the Parent/Guardian or Student shall be notified in writing and may file a request for a formal hearing. . At this time, additional information shall be provided to the Parents/Guardians or student regarding the hearing process procedures.

DISCLOSURE WITHOUT CONSENT

Parents/Guardian or Students possess the right to prevent disclosure of educational records to third parties except to the extent that FERPA authorizes disclosure without consent. The following are examples, including but not limited to, instances that do not require the School to obtain prior written consent for the release of educational records:

- other schools when a student graduates or transfers. (Upon request, the School discloses education records without consent to officials of another school district in which a student seeks or intends to enroll. Upon receipt of the request, the School will make reasonable attempts to notify the Parent/Guardian or the Student of the request and the date the records were forwarded.)

- accrediting institutions
- compliance with a judicial order or lawfully issued subpoena
- appropriate officials in the case of a health or safety emergency
- charter school sponsors and/or state and local authorities within a juvenile system pursuant to applicable state law
- School officials with legitimate educational interests. (School officials include the following: persons employed by the School, whether paid or unpaid, administrator, supervisor, instructor, support staff or School Board of Principals members; authorizing bodies or districts, vendors employed by or under contract with the School, such as an attorney, auditor, consultant, etc.; or a Parent/ Guardian, student or volunteer serving in an official School capacity. A School official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for the School.)

While HSA could release certain information about its students known as ***Principaly Information*** (defined below), it is the practice of HSA **NOT** to release any personal student information or ***Principaly Information*** to anyone unless so directed by the parent(s)/guardian(s).

****Principaly Information is defined by FERPA as: The student's name, address and telephone number; student's date and place of birth; student's course of study; student's participation in recognized activities and sports; weight and height of member of athletic teams; dates of attendance; degree and awards received; and most recent school attended.***

Parents/ Legal Guardians have the right to file a complaint with the U.S. Department of Education concerning alleged failures by the School to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA) NOTIFICATION

Description of Intent

The School follows a philosophy of continuous improvement and honest, objective data analysis. This philosophy requires well-planned and sometimes independent research efforts to determine the effectiveness of the School's programs and strategies. From time to time, the School will collect and analyze student performance data and various measures of effectiveness. In addition, families may be asked to participate in surveys or focus groups. Such research shall always be undertaken ensuring student privacy is protected and in compliance with the PPRA, as revised by the *No Child Left Behind Act*. For example, the names of the student, Parent/Guardian, and family members will not be revealed, and results will only be reported in the aggregate or by sub-groupings of sufficient size so that anonymity of the participants is safeguarded.

Rights Afforded by the PPRA

The PPRA affords emancipated minors and students of age eighteen (18) and older (Eligible Students) and Parent/Guardians of minors certain rights regarding the School's conduct of surveys, collection and use of information for marketing purposes, and conduct of certain physical exams. These rights include the following:

- The right to provide consent before students is required to submit to a survey that concerns one or more 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. Protected areas include the following:
 1. political affiliations or beliefs of the student or student's parent
 2. mental or psychological problems of the student or student's family
 3. sex behavior or attitudes

4. illegal, antisocial, self-incriminating, or demeaning behavior
 5. critical appraisals of others with whom respondents have close family relationships
 6. legally recognized privileged relationships, such as with lawyers, doctors, or clergy
 7. religious practices, affiliations, or beliefs of the student or Parent/Guardian
 8. income, other than as required by law to determine program eligibility
- The right to receive notice and an opportunity to opt a student out of the following:
 1. any other Protected Information Survey, regardless of funding
 2. any nonemergency, 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 exam or screening permitted or required under state law
 3. activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others
 - The right to inspect, upon request and before administration or use, any of the following:
 1. Protected Information Surveys of 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.

These rights transfer from the Parent/Guardian to the student if the student is eighteen (18) years old or is an emancipated minor under state law or by court order.

Notification Procedures

The School will work to develop and adopt policies regarding these rights in consultation with Parent/Guardian. The School will also work to make arrangements to protect student privacy in the administration of Protected Information Surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes.

The School will directly notify the Parent/Guardian of these policies annually in this PPRA Notice or after any substantive changes. The School will also directly notify by U.S. mail, e-mail, or other reasonably available method Parent/Guardians of students who are scheduled to participate in the specific activities or surveys described in this PPRA Notice and will provide an opportunity for the Parent/Guardian to opt students out of participation of the specific activity or survey. The School will make this notification to Parent/Guardian near the beginning of the school year if it has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, the Parent/Guardian will be provided reasonable notification of the planned activities and surveys covered by the PPRA and will be provided an opportunity to opt their students out of such activities and surveys. The Parent/Guardian will also be provided an opportunity to review any pertinent surveys. The following is a list of the specific activities and surveys covered under this requirement:

- collection, disclosure, or use of personal information for marketing, sales or other distribution
- administration of any Protected Information Survey funded in whole or in part by U.S. Department of Education
- any nonemergency, invasive physical examination, or screening as described above in the Rights Afforded by the PPRA

Where a Student is scheduled to participate in these activities, the Student will be notified as described above.

