A. The regular meeting of the Jackson Local School District Board of Education was held, Tuesday, March 19, 2019, at 5:00 pm at Jackson High School. The following members were present: Barton, Douglas, Gindlesberger, and Winkhart. Mr. Goff was absent.

B. President Winkhart led the Pledge of Allegiance.

19.30 Moved by Barton, seconded by Gindlesberger, to approve the minutes of the February 26, 2019 regular meeting as presented.

Barton, yes; Gindlesberger, yes; Douglas, yes; Winkhart, yes. Motion carried.

19.31 Moved by Douglas, seconded by Gindlesberger, to accept the February, 2019 financial statements, account modifications, and appropriation changes, as presented:

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Douglas, yes; Gindlesberger, yes; Barton, yes; Winkhart, yes. Motion carried.
C. Board members reviewed the list of bills paid in February, 2019, which totaled $4,950,150.59.

D. During the first hearing of visitors, no one wished to address the Board.

E. The following communications were presented to the Board:

- Jeff Kracker, Jackson High School Principal, updated the Board on Jackson High School.
- Superintendent DiLoreto congratulated Terry Peterson for being selected as the 2019 NEOIAAAA Athletic Director of the Year.
- Terry Peterson recognized the Winter Federal League championship teams, coaches and athletes of the year.
- The following individual will serve as athletic volunteer for the 2018/2019 school year: Jason Tucker - Boys Tennis

19.32 Moved by Barton, seconded by Douglas, to allow for the second reading and adoption of the following board policies, as presented.

SCHOOL CHOICE OPTIONS

The Board of Education acknowledges that the Elementary and Secondary Education Act (ESEA), as amended, provides that the parents/guardians of students enrolled in a Title I school the first year following the building’s identification as being in “School Improvement,” have the right to transfer their children to another school in the District, provided there is a school that provides instruction at the students’ grade level(s) and such school has not been identified as being in the process of school improvement, corrective action, or restructuring. If there is not another school in the District offering instruction at the students’ grade level(s) that has not been identified as needing improvement, the Superintendent shall contact neighboring districts and request that they permit students to transfer to a school in one of those districts. The Superintendent shall also offer Supplemental Educational Services (SES) to students in any school no later than the first year following the building’s identification as being in “School Improvement,” regardless of whether a transfer option is available.

Additionally, students attending a “persistently dangerous” school, as defined by State law have the right to transfer to another “safe” school in the District. If there is not another “safe” school in the District providing instruction at the students’ grade level(s), the Superintendent shall contact neighboring districts and request that they permit students to transfer to a school in one of those districts.

Furthermore, a student who is a victim of a “violent crime” on school property also has the right to transfer to another school. If there is not another school in the District providing instruction at the student’s grade level, the Superintendent shall contact neighboring districts and request that they permit that student to transfer to a school in one of those districts providing instruction at the student’s grade level.

The Board of Education authorizes such transfers in accordance with AG 5113.02.

Children who transfer in accordance with this policy will be permitted to remain at the school at transfer until completing the highest grade at the school.

Title I, Section 116(b)(1)(E) of the Elementary and Secondary Education Act, as amended
Title I, Section 116(e) of the Elementary and Secondary Education Act, as amended
Title IX, Section 9532 of the Elementary and Secondary Education Act, as amended

REMOVAL, SUSPENSION, EXPULSION, AND PERMANENT EXCLUSION OF STUDENTS

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

No student is to be removed, suspended out-of-school, expelled and/or permanently excluded unless his/her behavior represents misconduct as specified in the Student Code of Conduct/Student Discipline Code approved by the Board. The Code shall also specify the procedures to be followed by school officials when implementing such discipline. In addition to the procedural safeguards and definitions set forth in this policy and the student/parent handbook, additional procedures and considerations shall apply to students identified as disabled under the IDEA, ADA, and/or Section 504 of the Rehabilitation Act of 1973. (See Policy 5005 - Suspension/Expulsion of Students with Disabilities).

Students may be subject to discipline for violation of the Student Code of Conduct/Student Discipline Code even if that conduct occurs on property not owned or controlled by the Board but where such conduct is connected to activities or incidents that have occurred on property owned or controlled by the Board, or conduct that, regardless of where it occurs, is directed at a District official or employee, or the property of such official or employee.
MINUTES- JACKSON LOCAL SCHOOL DISTRICT BOARD OF EDUCATION- MARCH 19, 2019

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

A. "Emergency removal" shall be the exclusion of a student who poses a continuing danger to District property or persons in the District or whose behavior presents an on-going threat of disrupting the educational process provided by the District (See Policy 5610.03 - Emergency Removal).

B. "Suspension" shall be the temporary exclusion of a student by the Superintendent, principal, assistant principal, or any other administrator from the District's instructional program for a period not to exceed ten (10) school days. Suspension shall not extend beyond the current school year, if at the time a suspension is imposed, fewer than ten (10) days remain in the school year.

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

The Superintendent may develop a list of appropriate alternative consequences, and set forth such list in the applicable guidelines.

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

The procedures for suspension are set forth in the Student Code of Conduct/Student Discipline Code and Policy 5611 - Due Process Rights.

A student who is suspended shall be permitted to complete any classroom assignments missed because of the suspension and receive at least partial credit for a completed assignment. Grade reductions on account of the student's suspension are permitted; however, no student may receive a failing grade on a completed assignment solely on account of his/her suspension.

C. "Expulsion" shall be the exclusion of a student from the schools of this District for a period not to exceed the greater of eighty (80) school days or the number of school days remaining in a semester or term in which the incident that gives rise to the expulsion takes place or for one (1) year as specifically provided in this policy and the Student Code of Conduct/Student Discipline Code. Only the Superintendent may expel a student. The procedures for expulsion are set forth in the Student Code of Conduct/Student Discipline Code and Board Policy 5611 "Due Process Rights"

1. Firearm or Knife

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

A firearm is defined as any weapon, including a starter gun, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, any firearm muffler or silencer, or any destructive device. A destructive device, includes, but is not limited to any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than four (4) ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or other similar device.

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

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

a. Applicable State or Federal laws and regulations relating to students with disabilities (for example, where the incident involves a student with a disability and the misconduct is determined by a group of persons knowledgeable about the child to be a manifestation of the student’s disability);

b. The degree of culpability given the age of the student and its relevance to the misconduct and/or punishment and/or evidence regarding the probable danger posed to the health and safety of others, including evidence of the student’s intent and awareness regarding possession of the firearm or knife capable of causing serious bodily injury; and/or

c. The academic and disciplinary history of the student, including the student’s response to the imposition of any prior discipline imposed for behavioral problems.

2. Violent Conduct

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

a. would be a criminal offense if committed by an adult; and
b. results in serious physical harm to person(s) as defined in R.C. 2901.01(A)(5), or to property as defined in R.C. 2901.01(A)(6)

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

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

1. applicable State or Federal laws and regulations relating to students with disabilities (for example, where the incident involves a student with a disability and the misconduct is determined by a group of persons knowledgeable about the child to be a manifestation of the student’s disability).

or

2. other extenuating circumstances, including, but not limited to, the academic and disciplinary history of the student, including the student’s response to the imposition of any prior discipline imposed for behavioral problems.

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

3. Bomb Threats

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

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

a. for students identified as disabled under the IDEA, ADA, and Section 504 of the Rehabilitation Act of 1973, upon recommendation from the group of persons knowledgeable of the student’s educational needs;

or

b. other extenuating circumstances, including, but not limited to, the academic and disciplinary history of the student, including the student’s response to the imposition of any prior discipline imposed for behavioral problems.

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

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

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

Suspension or Expulsion of Students in Grades Pre-K through 3

Beginning with the 2019-2020 school year, except as permitted by law, suspension or expulsion proceedings shall not be initiated against a student in any of grades Pre-kindergarten through three unless the student has committed the following acts:

A. The student brings a firearm or knife capable of causing serious bodily injury to a school building or on to any other property (including a school vehicle) owned, controlled, or operated by the Board, to an interscholastic competition, an extra-curricular event, or to any other school program or activity that is not located in a school or on property that is owned or controlled by the Board, or possesses a firearm or knife capable of causing serious bodily injury at school or on any other property (including a school vehicle) owned, controlled, or operated by the Board, at interscholastic competition, an extra-curricular event, or at any other school program or activity that is not located in a school or on property that is owned or controlled by the Board.

B. The student commits an act at school, on other school property, at an interscholastic competition, extra-curricular event, or any other school program or activity and the act: 1) would be a criminal offense if committed by an adult; and 2) results in serious physical harm to person(s) as defined in R.C. 2901.01(A)(5), or to property as defined in R.C. 2901.01(A)(6).

C. The student makes a bomb threat to a school building or to any premises at which a school activity is occurring at the time of the threat.

D. The student engages in behavior of such a nature that suspension or expulsion is necessary to protect the immediate health and safety of the student, the student’s fellow classmates, the classroom staff and teachers, or other school employees.

Prior to suspending or expelling a student in any of grades Pre-K through 3, the Principal shall, whenever possible, consult with a mental health professional under contract. If the events leading up to the student’s suspension or expulsion from school indicate that the student is in need of additional mental health services, the student’s Principal or the District’s mental health professional shall assist the student’s parent or guardian with locating providers or obtaining
such services, including referral to an independent mental health professional, provided such assistance does not result in a financial burden to the District or the student’s school.