Anti-Harassment, Anti-Intimidation And Anti-Bullying Policy

Section One:

It is the policy of the Board of Principals of the Academy that any form of bullying behavior, whether in the classroom, on Academy property, to and from Academy or at Academy-sponsored events, is expressly forbidden.

This policy, expressly modeled after the policy developed by the State Board of Education, by reference, incorporates herein the following requirements:

- A statement prohibiting harassment, intimidation or bullying of any student on Academy property or Academy-sponsored events;
- A definition of harassment, intimidation or bullying that shall include the definition in 3.1 of the model policy;
- A procedure for students, parents or guardians to report prohibited incidents to teachers and Academy administrators;
- A requirement that Academy personnel report prohibited incidents they witness and/or receive reports on from students to the Academy principal or other administrator designated by the principal;
- A procedure for documenting any prohibited incident that is reported
- A procedure for responding to and investigating any reported incident including providing intervention strategies for protecting a victim from additional harassment, intimidation or bullying, and from retaliation following a report;
- A disciplinary procedure for any student guilty of harassment, intimidation, or bullying, which shall not infringe on any student's rights under the first amendment to the Constitution of the United States;
- A requirement that Academy administrators notify parents or guardians of any student involved in a prohibited incident be notified and, to the extent permitted by section 3319.321 of the Revised Code and the "Family Educational Rights and Privacy Act of 1974," 88 Stat. 571.20 U.S.C. 1232g, as amended, have access to any written reports pertaining to the prohibited incident;
- A requirement that the Academy administrators semiannually provide the president of the Academy board a written summary of all reported incidents and post the summary on the Academy Web site, to the extent permitted by section 3319.321 of the Revised Code and the "Family Educational Rights and Privacy Act of 1974," 88 Stat. 571.20 U.S.C. 1232g, as amended, have access to any written reports pertaining to the prohibited incident.
- Each board's policy shall appear in any student handbooks, and in any publications that set forth the comprehensive rules, procedures and standards of conduct for schools and students in the Academy. Information regarding the policy shall be incorporated into employee training materials; and
- An Academy employee, student, or volunteer shall be individually immune from liability in a civil action for damages arising from reporting an incident in accordance with a policy if that person reports an incident of harassment, intimidation or bullying promptly in good faith and in compliance with the procedures specified in the policy.

Students who have been determined to have engaged in prohibited behaviors are subject to disciplinary action, which may include suspension or expulsion from school. The Academy's commitment to addressing such prohibited behaviors, however, involves a multifaceted approach, which includes education and the promotion of a school atmosphere in which harassment, intimidation or bullying will not be tolerated by students, faculty or school personnel.

It is imperative that harassment, intimidation, or bullying be identified only when the specific elements of the definition are met because the designation of such prohibited incidents carry special statutory obligations. However, misconduct by one student against another student, whether or not appropriately defined or not, will result in appropriate disciplinary consequences for the perpetrator.

Section Two: Definition of Terms

Harassment, intimidation or bullying" means any intentional written, verbal, graphic, or physical act that a student or group of students exhibited toward other particular student more than once and the behavior both:

- Causes mental or physical harm to the other student; and
- Is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or abusive educational environment for the other student.

Harassment, Intimidation or Bullying also means electronically transmitted acts i.e., Internet, cell phone, personal digital assistance (PDA) or wireless hand-held device that a student has exhibited toward another particular student more than once and the behavior both:

- Causes mental or physical harm to the other student/school personnel; and
- Is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or abusive educational environment for the other student/school personnel.

Additionally, Harassment, intimidation or bullying" means any violence within a dating relationship.

In evaluating whether conduct constitutes harassment, intimidation or bullying, special attention should be paid to the words chosen or the actions taken, whether such conduct occurred in front of others or was communicated to others, how the perpetrator interacted with the victim, and the motivation, either admitted or appropriately inferred.

A Academy-sponsored activity shall mean any activity conducted on or off Academy property (including Academy buses and other Academy-related vehicles) that is sponsored, recognized or authorized by the Ohio Board of Education. Transportation of students covered by this policy in rental vehicles or in privately-owned vehicles to or from Academy-sponsored activities shall be subject to this paragraph.