If a student in any of grades Pre-K through 3 is suspended or expelled, the student shall be afforded the same notice and hearing, procedural, and educational opportunities as set forth in Board policy and the law. The suspension or expulsion of a student in any of grades Pre-K through 3 shall not limit the Board’s responsibilities with respect to the provision of special education and related services to such student in accordance with Board policy and the law. Further, the Board shall not be limited in its authority to issue an in-school suspension to a student in any of grades Pre-K through 3, provided that the in-school suspension is served in a supervised learning environment.

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

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

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

The Board may temporarily deny admittance to any student who has been expelled from the schools of another Ohio district or an out-of-state district, if the student’s suspension period set by the other district has not expired. The expelled student may first be offered an opportunity for a hearing. This provision also applies to a student who is the subject of a power of attorney designating the child’s grandparent as the attorney-in-fact or caretaker authorization affidavit executed by the child’s grandparent and is seeking admittance into the schools of this District in accordance with Policy 5111.

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

When a student is expelled from this District, the Superintendent shall send written notice to any college in which the expelled student is enrolled under Postsecondary Enrollment Options at the time the expulsion is imposed. The written notice shall indicate the date the expulsion is scheduled to expire and that the Board has adopted a provision in Policy 2271 under R.C. 3313.613 to deny high school credit for postsecondary courses taken during an expulsion.

If the expulsion is extended, the Superintendent shall notify the college of the extension.

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

A copy of this policy is to be posted in a central location in each school and made available to students and parents upon request. Key provisions of the policy should also be included in the parent-student handbook.

R.C. 2919.222, 3313.534, 3313.649, 3313.66, 3313.661, 3313.662, 3313.663
R.C. 3313.664, 3313.668, 3321.13 (B)(3) and (C), 3327.014
[8 U.S.C. Section 921]

5610.03
STUDENTS

EMERGENCY REMOVAL OF STUDENTS

If a student’s presence poses a continuing danger to persons or property, or an ongoing threat of disrupting the academic process taking place either in a classroom or elsewhere on school premises, then the Superintendent, principal or assistant principal may remove the student from curricular activities or from the school premises. A teacher may remove the student from curricular activities under the teacher’s supervision, but not from the premises. If a teacher makes emergency removal, the teacher will notify a building administrator of the circumstances surrounding the removal in writing, as soon as practicable. Because such removal is not subject to the normal suspension and expulsion procedures, no prior notice or hearing is required for any removal under this policy.

A due process hearing will be held on the next school day after the removal is ordered. Written notice of the hearing and the reason for the removal and any intended disciplinary action will be given to the student as soon as practical prior to the hearing. If the student is subject to out-of-school suspension, the student will have the opportunity to appear at an informal hearing before the principal, assistant principal, Superintendent or designee and has the right to challenge the reasons for the intended suspension or otherwise explain his/her actions. Within one (1) school day of the decision to suspend, written notification will be given to the parent(s)/guardian(s) or custodian of the student. This notice will include the reasons for the suspension, the right of the student or parent(s)/guardian(s) to appeal to the Board or its designee and the student’s right to be represented in all appeal proceedings. If it is probable that the student may be subject to expulsion, the hearing will take place on the next school day after the date of the initial removal and will be held in accordance with the procedures outlined in the Policy 5611 – Due Process Rights. The person who ordered or requested the removal will be present at the hearing.

A student in any of grades pre-kindergarten through 3 may be removed only for the remainder of the school day, and shall be permitted to return to any curricular and extra-curricular activities on the next school day (following the day in which the student was removed or excluded). When a student in any of grades pre-kindergarten through 3 is removed and returned to his/her curricular and extra-curricular activities the next school day, the Principal is not required to hold a hearing (or provide written notice of same).

The Principal shall not initiate suspension or expulsion proceedings against a student in any grades pre-kindergarten through 3 who was removed unless the student has committed one (1) of the following acts:
A. The student brings a firearm or knife capable of causing serious bodily injury to a school building or to any other property (including a school vehicle) owned, controlled, or operated by the Board, to an interscholastic competition, an extra-curricular event, or to any other school program or activity that is not located in a school or on property that is owned or controlled by the Board. Similarly, the Principal can initiate suspension or expulsion proceedings if the student possesses a firearm or knife capable of causing serious bodily injury at school or on any other property (including a school vehicle) owned, controlled, or operated by the Board, at interscholastic competition, an extra-curricular event, or at any other school program or activity that is not located in a school or on property that is owned or controlled by the Board.

B. The student commits an act at school, on other school property, at an interscholastic competition, extra-curricular event, or any other school program or activity and the act: 1) would be a criminal offense if committed by an adult; and 2) results in serious physical harm to person(s) as defined in R.C. 2901.01(A)(5), or to property as defined in R.C. 2901.01(A)(6).

C. The student makes a bomb threat to a school building or to any premises at which a school activity is occurring at the time of the threat.

D. The student engages in behavior of such a nature that suspension or expulsion is necessary to protect the immediate health and safety of the student, the student's fellow classmates, the classroom staff and teachers, or other school employees.

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

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

R.C. Chapter 2506, 3313.66, 3313.661, 3313.662, 3313.668

620
FINANCES

PURCHASING AND BIDDING

Price Quotations for Items Not Required to be Competitively Bid

It is the policy of the Board of Education that the Superintendent/designee seek at least three (3) price quotations, unless fewer quotations are available, on purchases of any supplies, materials, and/or equipment costing more than $10,000.00, except in cases of emergency or when the materials purchased are of such a nature that price negotiations would not result in a savings to the District or when the item is subject to formal bid. Standardized purchasing procedures of the District (AG 6320A) shall be followed when purchasing on the basis of price quotations from vendors.

Limitations

All purchases that are within the amount contained in the line item of the appropriation may be made upon authorization of the Treasurer unless the contemplated purchase is for more than $50,000.00, in which case prior approval is required from the Superintendent and Board of Education.

The Treasurer is authorized to adjust appropriations within a fund in order to make necessary purchases and shall report such modifications at the following regular Board meeting.

Then and Now Certificate

If the Treasurer can certify that both at the time of the purchase and at the time of certification, sufficient funds were available or in the process of collection, to the credit of the respective fund, properly appropriated and free from previous encumbrance, the expenditure may be authorized. The Board may approve such payment within thirty (30) days from receipt of such certificate.

Amounts of less than $3,000 may be paid by the Treasurer upon completion of the "then and now" certificate, provided that the expenditure is otherwise lawful.

The Superintendent is authorized to make emergency purchases, without prior adjustment, of those goods and/or services needed to keep the schools in operation. Such purchases shall be brought to the Board's attention at the next regular meeting.

"Blanket" Certificates

The Treasurer may issue "blanket" purchase orders (certificates) for a sum not exceeding an amount established by resolution of the Board against any specific line item account over a period of time, not to extend beyond the end of the fiscal year in which it is issued. Only one (1) "blanket" purchase order (certificate) may be outstanding at any one (1) particular time for any one (1) particular line item appropriation.

"Super Blanket" Certificates

The Treasurer may issue "super blanket" purchase orders (certificates) for any amount for expenditures and contracts from a specific line-item appropriation account in a specified fund for most professional services, fuel, oil, food items, and any other specific recurring and reasonably predictable operating expense. Such a purchase order (certificate) shall not extend beyond the fiscal year.

Contracts for Development and Improvement of Facilities

All contemplated contracts for professional design services such as from an architect or for construction management shall be in accordance with R.C. 9.33-. 9.335 and R.C. 153.65 - 153.71 as applicable, as well as any relevant provisions of the Ohio Administrative Code.

Competitive Bidding

When the Board determines to build, repair, enlarge, improve, or demolish a school building the cost of which will exceed $50,000, or for the purchase (or lease-purchase) of school buses, the Superintendent/designee shall obtain competitive bids.
In accordance with statute, the Board may elect to forego the bidding for contracts in any of the following situations if:

A. the Board elects and declares by resolution to participate in purchase contracts, in accordance with R.C. Chapter 125 and the terms and conditions prescribed by the Department of Administrative Services

B. the Board determines and declares by resolution adopted by two-thirds (2/3) of its members that any item is available and can be acquired only from a single source

C. the Board declares by resolution adopted by two-thirds (2/3) of its members that the installation, modification, and/or remodeling subject to contracting is involved in an energy conservation measure undertaken through an installment payment contract under R.C. 3313.372 or pursuant to R.C. 133.106(G)

D. the Board finds and determines that an urgent necessity exists (as defined by statute) with respect to a particular improvement

E. pursuant to R.C. 9.48, the Board participates in a joint purchasing program, operated by or through a national or State association of political subdivisions in which the Board is eligible for membership or through the Federal government or another political subdivision

The Superintendent shall verify that the specifications for any public improvement project for which bids are solicited do not require any bidder to:

A. enter into agreements with labor organizations on said public improvement; or

B. enter into an agreement that requires its employees to become members of or pay fees or dues to a labor organization as a condition of employment or continued employment.

Bidding shall be conducted in accordance with R.C. 3313.46 and related statutes.

Bids shall be sealed and shall be opened by the Treasurer/designee in the presence of at least one (1) witness.

Soliciting of Bids

The Board, by resolution, may award a bid to the lowest responsible bidder. For a bidder to be deemed responsible, the Board may require evidence from the bidder concerning:

A. the experience (type of product or service being purchased, etc.) of the bidder;

B. the financial condition;

C. the conduct and performance on previous contracts (with the District or other agencies);

D. the bidder's facilities;

E. management skills;

F. the ability to execute the contract properly;

G. signed affidavit affirming that neither the bidder nor any sub-contractor has entered into an agreement with any labor organization regarding the public improvement project.

Awarding of Bids

The Board shall approve all contracts resulting from competitive bids prior to being awarded. The Board reserves the right to reject any or all bids.

In situations in which the Board has resolved to award a bid to the lowest responsible bidder and the low bidder does not meet the considerations specified above, the Board shall notify the bidder, in writing, by certified mail.

Purchase of School Buses and Certain Other Motor Vehicles

The Board shall use competitive bidding to enter into an agreement for the purchase or lease-purchase of a school bus unless an exception to bidding applies. The term "school bus" includes any vehicle designed to carry more than nine (9) passengers excluding the driver. Bids shall indicate that prior to delivery the bus must comply with all applicable State laws and regulations, including the Ohio Pupil Transportation Operation and Safety Rules. No bid bonds will be required unless requested by the Board during the competitive bidding process. The Board is not required to use competitive bidding to rent or lease a school bus as long as the agreement does not include a provision for purchase of the bus.

For the purchase of motor vehicles other than school buses, the Board will follow the adopted procedures to obtain price quotations prior to purchase when applicable. Standardized purchasing procedures of the District shall be followed when purchasing a motor vehicle other than a school bus.

Lease-Purchase Agreements

Lease-purchase agreements entered into by the Board shall be in accordance with R.C. 3313.375. Such agreements shall be a series of one-year renewable lease terms totaling not more than thirty (30) years, after which time ownership is transferred to the Board if all obligations of the Board under the agreement have been satisfied.

Purchases from the State
In accordance with State law (R.C. 4115.31 - 4115.33), the Superintendent shall, in accordance with rules of the State committee for the purchase of products and services provided by persons with severe disabilities, procure products or services at the fair market price established by the committee from a qualified nonprofit agency for persons with severe disabilities, if the product or service is on the procurement list and is available within the period required by the District, notwithstanding any law requiring the purchase of products and services on a competitive bid basis.

Quantity Purchases

In order to promote efficiency and economy in the operation of the District, the Board requires that the Treasurer periodically estimate requirements for standard items or classes of items and make quantity purchases to procure the lowest cost consistent with good quality.

Requirement

Before the Treasurer places a purchase order, she shall check as to whether the proposed purchase is subject to bid, whether sufficient funds exist in the budget, and whether the material might be available elsewhere in the District. All purchase orders shall be numbered consecutively.

In the interests of economy, fairness, and efficiency in its business dealings, the Board requires that items commonly used in the various schools or units thereof, be standardized whenever consistency with educational goals can be maintained.

Employees may be held personally responsible for anything purchased without a properly-signed purchase order of authorization.

The Board may acquire equipment as defined in law by lease, by installment payments, by entering into lease-purchase agreements, or by lease with an option to purchase, provided the contract sets forth the terms of such a purchase and the purchase complies with applicable law and Board policy.

Reverse Auctions

It is the policy of the Board to permit the use of a reverse auction to purchase services and supplies whenever it is determined that the reverse auction process will be advantageous to the District (e.g., result in cost savings to the District). To that end, vendors may submit proposals when competing to sell services and/or supplies in an open environment via the Internet. While the reverse auction process may be used to purchase supplies such as equipment, materials, tangible assets and insurance, the process may be used to purchase real property or interests in real property. The process may also be used to purchase services such as the furnishing of labor, time, or effort by a person, provided such services do not involve the delivery of a specific end product other than a report, and are not being furnished in connection with an employment agreement or collective bargaining agreement and/or which are not subject to a competitive selection procedure required by law.

The Board will provide notice of the request for proposals and award contracts in accordance with the Superintendent's administrative guidelines.

Procurement – Federal Grants

The Superintendent shall maintain a procurement and contract administration system in accordance with the USDOE requirements (34 CFR 80.36) for the administration and management of Federal grants and Federally-funded programs. The District shall maintain a compliance system that requires contractors to perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. Except as otherwise noted, procurement transactions shall conform to the provisions of this policy and administrative guidelines (AG 6320). (See Policy 6325)

R.C. 9.25, 9.30, 9.311, 9.312, 9.314, 125.04, 153.02, 153.12, 153.54, 2909.33
R.C. 3313.37, 3313.375, 3313.46, 3313.172, 327.08, 4115.32 et seq., 4116.02
R.C. 4116.03, 4511.76, 5705.41, 5705.45
A.C. 3301-83

PROCUREMENT – FEDERAL GRANTS/FUNDS

This policy is effective July 1, 2018 per Federal Register 2017-09909 dated May 17, 2017 allowing an additional one year grace period for non-federal entities on top of an initial two year grace period for Uniform Guidance on Procurement.

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

The Superintendent shall maintain a procurement and contract administration system in accordance with the USDOE requirements (2 C.F.R. 200 317–326), including affirmative steps for small and minority businesses and women's business enterprises, for the administration and management of Federal grants and Federally-funded programs. The District shall maintain a contract administration system that requires contractors to perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. Except as otherwise noted, procurement transactions shall conform to the provisions of the District's documented general purchasing Policy 6320 and AG 6320A.

All District employees, officers, and agents who have purchasing authority shall abide by the standards of conduct covering conflicts of interest and governing the actions of its employees, officers, and agents engaged in the selection, award, and administration of contracts as established in Policy 3113, Policy 3113 and Policy 4113 – Conflict of Interest.

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

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

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

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

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

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

To the extent that the District uses a pre-qualified list of persons, firms or products to acquire goods and services that are subject to this policy, the pre-qualified list includes enough qualified sources as to ensure maximum open and free competition.

Solicitation Language

The District shall require that all solicitations made pursuant to this policy incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, shall set forth those minimum essential characteristics and standards to which it shall conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible.

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

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

Procurement Methods

The District shall utilize the following methods of procurement:

A. Micro-purchases

Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed $10,000. To the extent practicable, the District shall distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be made without soliciting competitive quotations if the Superintendent considers the price to be reasonable. The District maintains evidence of this reasonableness in the records of all purchases made by this method.

B. Small Purchases

Small purchase procedures provide for relatively simple and informal procurement methods for securing services, supplies, and other property that does not exceed the competitive bid threshold of $250,000. Small purchase procedures require that price or rate quotations shall be obtained from two or more qualified sources.

C. Sealed Bids

Sealed, competitive bids shall be obtained when the purchase of, and contract for, single items of supplies, materials, or equipment which amounts to more than $250,000 and when the Board determines to build, repair, enlarge, improve, or demolish a school building/facility the cost of which will exceed $50,000.

In order for sealed bidding to be feasible, the following conditions shall be present:

1. a complete, adequate, and realistic specification or purchase description is available;
2. two (2) or more responsible bidders are willing and able to compete effectively for the business, and
3. the procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.
When sealed bids are used, the following requirements apply:

1. Bids shall be solicited in accordance with the provisions of State law and Policy 6320. Bids shall be solicited from two or more qualified suppliers, providing sufficient response time prior to the date set for the opening of bids. The invitation to bid shall be publicly advertised.

2. The invitation for bids will include product/contract specifications and pertinent attachments and shall define the items and/or services required in order for the bidder to properly respond.

3. All bids will be opened at the time and place prescribed in the invitation for bids; bids will be opened publicly.

4. A firm fixed price contract award will be made in writing to the lowest responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts may only be used to determine the low bid when prior experience indicates that such discounts are usually taken.

5. The Board reserves the right to reject any or all bids for sound documented reason.

D. Competitive Proposals

Procurement by competitive proposal, normally conducted with more than one source submitting an offer, is generally used when conditions are not appropriate for the use of sealed bids or in the case of a recognized exception to the sealed bid method.

If this method is used, the following requirements apply:

1. Requests for proposals shall be publicized and identify all evaluation factors and their relative importance. Any response to the publicized requests for proposals shall be considered to the maximum extent practical.

2. Proposals shall be solicited from two or more sources.

3. The District shall use its written method for conducting technical evaluations of the proposals received and for selecting recipients.

4. Contracts shall be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.

The District may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors’ qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.

E. Noncompetitive Proposals

Procurement by noncompetitive proposals allows for solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:

1. the item is available only from a single source

2. the public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation

3. the Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the District

4. after solicitation of a number of sources, competition is determined to be inadequate

Contract/Price Analysis

The District shall perform a cost or price analysis in connection with every procurement action in excess of $250,000, including contract modifications. A cost analysis generally means evaluating the separate cost elements that make up the total price, while a price analysis means evaluating the total price, without looking at the individual cost elements.

The method and degree of analysis is dependent on the facts surrounding the particular procurement situation; however, the District shall come to an independent estimate prior to receiving bids or proposals.

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

Time and Materials Contracts

The District uses a time and materials type contract only (1) after a determination that no other contract is suitable; and (2) if the contract includes a ceiling price that the contractor exceeds at its own risk. Time and materials type contract means a contract whose cost to the District is the sum of the actual costs of materials, and direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, the District sets a ceiling price for each contract that the contractor exceeds at its own risk. Further, the District shall assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.
MINUTES- JACKSON LOCAL SCHOOL DISTRICT BOARD OF EDUCATION- MARCH 19, 2019

Suspension and Debarment

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

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

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

Debarment is an action taken by the Superintendent to exclude a person from participating in covered transactions and transactions covered under the Federal Acquisition Regulation (48 C.F.R chapter 1). A person so excluded is debarred. (2 C.F.R. Part 180 Subpart H)

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

Bid Protest

The District maintains the following protest procedures to handle and resolve disputes relating to procurements and, in all instances, discloses information regarding the protest to the awarding agency.