Section Three: Types of Conduct Affected By This Policy

Harassment, intimidation or bullying can include many different behaviors including overt intent to ridicule, humiliate or intimidate another student or Academy personnel. Examples of conduct that could constitute prohibited behaviors include:

- Physical violence and/or attacks;
- Threats, taunts and intimidation through words and/or gestures;
- including, but not limited to disparaging a student on the basis of race or ethnicity, socioeconomic status, gender, national origin, sexual orientation, political or religious affiliation, physical characteristics, academic or athletic performance, disability or English language proficiency.
- Extortion, damage or stealing of money and/or possessions;
- Exclusion from the peer group or spreading rumors; and,
- Repetitive and hostile behavior with the intent to harm others through the use of information and communication technologies and other Web-based / online sites (also known as "cyber-bullying"), such as the following:
 1. Posting slurs on Web sites where students congregate or on Web logs (personal online journals or diaries);
 2. Sending abusive or threatening instant messages or emails,
 3. Using camera phones to take embarrassing photographs of students and posting them online; and,
 4. Using Web sites to circulate gossip and rumors to other students;
 5. Excluding others from an online group by falsely reporting them for inappropriate language to Internet service providers.

Section Four: Complaint Processes and Publication of the Prohibition Against Harassment, Intimidation and Bullying and Related Procedures

The prohibition against harassment, intimidation or bullying shall be publicized in student handbooks

and in the publications that set forth the comprehensive rules, procedures and standards of conduct for the Academy Elementary, Middle and High Schools and the students who are enrolled in the same. In addition, information regarding the policy shall be incorporated into employee training materials. The following statement shall be included:

Harassment, intimidation, or bullying behavior by any student/school personnel in the Academy's Elementary, Middle and High Schools is strictly prohibited, and such conduct may result in disciplinary action, including suspension and/or expulsion from school. "Harassment, intimidation, or bullying, in accordance with House Bill 276, mean any intentional written, verbal, graphic or physical acts including electronically transmitted acts i.e., Internet, cell phone, personal digital assistant (PDA), or wireless hand-held device, either overt or covert, by a student or group of students toward other students/school personnel with the intent to harass, intimidate, injure, threaten, ridicule or humiliate. Such behaviors are prohibited on or immediately adjacent to school grounds, at any school-sponsored activity, on school-provided transportation or at any official school bus stop that a reasonable person under the circumstances should know will have the effect of:

- Causing mental or physical harm to the other student/school personnel including placing an individual in reasonable fear of physical harm and/or damaging of students'/personal property; and,
- Is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student/school personnel. The prohibitions of this policy shall also apply to all guests and visitors of the Academy Elementary, Middle and High Schools.

Complaints

Formal Complaints (Written Complaints)

Students and/or their parents or guardians may file reports regarding suspected harassment, intimidation or bullying. Such written reports shall be reasonably specific including person(s) involved, number of times and places of the alleged conduct, the target of suspected harassment, intimidation and/or bullying, and the names of any potential student or staff witnesses. Such reports may be filed with any teacher or member of the Academy's administrative staff, such as the Principal or Secretary or other office staff, and they shall be promptly forwarded to the building Principal for review and action in accordance with Section 6.

Informal Complaints (Verbal Complaints)

Students, parents or guardians and Academy personnel may make informal complaints of conduct that they consider to be harassment, intimidation and/or bullying by verbal report to a teacher or Academy administrator, or other Academy personnel. Such informal complaints shall be reasonably specific as to the actions giving rise to the suspicion of harassment, intimidation and/or bullying, including person(s) involved, number of times and places of the alleged conduct, the target of the prohibited behavior(s), and the names of any potential student or staff witness. A Academy staff member or administrator who receives an informal complaint shall promptly document the complaint in writing, including the above information. This written report by the Academy staff member and/or administrator shall be promptly forwarded to the building Principal for review and action in accordance with the requirements of this policy.

Anonymous Complaints

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

Section Five: Academy Personnel Responsibilities and Intervention Strategies

Teachers and Other Academy Staff

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

In addition to addressing both informal and formal complaints, Academy personnel are encouraged to address the issue of harassment, intimidation or bullying in other interactions with students. Academy personnel may find opportunities to educate students about harassment, intimidation and bullying and help eliminate such prohibited behaviors through class discussions, counseling, and reinforcement of socially appropriate behavior. Academy personnel should intervene promptly whenever they observe student conduct that has the purpose or effect of ridiculing, humiliating or intimidating another student/Academy personnel, even if such conduct does not meet the formal definition of "harassment, intimidation or bullying". Such interventions shall be documented in writing and forwarded promptly (no later than the next school day) to the building Principal.