A bidder who wishes to file a bid protest shall file such notice and follow procedures prescribed by the Request for Proposals (RFPs) or the individual bid specifications package, for resolution. Bid protests shall be filed in writing with the Superintendent within seventy-two (72) hours of the opening of the bids in protest.

Within five (5) days of receipt of a protest, the Superintendent shall review the protest as submitted and render a decision regarding the merits of the protest and any impact on the acceptance and rejection of bids submitted. Notice of the filing of a bid protest shall be communicated to the Board and shall be so noted in any subsequent recommendation for the acceptance of bids and awarding of contracts.

Failure to file a notice of intent to protest, or failure to file a formal written protest within the time prescribed, shall constitute a waiver of proceedings.

Maintenance of Procurement Records

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

2 C.F.R. 200.317 -.326

CROWDFUNDING

This policy applies to the use of any form of crowdfunding utilizing an online service or website-based platform for the financial benefit or gain of the District — be it a specific classroom, grade level, department, school, or curricular or extracurricular activity.

“Crowdfunding” is defined as the solicitation of resources from individuals and/or organizations to support identified activities or projects that enhance the educational program or a specific cause approved by the District. The solicitation is typically from a large number of individuals/organizations utilizing internet-based technologies.

The Board of Education does not permit or sanction the use of crowdfunding for District or specific school programs or activities, including co-curricular or extracurricular activities.

SCHOOL SAFETY

The Board of Education is committed to maintaining a safe and drug-free environment in all of the District’s schools. The Board believes that school crime and violence are multifaceted problems that need to be addressed in a manner that utilizes all available resources in the community through a coordinated effort of School District personnel, law enforcement agencies, and families. The Board further believes that school administrators and local law enforcement officials must work together to provide for the safety and welfare of students while they are at school or a school-related event or are on their way to and from school. The Board also believes that the first step in addressing school crime and violence is to assess the extent and nature of the problem(s) or threat, and then plan and implement strategies that promote school safety and minimize the likelihood of school crime and violence.

Emergency Management Plan (“EMP”)

To that end, the Superintendent shall develop and adopt a comprehensive Emergency Operations Plan (“EOP”) for each building under his/her control. In developing the EOP for each building, the Superintendent shall involve community law enforcement and safety officials (including, but not limited to, law
enforcement, fire, emergency medical personnel, and any local divisions having county-wide emergency management), parents of students who are assigned to the building, and teachers and nonteaching employees assigned to the building. Each EOP shall contain the name, title (if applicable), contact information, and signature of each person involved in development of the EOP.

In developing the EOP, the Superintendent shall examine the environmental conditions and operations of each building to determine potential hazards to student and staff safety. The Superintendent shall further propose operating changes to promote the prevention of potentially dangerous problems and circumstances. The Superintendent shall incorporate remediation strategies into the EOP for any building where documented safety problems have occurred.

Each EOP will consist of four (4) parts:

A. A single document to address all hazards that may negatively impact the school; including but not limited to active shooter, hostage, bomb threat, act of terrorism, bullying, and any other natural or manmade events that the Superintendent knew or should have reasonably known about that compromise the health or safety of students, employees, administrators, or property. The document will include:
   1. a hazard identification and risk analysis (i.e., a process to identify hazards and assess the vulnerability associated with each);
   2. an all-hazards emergency operations plan organized around five (5) mission areas: prevention, protection, mitigation, response, and recovery. The plan shall be compliant with the "National Incident Management System" (NIMS);
   3. the access and functional needs of the students, teachers, and staff;
   4. education for students, staff, and administrators to avoid, deter, or stop an imminent crime or safety issue, threatened or actual;
   5. procedures for notifying law enforcement, fire, EMS, emergency management, mental health, and other outside experts who could assist in responding to and recovering from an emergency;

   The plan shall be updated and revised at least every three (3) years from the previous date of compliance to reflect lessons learned and best practices to continually improve the plan. The emergency management test and actual emergencies at the school buildings will be a source for lessons learned.

B. A floor plan unique to each floor of each school the building.

C. A site plan that includes all school building property and surrounding property.

D. An emergency contact information sheet.

The Superintendent shall submit an electronic copy of each EOP s/he developed and adopted to the Ohio Department of Education ("ODE") not less than once every three (3) years, whenever a major modification to the building requires changes to the procedures outlined in the EOP; and whenever the information or the emergency contact information sheet changes. No later than the date prescribed by ODE, the Superintendent shall also file a copy of the current, updated EOP with the following:

A. each law enforcement agency that has jurisdiction over the school building; and

B. upon request, the local fire department, emergency medical service organization, and county emergency management agency serving the area in which the building is located.

The Superintendent will also file copies of updated EOPs with ODE and the above agencies within ten (10) days after s/he adopts the revised EOPs.

The EOP is not a public record.

The Superintendent shall prepare and conduct at least one (1) annual emergency management test, in accordance with rules adopted by the Ohio Department of Education (ODE). By July 1st of every year, the Superintendent shall review the EOPs s/he previously developed and adopted, and certify in writing to the ODE that the EOPs are current and accurate.

The emergency management test must be a scheduled event; an actual emergency will not satisfy this requirement, even if an after-action report is produced. The emergency management test must be a tabletop, functional, or full-scale as defined in A.C. 3301-5-01, and each type shall be used once every three (3) years. It must include at least one (1) hazard from the hazard analysis in the EOP and at least one (1) functional content area. At least one (1) representative from law enforcement, fire, EMA, EMS, and/or behavioral health should be included.

Students may participate in the emergency management test at the discretion of the Principal. In deciding whether, and to what extent, to involve students in an emergency management test, the Principal should consider what benefit student inclusion in the emergency management test may have on the student population's preparation for an emergency and to enhance the safety of students in the building. The Principal shall also consider age-appropriate participation, guidance, and training in preparation for students' participation in the test.

The Superintendent shall submit an after-action report to the ODE no later than thirty (30) days after the emergency management test documenting the following: 1) date/time/weather/length of exercise; 2) the type of discussion/operations based exercise; 3) the scenario utilized; 4) the hazard(s) utilized (including safety data sheets, as appropriate); 5) the functional content area(s) utilized; and 6) the identification of at least three (3) strengths and at least three (3) improvement areas of the EOP discovered as a result of the emergency management test.

The Superintendent shall grant access to each school building under his/her control to law enforcement personnel and any local fire department, emergency medical service organization, and/or county emergency management agency that has requested a copy of the EOP, to enable such personnel and entities to conduct training sessions for responding to threats and emergency events affecting the school building. Such access shall be provided outside of student instructional hours and the Superintendent or designee shall be present in the building during the training sessions.
Prior the opening day of each school year, the Superintendent shall inform each enrolled student and the student’s parent/legal guardian of the procedures to be used to notify parents in the event of an emergency or a serious threat to safety. Any student enrolled in the school after the annual notification and their parent/legal guardian shall be notified upon enrollment. Also, see Policy 8420 - Emergency Situations at School.

Threat Assessment

The primary purpose of a threat assessment is to minimize the risk of targeted violence at school. The following threat assessment process is designed to be consistent with the process set forth in the joint U.S. Secret Service and U.S. Department of Education publication, Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates for identifying, assessing, and managing students who may pose a threat. The goal of the threat assessment process is to take appropriate preventive or corrective measures to maintain a safe school environment, protect and support potential victims, and provide assistance, as appropriate, to the student being assessed.

The threat assessment process is centered upon an analysis of the facts and evidence of behavior in a given situation. The appraisal of risk in a threat assessment focuses on actions, communications, and specific circumstances that might suggest that an individual intends to cause physical harm and is engaged in planning or preparing for that event.

The Board authorizes the Superintendent to create building-level, trained threat assessment teams. Each Team shall be headed by the Principal and may include a school counselor, school psychologist, instructional personnel, and/or the School Resource Officer, where appropriate. At the discretion of the Superintendent, a threat assessment team may serve more than one (1) school when logistics and staff assignments make it feasible.

The Team will meet when the Principal learns a student has made a threat of violence or engages in concerning communications or behaviors that suggest the likelihood of a threatening situation.

The Team is empowered to gather information, evaluate facts, and make a determination as to whether a given student poses a threat of violence to a target. If an inquiry indicates that there is a risk of violence in a specific situation, the Team may collaborate with others to develop and implement a written plan to manage or reduce the threat posed by the student in that situation.

The Board authorizes the Superintendent to create guidelines for the purpose of:

A. identifying team participants by position and role;
B. requiring team participants to undergo appropriate training;
C. defining the nature and extent of behavior or communication that would trigger a threat assessment and/or action pursuant to a threat assessment;
D. defining the types of information that may be gathered during the assessment;
E. stating when and how parents/guardians of the student making the threat shall be notified and involved;
F.designating the individuals (by position) who are responsible for gathering and investigating information;
G. identifying the steps and procedures to be followed from initiation to conclusion of the threat assessment inquiry or investigation.

Board employees, volunteers, and other school community members, including students and parents, shall immediately report to the Superintendent or Principal any expression of intent to harm another person or other statements or behaviors that suggest a student may intend to commit an act of violence.

Nothing in this policy overrides or replaces an individual's responsibility to contact 911 in an emergency.

Regardless of threat assessment activities or protocols, disciplinary action and referral to law enforcement shall occur as required by State law and Board policy.

Threat assessment team members shall maintain student confidentiality at all times as required by Board Policy 8330 - Student Records, and State and Federal law.