Administrator Responsibilities

Investigation

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

Notwithstanding the foregoing, when a student making an informal complaint has requested anonymity, the investigation of such complaint shall be limited as is appropriate in view of the anonymity of the complaint. Such limitation of investigation may include restricting action to a simple review of the complaint (with or without discussing it with the alleged perpetrator), subject to receipt of further information and/or the withdrawal by the complaining student of the condition that his/her report be anonymous.

Section Six: Remedial Actions

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

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

Non-disciplinary Interventions

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

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

Disciplinary Interventions

When acts of harassment, intimidation and bullying are verified and a disciplinary response is warranted, students are subject to the full range of disciplinary consequences. Neither formal, informal nor anonymous complaints that are not otherwise verified shall be the basis for disciplinary action.

In and out-of-school suspension may be imposed only after informing the accused perpetrator of the reasons for the proposed suspension and giving him/her an opportunity to explain the situation.

Expulsion may be imposed only after a hearing before the Board of the Academy in which the violation has occurred, a committee of the Board or an impartial hearing officer designated by the Board of Education in accordance with Board policy. This consequence shall be reserved for serious incidents of harassment, intimidation or bullying and/or when past interventions have not been successful in eliminating prohibited behaviors.

Section Seven: Intervention Strategies

General

- In addition to the prompt investigation of complaints of harassment, intimidation or bullying and direct intervention when such prohibited acts are verified, other Academy actions may ameliorate any potential problem with harassment, intimidation or bullying in Academy or at Academy-sponsored activities. While no specific action is required and Academy needs for such interventions may vary from time to time, the following list of potential intervention strategies shall serve as a resource for administrators and Academy personnel:
- Respectful responses to harassment, intimidation or bullying concerns raised by students, parents or Academy personnel;
- Planned professional development programs addressing targeted individuals' problems; including what is safe and acceptable Internet use;
- Data collection to document victim problems to determine the nature and scope of the problem;
- Use of peers to help ameliorate the plight of victims and include them in group activities;
- Avoidance of sex-role stereotyping (e.g., males need to be strong and tough);
- Awareness and involvement on the part of all Academy personnel and parents with regard to victim problems;
- An attitude that promotes communication, friendship, assertiveness skills and character education;
- Modeling by Academy personnel of positive, respectful and supportive behavior toward students;
- Creating a school atmosphere of team spirit and collaboration that promotes appropriate social behavior by students in support of others (Ohio School Climate Guidelines);
- Employing classroom strategies that instruct students how to work together in a collaborative and supportive atmosphere; and
- Form harassment, intimidation and bullying task forces, programs and other initiatives involving volunteers, parents, law enforcement and community members.

Intervention Strategies for Protecting Victims

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

Section 8: Reporting Obligations

Report to the Parent or Guardian of the Perpetrator

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

Reports to the victim and his/ her parent of guardian

If after investigation, acts of bullying against a specific student are verified, the building Principal or his/her designee shall notify the parent or guardian of the victim of such finding. In providing such notification, care must be taken to respect the statutory privacy rights of the perpetrator of such harassment, intimidation and bullying.

List of verified acts of harassment, intimidation or bullying

- A requirement that the Academy administrators semiannually provide the president(s) of the Academy board(s) a written summary of all reported incidents and post the summary on the Academy Web site, if one exists. The list shall be limited to the number of verified acts of harassment, intimidation and bullying, whether in the classroom, on Academy property, to and from Academy, or at Academy-sponsored events.

- This policy shall not be interpreted to prohibit a reasonable and civil exchange of opinions or debate that is protected by state or federal law such as the nondiscrimination, suspension and expulsion/due process, violent and aggressive behavior, hazing, discipline / punishment, sexual harassment, peer sexual harassment and equal educational opportunity acts.

Police and Child Protective Services

Allegations of criminal misconduct will be reported to law enforcement, and suspected child abuse must be reported to County Children Services or a comparable child protective service agency, per required timelines. The Academy Elementary, Middle and High Schools must also investigate for the purpose of determining whether there has been a violation of this policy, even if law enforcement or CPS is also investigating. All Academy Elementary, Middle and High School personnel must cooperate with investigations conducted internally or by outside agencies.

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

Section Nine: Training

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

Information regarding the policy on harassment/intimidation/bullying behavior shall be incorporated into employee training materials and volunteers with direct contact with students. Time spent by Academy employees in the training, workshops or courses shall apply toward any state or district mandated continuing education requirements.

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