Safe and Drug Free Schools

As a part of the EOP, the Board shall verify that it has procedures in place for keeping schools safe and drug-free that include (see also, Form 8330 F15 entitled Checklist of Policies and Guidelines Addressing Safe and Drug Free Schools):

A. appropriate and effective school discipline policies that prohibit disorderly conduct, the illegal possession of weapons and the illegal use, possession, distribution, and sale of tobacco, alcohol, and other drugs by students;
B. security procedures at school and while students are on the way to and from school;
C. prevention activities that are designed to maintain safe, disciplined and drug-free environments;

D. a code of conduct or policy for all students that clearly states the responsibilities of students, teachers, and administrators in maintaining a classroom environment that:
   1. allows a teacher to communicate effectively to all students in the class;
   2. allows all students in the class the opportunity to learn;
   3. has consequences that are fair, and developmentally appropriate;
4. considers the student and the circumstances of the situation; and
5. is enforced accordingly.

Persistently Dangerous Schools

The Board recognizes that State and Federal law requires that the District report annually incidents which meet the statutory definition of violent criminal offenses that occur in a school, on school grounds, on a school conveyance, or at a school-sponsored activity. It is further understood that the State Department of Education will then use this data to determine whether or not a school is considered "persistently dangerous" as defined by State policy.

Pursuant to the Board's stated intent to provide a safe school environment, the school administrators are expected to respond appropriately to any and all violations of the Student Code of Conduct, especially those of a serious, violent nature. In any year where the number of reportable incidents of violent criminal offenses in any school exceed the threshold number established in State policy, the Superintendent shall convene a meeting of the building administrator, representative(s) of the local law enforcement agencies, and any other individuals deemed appropriate for the purpose of developing a plan of corrective action that can be implemented in an effort to reduce the number of these incidents in the subsequent year.

The Superintendent shall make a report to the Board about this plan of corrective action and shall recommend approval and adoption of it.

In the unexpected event that the number of reportable incidents in three (3) consecutive school years exceeds the statutory threshold and the school is identified as persistently dangerous, students attending the school shall have the choice option as provided in Policy 5113.02 and AG 5113.02.

In addition, the Superintendent shall convene a meeting of the building administrator, representative(s) of the local law enforcement agencies, and any other individuals deemed appropriate for the purpose of developing a plan of corrective action that can be implemented in an effort to reduce the number of these incidents in the subsequent year.

Victims of Violent Crime

The Board further recognizes that, despite the diligent efforts of school administrators and staff to provide a safe school environment, an individual student may be a victim of a violent crime in a school, on school grounds, on a school conveyance, or at a school-sponsored activity. In accordance with Federal and State law the parents of the eligible student shall have the choice options provided by Policy 5113.02 and AG 5113.02.

R.C. 3313.536
A.C. 3301-5-01
Title IX, Section 9532 of the Elementary and Secondary Education Act, as amended
20 U.S.C. 6301 et. seq.
Public Law 107-110

FOOD SERVICES

The Board of Education shall provide cafeteria facilities in all school facilities where space and facilities permit, and will provide food service for the purchase and consumption of food for all students. The Board shall annually encumber the funds needed to operate the program.

The food-service program shall comply with Federal and State regulations pertaining to the selection, preparation, consumption, and disposal of food and beverages, including but not limited to the current USDA's school meal pattern requirements and the USDA Smart Snacks in School nutrition standards, as well as to the fiscal management of the program.

The Board does not discriminate on the basis of race, color, national origin, sex (including sexual orientation or gender identity), disability, age (except as authorized by law), religion, military status, ancestry, or genetic information (collectively, "Protected Classes") in its educational programs or activities. Students and all other members of the School District community and third parties are encouraged to promptly report incidents of unlawful discrimination and/or retaliation to a teacher, administrator, supervisor, or other District official so that the Board may address the conduct. See Policy 2250 – Non-discrimination and Access to Equal Educational Opportunity.

The Board shall approve and implement nutrition standards governing the types of food and beverages that may be sold on the premises of its schools and shall specify the time and place each type of food or beverage may be sold. In adopting such standards, the Board shall:

A. consider the nutritional value of each food or beverage;

B. consult with a dietitian licensed under R.C. Chapter 4759, a dietetic technician registered by the commission on dietetic registration, or a school nutrition specialist certified or credentialed by the school nutrition association;

C. consult and incorporate to the maximum extent possible the dietary guidelines for Americans jointly developed by the United States Department of Agriculture (USDA) and the United States Department of Health and Human Services; and

D. consult and incorporate the USDA Smart Snacks in School nutrition guidelines.

No food or beverage may be sold on any school premises except in accordance with the standards approved by the Board.

In addition, as required by law, a food safety program that is based on the principles of the Hazard Analysis and Critical Control Point (HACCP) system shall be implemented with the intent of preventing food-borne illnesses. For added safety and security, access to the facility and the food stored and prepared therein shall be limited to food service program staff and other authorized persons.
The Board shall provide a Federal food service program for students during summer intervention programs that are mandated under Federal law. If the Board determines that it is unable to provide a Federal food service program during the summer, for financial reasons, the Board will communicate that decision to its residents in a manner it determines to be appropriate.

During all times while the food service program is operating and students are being served food, at least one (1) employee shall be present in the area in which the food is being consumed who has received instruction in methods to prevent choking and demonstrated an ability to perform the Heimlich maneuver.

Substitutions

If determined appropriate by a student's Section 504 team, substitutions to the standard meal requirements shall be made, at no additional charge, for students for whom a health care provider who has prescriptive authority in the State of Ohio has provided medical certification that the student has a disability that restricts his/her diet, in accordance with the criteria set forth in 7 C.F.R. Part 15b. To qualify for such substitutions the medical certification must identify:

A. the student's disability and the major life activity affected by the disability;
B. an explanation of why the disability affects the student's diet; and
C. the food(s) to be omitted from the student's diet and the food or choice of foods that must be substituted (e.g., calories modifications or use of liquid nutritive formula).

If determined appropriate by a team of qualified individuals including, but not limited to, the Principal, school nurse, parent, Director of Food Services, substitutions to the standard meal requirements may be made, at no additional charge, for a student who is not a "disabled person", but has a signed statement from a qualified medical authority that the student cannot consume certain food items due to medical or other special dietary needs. To qualify for such consideration and substitutions the medical statement must identify:

A. the medical or dietary need that restricts the student's diet; and
B. the food(s) to be omitted from the student's diet and the food(s) or choice of foods that may be substituted.

For non-disabled students who need a nutritionally equivalent milk substitute, only a signed request by a parent or guardian is required.

Lunches sold by the school may be purchased by students and staff members and community residents in accordance with administrative guidelines established by the Superintendent. Lunches may be made available, free of charge, to senior citizens who are serving as volunteers to the District.

The operation and supervision of the food-service program shall be the responsibility of the Food Service Supervisor. In accordance with Federal law, the Food Service Supervisor shall take such actions as are necessary to obtain a minimum of two (2) food safety inspections per school year, which are conducted by the State or local governmental agency responsible for food safety inspections. The report of the most recent inspection will be posted in a publicly visible location, and a copy of the report will be available upon request.

A periodic review of the food-service accounts shall be made by the Food Service Supervisor. Any surplus funds from the National School Lunch Program shall be used to reduce the cost of the service to students or to purchase cafeteria equipment. Surplus funds from a-la-carte foods may accrue to the food-service program.

Bad debt incurred through the inability to collect lunch payment from students is not an allowable cost chargeable to any Federal program. Any related collection cost, including legal cost, arising from such bad debt after they have been determined to be uncollectable are also unallowable.

Bad debt is uncollectable/delinquent debt that has been determined to be uncollectable by the end of the school year in which the debt was incurred. If the uncollectable/delinquent debt cannot be recovered by the School Meals Program in the year when the debt was incurred, then this is classified as bad debt. Once classified as bad debt, non-Federal funding sources must reimburse the NSFSA for the total amount of bad debt. The funds may come from the district general fund, state or local funding, school or community organizations such as the PTA, or any other non-Federal source. Once the uncollectable/delinquent debt charges are converted to bad debt, records relating to those charges must be maintained in accordance with the record retention requirements in 7 CFR 210.6(b) (17) and 7 CFR 210.15(b).

The Superintendent is authorized to develop and implement an administrative guideline regarding meal charge procedures. This guideline will provide consistent directions for students who are eligible for reduced price or paid meals but do not have funds in their account or in hand to cover the cost of their meal at the time of service.

This guideline shall be provided in writing to all households at the start of each school year and to households transferring to the school or School District during the school year.

With regard to the operation of the school food service program, the Superintendent shall require:

A. the maintenance of sanitary, neat premises free from fire and health hazards;
B. the preparation of food that complies with Federal food safety regulations;
C. the planning and execution of menus in compliance with USDA requirements;
D. the purchase of food and supplies in accordance with State and Federal law, USDA regulations, and Board policy; (see Policy 1130, Policy 1214, Policy 3113, Policy 3214, Policy 4113, Policy 4214, and Policy 6460)
E. complying with food holds and recalls in accordance with USDA regulations;
F. the administration, accounting and disposition of food-service funds pursuant to Federal and State law and USDA regulations;
G. the safekeeping and storage of food and food equipment pursuant to State and Federal law and USDA regulations;

H. the regular maintenance and replacement of equipment;

I. all District employees whose salaries are paid for with USDA funds or non-Federal funds used to meet a match or cost share requirement must comply with the District’s time and effort record-keeping policy (see Policy 6116).

In accordance with the nutritional standards adopted by the Board, the placement of vending machines in any classroom where students are provided instruction, unless the classroom is also used to serve meals to students, is prohibited.

The District shall serve only nutritious food in accordance with the nutritional standards adopted by the Board in compliance with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition guidelines. Foods and beverages in competition with the District’s food-service program must comply with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition guidelines, and may only be sold in accordance with Board Policy 8550.

The Superintendent will require that the food service program serve foods in the schools of the District that are wholesome and nutritious and reinforce the concepts taught in the classroom.

The Superintendent is responsible for implementing the food service program in accordance with the adopted nutrition standards and shall provide a report regarding the District’s compliance with the standards at one of its regular meetings annually.

R.C. 3313.81, 3313.811-815
A.C. 3301-91
42 U.S.C. 1758
OMB Circular No. A-87 USDA Smart Snacks in School Food Guidelines (effective July 1, 2014)
SP 32-2015 Statements Supporting Accommodations for Children with Disabilities in the Child Nutrition Programs

DEFINITIONS

Whenever the following items are used in these bylaws, policies and administrative guidelines, they shall have the meaning set forth below:

Administrative Guideline

A statement, based on policy, usually written, which outlines and/or describes the means by which a policy should be implemented and which provides for the management cycle of planning, action, and assessment or evaluation.

Agreement

A collectively negotiated contract with a recognized bargaining unit.

Apps and Services

Apps and services are software (i.e., computer programs) that support the interaction of wireless communication devices (as defined in Bylaw 0100, above) over a network, or client-server applications in which the user interface runs on a web browser. Apps and services are used to communicate-transfer information/data that allow students to perform actions/tasks that assist them in attaining educational achievement goals/objectives, enable staff to monitor and assess their students’ progress, and allow staff to perform other tasks related to their employment. Apps and services are also used to facilitate communication to, from among and between, staff, students, and parents, Board members and/or other stakeholders and members of the community.

Board

The Board of Education.

Bylaw

Rule of the Board for its own governance.

Classified Employee

An employee who provides support to the District’s program and whose position does not require a professional license.

Compulsory School Age

A child between six (6) and eighteen (18) years of age or a child under six (6) years of age who has been enrolled in kindergarten unless at any time the child’s parent or guardian, at the parent’s or guardian’s discretion and in consultation with the child’s teacher and principal, formally withdraws the child from kindergarten.

District

The School District.
MINUTES- JACKSON LOCAL SCHOOL DISTRICT BOARD OF EDUCATION- MARCH 19, 2019

Due Process

The safeguards to which a person is entitled in order to protect his/her rights.

Educational Service Center Superintendent

The Superintendent of Schools for the Stark County Educational Service Center Schools.

Full Board

Authorized number of voting members entitled to govern the District.

Information Resources

The Board defines Information Resources to include any data/information in electronic, audio-visual or physical form, or any hardware or software that makes possible the storage and use of data/information. This definition includes but is not limited to electronic mail, voice mail, social media, text messages, databases, CD-ROMs/DVDs, web sites, motion picture film, recorded magnetic media, photographs, digitized information, or microfilm. This also includes any equipment, computer facilities, or online services used in accessing, storing, transmitting or retrieving electronic communications.

May

This word is used when an action by the Board or its designee is permitted but not required

Meeting

Any prearranged discussion of the Board’s public business by a majority of Board members.

Parent

The natural, adoptive, or surrogate parents or the party designated by the courts as the legal guardian or custodian of a student. Both parents will be considered to have equal rights unless a court of law decrees otherwise. When a student is the subject of a power of attorney or caretaker authorization affidavit executed by the student’s grandparent(s) designated as the attorney-in-fact under the power of attorney or the grandparent who executed the affidavit.

Although the grandparent is authorized to provide consent in all school related matters and to obtain from the school district educational and behavioral information about the student, the power of attorney does not preclude the parent, guardian, or custodian of the child from having access to all school records pertinent to the child.

Likewise, although the grandparent is authorized to provide consent in all school related matters and to discuss with the school district the student’s educational progress, the caretaker authorization affidavit does not preclude the parent, guardian, or custodian of the child from having access to all school records pertinent to the child.

Personal Communication Devices

Personal communication devices ("PCDs") include computers, laptops, tablets, e-readers, cellular/mobile phones, smartphones, telephone paging devices (e.g., beepers or pagers), and/or other web-enabled devices of any type.

Policy

A general, written statement by the governing board which defines its expectations or position on a particular matter and authorizes appropriate action that must or may be taken to establish and/or maintain those expectations.

President

The chief executive officer of the Board. (See Bylaw 0170)

Principal

The educational leader and head administrator of one (1) or more District schools. In policy and administrative guidelines, implies delegation of designated responsibilities to appropriate members of his/her staff.

Professional Staff Member

An employee who implements or supervises one (1) or more aspects of the District's program and whose position requires a professional credential from the Division of Teacher Education and Licensing.

Relative

The mother, father, sister, brother, spouse, parent of spouse, child, grandparents, grandchild, or dependent in the immediate household as defined in the negotiated, collectively-bargained agreement.

Secretary

The chief clerk of the Board of Education.
MINUTES - JACKSON LOCAL SCHOOL DISTRICT BOARD OF EDUCATION - MARCH 19, 2019

Shall

This word is used when an action by the Board or its designee is required. (The word "will" or "must" signifies a required action.)

Social Media

Social media are online platforms where users engage one another and/or share information and ideas through text, video, or pictures. Social media consists of any form of online publication or presence that allows interactive communication, including, but not limited to, text messaging, instant messaging, websites, web logs ("blogs"), wikis, online forums (e.g., chat rooms), virtual worlds, and social networks. Examples of social media include, but are not limited to, Facebook, Facebook Messenger, Google Hangouts, Twitter, LinkedIn, YouTube, Flickr, Instagram, Pinterest, Snapchat, Skype, and Facetime. Social media does not include sending or receiving e-mail through the use of District-issued e-mail accounts. Apps and services shall not be considered social media unless they are listed on the District’s website as District-approved social media platforms/sites.

Student

A person who is officially enrolled in a school or program of the District.

Superintendent

The chief executive officer of the School District. In policy, implies delegation of responsibilities to appropriate staff members.

Technology Resources

The Board defines Technology Resources to include computers, laptops, tablets, e-readers, cellular/mobile telephones, smartphones, web-enabled devices, video and/or audio recording equipment, SLR and DSLR cameras, projectors, software and operating systems that work on any device, copy machines, printers and scanners, information storage devices (including mobile/portable storage devices such as external hard drives, CDs/DVDs, USB thumb drives and memory chips), the computer network, Internet connection, and online educational services and apps.

Textbook

This word is used to describe the learning material duly adopted and required as standard work for the study of a particular subject. It may be bound and printed with a hard or soft cover, or it may be electronic, e.g., computer software, interactive videodisc, magnetic media, CD ROM, computer courseware, on-line service, electronic medium, or other means of conveying information.

Treasurer

The chief fiscal officer of the District.

Vice-President

The Vice-President of the Board of Education. (See Bylaw 0170)

Voting

A vote at a meeting of the Board of Education. The law requires that Board members must be physically present in order to have their vote officially recorded in the Board minutes.

Citations to Ohio Statute are noted as R.C. (Revised Code). Citations to Rules of the State Board of Education are noted as A.C. (Administrative Code). Citations to the Federal Register are noted as F.R., to the Code of Federal Regulations as C.F.R., and to the United States Code as U.S.C.

TECHNOLOGY

The Board of Education is committed to the effective use of technology to both enhance the quality of student learning and the efficiency of District operations.

Students’ use of District Technology Resources (see definitions in Bylaw 0100) is a privilege, not a right. Students and their parents must sign and submit a Student Technology Acceptable Use and Safety form annually. (See also, Policy 7540.03)

The Superintendent shall develop, recommend for approval by the Board, and implement a written District Technology Plan (DTP). One (1) of the primary purposes of the DTP is to evaluate new and emerging technologies and how they will play a role in student achievement and success and/or efficient and effective District operations. The Board will financially support, as the budget permits, the DTP, including recommendations to provide new and developing technology for students and staff.

The Superintendent shall create a Technology Governance Committee (see AG 7540B) to oversee and guide the development of the DTP. The Superintendent shall appoint individuals to the Technology Governance Committee that include representatives of all educational, administrative and business/operational areas in the District.

The DTP shall set forth procedures for the proper acquisition of technology. The DTP shall also provide guidance to staff and students about making safe, appropriate and ethical use of District Technology Resources, as well as inform both staff and students about disciplinary actions that will be taken if its Technology Resources are abused in any way or used in an inappropriate, illegal, or unethical manner. See Policy 7540.03 and AG 7540.01 - Student Technology Acceptable Use and Safety, and Policy 7540.04 and AG 7540.04 - Staff Technology Acceptable use and Safety.

The Superintendent, in conjunction with the Technology Coordinator, shall review the DTP and report any changes, amendments, or revisions to the Board.
This policy, along with the Student and Staff Technology Acceptable Use and Safety policies, and the Student Code of Conduct, further govern students’ and staff members’ use of their personal communication devices (see Policy 5136 and Policy 7530.02). Users have no right or expectation of privacy when using District technology resources (including, but not limited to, privacy in the content of their personal files, e-mails and records of their online activity when using the District’s computer network and/or Internet connection).

Further safeguards shall be established so that the Board’s investment in both hardware and software achieves the benefits of technology and inhibits negative side effects. Accordingly, students shall be educated about appropriate online behavior including, but not limited to, using social media, which is defined in Bylaw 0100, to interact with others online; interacting with other individuals in chat rooms or on blogs; and, recognizing what constitutes cyberbullying, understanding cyberbullying is a violation of Board policy, and learning appropriate responses if they experience cyberbullying.

The Board prohibits students from using District Technology Resources to access and/or use social media for other than instructional purposes.

Staff may use District-approved social media for platforms/sites in accordance with Policy 7544 and, pursuant to Policy 7540.02, may use web content, apps, and services for one-way communication with the District’s constituents. Authorized staff may use District Technology Resources to access and use District-approved social media platforms/sites to increase awareness of District programs and activities, as well as to promote achievements of staff and students, provided the Superintendent approves, in advance, such access and use. Use of District-approved social media platforms/sites for business-related purposes is subject to Ohio’s public records laws and, as set forth in Policy 7544, staff members are responsible for archiving their social media and complying with the District’s record retention schedule. See Policy 8110 – Public Records, AG 8310A – Public Records, and AG 8310E – Records Retention and Disposal.

Staff must comply with Policy 7544, Policy 7540.04 and Policy 7530.02 when using District Technology Resources to access and/or use social media for personal purposes.

WEB ACCESSIBILITY, CONTENT, APPS, AND SERVICES

A. Creating Content for Web Pages/Sites, Apps and Services

The Board of Education authorizes staff members to create content, apps and services (see Bylaw 0100 Definitions) that will be hosted by the Board on its servers or District-affiliated servers and/or published on the Internet.

The content, apps, and services must comply with State and Federal law (e.g., copyright laws, Children’s Internet Protection Act (CIPA), Section 504 of the Rehabilitation Act of 1973 (Section 504), Americans with Disabilities Act (ADA), and Children’s Online Privacy Protection Act (COPPA)), and reflect the professional image/brand of the District, its employees, and students. Content, apps, and services must be consistent with the Board’s Mission Statement and staff-created content, apps, and services are subject to prior review and approval of the Superintendent before being published on the Internet and/or used with students.

B. Purpose of Content of District Web Pages/Sites, Apps, and Services

The purpose of content, apps, and services hosted by the Board on its servers or District-affiliated servers is to educate, inform, and communicate. The following criteria shall be used to guide the development of such content, apps, and services:

1. Educate

   Content should be suitable for and usable by students and teachers to support the curriculum and the Board’s Objectives as listed in the Board’s Strategic Plan.

2. Inform

   Content may inform the community about the school, teachers, students, or departments, including information about curriculum, events, class projects, student activities, and departmental policies.

3. Communicate

   Content may communicate information about the plans, policies and operations of the District to members of the public and other persons who may be affected by District matters.

The information contained on the Board’s website(s) should reflect and support the Board’s Mission Statement, Educational Philosophy, and the School Improvement Process.

When the content includes a photograph or personally identifiable information relating to a student, the Board will abide by the provisions of Policy 8330 - Student Records.

Under no circumstances is District-created content, apps, and services, to be used for commercial purposes, advertising, political lobbying or to provide financial gains for any individual. Included in this prohibition is the fact no content contained on the District's website may: (1) include statements or other items that support or oppose a candidate for public office, the investigation, prosecution or recall of a public official, or passage of a tax levy or bond issue; (2) link to a website of another organization if the other website includes such a message; or (3) communicate information that supports or opposes any labor organization or any action by, on behalf of, or against any labor organization.

Under no circumstances is staff member-created content, apps, and services, including personal web pages/sites, to be used to post student progress reports, grades, class assignments, or any other similar class-related material. Employees are required to use the Board-specified website, apps, or service (e.g., SunGuard) for the purpose of conveying information to students and/or parents.

Staff members are prohibited from requiring students to go to the staff member’s personal web pages/sites (including, but not limited to, their Facebook, Instagram, or Pinterest pages) to check grades, obtain class assignments and/or class-related materials, and/or to turn in assignments.
If a staff member creates content, apps, and services related to his/her class, it must be hosted on the Board's server or a District-affiliated server. Web content, apps, and services should reflect an understanding that both internal and external audiences will be viewing the information.

School web pages/sites, apps, and services must be located on Board-owned or District-affiliated servers.

The Superintendent shall prepare administrative guidelines defining the rules and standards applicable to the use of the Board's web site and the creation of content, apps, and services by staff.

The Board retains all proprietary rights related to the design of content, apps, and services that are hosted on Board-owned or District-affiliated servers, absent written agreement to the contrary.

Students who want their class work to be displayed on the Board's web site must have written parent permission and expressly license its display without cost to the Board.

Prior written parental permission is necessary for a student to be identified by name on the Board's web site.

C. Website Accessibility

The District is committed to providing persons with disabilities an opportunity equal to that of persons without disabilities to participate in the District's programs, benefits, and services, including those delivered through electronic and information technology, except where doing so would impose an undue burden or create a fundamental alteration. The District is further committed to ensuring persons with disabilities are able to acquire the same information, engage in the same interactions, and enjoy the same benefits and services within the same timeframe as persons without a disability, with substantially equivalent ease of use; that they are not excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in any District programs, services, and activities delivered online, as required by Section 504 and Title II of the ADA and their implementing regulations; and that they receive effective communication of the District's programs, services, and activities delivered online.


1. Technical Standards

The District will adhere to the technical standards of compliance identified at www.jackson.stark.k12.oh.us. The District measures the accessibility of online content and functionality according to the World Wide Web Consortium's Web Content Accessibility Guidelines (WCAG) 2.0 Level AA, and the Web Accessibility Initiative - Accessible Rich Internet Applications Suite (WAI-ARIA 1.1) for web content.

2. Web Accessibility Coordinator

The Board designates its Technology Director as the District's web accessibility coordinator. That individual is responsible for coordinating and implementing this policy.

The Board commits to providing the Web Accessibility Coordinator with sufficient resources and authority to coordinate and implement this policy and any corresponding guideline(s) subject to oversight by the Superintendent and the Board.

The District's web accessibility coordinator can be reached at Technology Director, 7600 Fulton Dr NW, Massillon, OH 44646, 330-837-3501.

3. Third Party Content

Links included on the Board's website(s), services, and apps that pertain to its programs, benefits, and/or services must also meet the above criteria and comply with State and Federal law (e.g., copyright laws, CIPA, Section 504, ADA, and COPPA). While the District strives to provide access through its website to online content provided or developed by third parties (including vendors, video-sharing websites, and other sources of online content) that is in an accessible format, that is not always feasible. The District's administrators and staff, however, are aware of this requirement with respect to the selection of online content provided to students. The District's web accessibility coordinator or his/her designees will vet online content available on its website that is related to the District's programs, benefits, and/or services for compliance with this criteria for all new content placed on the District's website after adoption of this policy.

Nothing in the preceding paragraph, however, shall prevent the District from including links on the Board's website(s) to:

a. recognized news/media outlets (e.g., local newspapers' websites, local television stations' websites); or

b. websites, services, and/or apps that are developed and hosted by outside vendors or organizations that are not part of the District's program, benefits, or services.

The Board recognizes that such third party websites may not contain age-appropriate advertisements that are consistent with the requirements of Policy 9700.01, AG 9700B, and State and Federal law.

4. Regular Audits

The District, under the direction of the web accessibility coordinator(s) or his/her designees, will, at regular intervals, audit the District's online content and measure this content against the technical standards adopted above.

This audit will occur no less than once every two (2) years.
If problems are identified through the audit, such problems will be documented, evaluated, and, if necessary, remediated within a reasonable period of time.

5. Reporting Concerns or Possible Violations

If any student, prospective student, employee, guest, or visitor believes that the District has violated the technical standards in its online content, s/he may contact the web accessibility coordinator with any accessibility concerns. S/he may also file a formal complaint utilizing the procedures set out in Board Policy 2260 and Policy 2260.01 relating to Section 504 and Title II.

D. Instructional Use of Apps and Services

The Board authorizes the use of apps and services to supplement and enhance learning opportunities for students either in the classroom or for extended learning outside the classroom.

A teacher who elects to supplement and enhance student learning through the use of apps and/or services is responsible for verifying/certifying to the Technology Director that the app and/or service has a FERPA-compliant privacy policy, and it complies with all requirements of the COPPA and CIPA and Section 504 and the ADA.

The Board further requires the use of a Board-issued e-mail address in the login process.

E. Training

The District will provide periodic training for its employees who are responsible for creating or distributing information with online content so that these employees are aware of this Policy and understand their roles and responsibilities with respect to web design, documents and multimedia content.

Such training shall be facilitated by an individual with sufficient knowledge, skill and experience to understand and employ the technical standards set forth in Board policies and administrative guideline(s).

F. One-Way Communication Using District Content, Apps, and Services

The District is authorized to use web pages/sites, apps and services to promote school activities and inform stakeholders and the general public about District news and operations.

Such communications constitute public records that will be archived.

When the Board or Superintendent designate communications distributed via District web pages/sites, apps and services to be one-way communication, public comments are not solicited or desired, and the website, app or service is to be considered a nonpublic forum.

If the District uses a apps and web service that does not allow the District to block or deactivate public comments (e.g., Facebook, which does not allow comments to be turned-off, or Twitter, which does not permit users to disable private messages or mentions/replies), the District’s use of apps and web service will be subject to Policy 7544 - Use of Social Media, unless the District is able to automatically withhold all public comments.

If unsolicited public comments can be automatically withheld, the District will retain the comments in accordance with its adopted record retention schedule (see AP 8310A - Requests for Public Records and AG 8310E - Record Retention and Disposal), but it will not review or consider those comments.

R.C. 9.03
O.A.G. Opinion No. 2002-01

7540.04
PROPERTY
STAFF TECHNOLOGY ACCEPTABLE USE AND SAFETY

Technology has fundamentally altered the ways in which information is accessed, communicated, and transferred in society. As a result, educators are continually adapting their means and methods of instruction, and the way they approach student learning, to incorporate the vast, diverse, and unique resources available through the Internet. The Board of Education provides Technology and Information resources (as defined by Bylaw 0100) to support the educational and professional needs of its staff and students. The Board provides staff with access to the Internet for limited educational purposes only and utilizes online educational services/apps to enhance the instruction delivered to its students and to facilitate the staff’s work. The District’s Internet system does not serve as a public access service or a public forum, and the Board imposes reasonable restrictions on its use consistent with its limited educational purpose.

The Board regulates the use of District Technology and Information Resources by principles consistent with applicable local, State, and Federal laws, and the District’s educational mission. This policy and its related administrative guidelines, Policy 7544 and AG 7544 and any applicable employment contracts and collective bargaining agreements govern the staff’s use of the District’s Technology and Information Resources and staff’s personal communication devices when they are connected to the District’s computer network, Internet connection and/or online educational services/apps, or when used while the staff member is on Board-owned property or at a Board-sponsored activity (see Policy 7530.02).

Users are required to refrain from actions that are illegal (such as libel, slander, vandalism, harassment, theft, plagiarism, inappropriate access, and the like) or unkind (such as personal attacks, invasion of privacy, injurious comment, and the like). Because its Technology Resources are not unlimited, the Board has also instituted restrictions aimed at preserving these resources, such as placing limits on use of bandwidth, storage space, and printers.
Users have no right or expectation to privacy when using District Technology and Information Resources (including, but not limited to, privacy in the content of their personal files, e-mails, and records of their online activity when using the District's computer network and/or Internet connection).

Staff members are expected to utilize District Technology and Information Resources to promote educational excellence in our schools by providing students with the opportunity to develop the resource sharing, innovation, and communication skills and tools that are essential to both life and work. The Board encourages the faculty to develop the appropriate skills necessary to effectively access, analyze, evaluate, and utilize these resources in enriching educational activities. The instructional use of the Internet and online educational services will be guided by Policy 2520 - Selection of Instructional Materials and Equipment.

The Internet is a global information and communication network that brings incredible education and information resources to our students. The Internet connects computers and users in the District with computers and users worldwide. Through the Internet, students and staff can access up-to-date, highly relevant information that will enhance their learning and the education process. Further, District Technology Resources provide students and staff with the opportunity to communicate with other people from throughout the world. Access to such an incredible quantity of information and resources brings with it, however, certain unique challenges and responsibilities.

The Board may not be able to technologically limit access, through its Technology Resources, to only those services and resources that have been authorized for the purpose of instruction, study and research related to the curriculum. Unlike in the past when educators and community members had the opportunity to review and screen materials to assess their appropriateness for supporting and enriching the curriculum according to adopted guidelines and reasonable selection criteria (taking into account the varied instructional needs, learning styles, abilities, and developmental levels of the students who would be exposed to them), access to the Internet, because it serves as a gateway to any publicly available file server in the world, opens classrooms and students to electronic information resources that may not have been screened by educators for use by students of various ages.

Pursuant to Federal law, the Board has implemented technology protection measures that protect against (e.g., filter or block) access to visual displays/depictions/materials that are obscene, constitute child pornography, and/or are harmful to minors, as defined by the Children's Internet Protection Act. At the discretion of the Board or Superintendent, the technology protection measures may also be configured to protect against access to other material considered inappropriate for students to access. The Board also utilizes software and/or hardware to monitor online activity of staff members to restrict access to child pornography and other material that is obscene, objectionable, inappropriate and/or harmful to minors. The technology protection measures, may not be disabled at any time that students may be using the District Technology Resources, if such disabling will cease to protect against access to materials that are prohibited under the Children's Internet Protection Act. Any staff member who attempts to disable the technology protection measures without express written consent of an appropriate administrator will be subject to disciplinary action, up to and including termination.

The Superintendent or designee may temporarily or permanently unblock access to websites or online educational services/apps containing appropriate material, if access to such sites has been inappropriately blocked by the technology protection measures. The determination of whether material is appropriate or inappropriate shall be based on the content of the material and the intended use of the material, not on the protection actions of the technology protection measures. The Superintendent or designee may also disable the technology protection measures to enable access for bona fide research or other lawful purposes.

Staff members will participate in professional development programs in accordance with the provisions of law and this policy. Training shall include:

A. the safety and security of students while using e-mail, chat rooms, social media and other forms of direct electronic communications;

B. the inherent danger of students disclosing personally identifiable information online;

C. the consequences of unauthorized access (e.g., "hacking", "harvesting", "digital piracy", "data mining", etc.), cyberbullying and other unlawful or inappropriate activities by students or staff online; and

D. unauthorized disclosure, use, and dissemination of personally-identifiable information regarding minors.

Furthermore, staff members shall provide instruction for their students regarding the appropriate use of technology and online safety and security as specified above, and staff members will monitor students' online activities while at school.

Monitoring may include, but is not necessarily limited to, visual observations of online activities during class sessions; or use of specific monitoring tools to review browser history and network, server, and computer logs.

The disclosure of personally identifiable information about students online is prohibited.

Building principals are responsible for providing training so that Internet users under their supervision are knowledgeable about this policy and its accompanying guidelines. The Board expects that staff members will provide guidance and instruction to students in the appropriate use of the District Technology Resources. Such training shall include, but not be limited to, education concerning appropriate online behavior, including interacting with other individuals on social media including in chat rooms and cyberbullying awareness and response. All users of District Technology Resources are required to sign a written agreement to abide by the terms and conditions of this policy and its accompanying guidelines.

Staff will be assigned a school e-mail address that they are required to utilize for all school-related electronic communications, including those to students, parents and other constituents, fellow staff members, and vendors or individuals seeking to do business with the District.

With prior approval from the Superintendent or designee, staff may direct students who have been issued school-issued email accounts to use those accounts when signing-up/registering for access to various online educational services, including mobile applications/apps that will be utilized by the students for educational purposes under the teacher's supervision.

Staff members are responsible for good behavior when using District Technology and Information Resources - i.e., behavior comparable to that expected when they are in classrooms, school hallways, and other school premises and school sponsored events. Communications on the Internet are often public in nature. The Board does not approve any use of its Technology and Information Resources that is not authorized by or conducted strictly in compliance with this policy and its accompanying guidelines and Policy 7544 and its accompanying guideline.

Staff members use of District technology resources to access or use social media is to be consistent with Policy 7544 and its accompanying guideline.
An employee's personal or private use of social media may have unintended consequences. While the Board respects its employees' First Amendment rights, those rights do not include permission to post inflammatory comments that could compromise the District's mission, undermine staff relationships, or cause a substantial disruption to the school environment. This warning includes staff members' online conduct that occurs off school property including from the employee's personal communication device. Postings to social media should be done in a manner sensitive to the staff member's professional responsibilities.

General school rules for behavior and communication apply.

Users who disregard this policy and its accompanying guidelines may have their use privileges suspended or revoked, and disciplinary action taken against them. Users are personally responsible and liable, both civilly and criminally, for uses of District Technology and Information Resources that are not authorized by this policy and its accompanying guidelines.

The Board designates the Superintendent and designee as the administrators responsible for initiating, implementing, and enforcing this policy and its accompanying guidelines as they apply to staff members' use of District Technology and Information Resources.

In addition, Federal and State confidentiality laws forbid schools and their employees from using or disclosing student education records without parental consent. See Policy B330. Education records include a wide variety of information; posting personally identifiable information about students is not permitted. Staff members who violate State and Federal confidentiality laws or privacy laws related to the disclosure of confidential student or employee information may be disciplined.

Staff members retain rights of communication for collective bargaining purposes and union organizational activities.

P.L. 106-554, Children's Internet Protection Act of 2000
18 U.S.C. 1460
18 U.S.C. 2246
18 U.S.C. 2256
47 C.F.R. 54.300 – 54.523

P.L. 106-554, Children's Internet Protection Act of 2000
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科技媒体是增强教育、通信和学习的强大工具。

The Board of Education authorizes the use of social media to promote community involvement and facilitate effective communication with students, parents/guardians, staff (including District-approved volunteers), and the general public. Social media is defined in Bylaw 0100.

The Superintendent is charged with designating the District-approved social media platforms/sites.

It is critical that students be taught how to use social media platforms safely and responsibly. Social media (as defined in Bylaw 0100) are a powerful and pervasive technology that affords students and employees the opportunity to communicate for school and work purposes, and to collaborate in the delivery of a comprehensive education. Federal law mandates that the District provide for the education of students regarding appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, and regarding cyberbullying awareness and response. See School Board Policy 7540.03 – Student Technology Acceptable Use and Safety.

The District recognizes that employees may use social media for personal, as well as professional reasons. The District neither encourages nor discourages employees' use of social media for personal purposes. The District regulates employees' use of social media for purposes related to their District assignment to the same extent as it regulates any other form of employee communication in that regard.

The District uses approved social media platforms/sites as interactive forms of communication and accepts, invites and welcomes public comments. The District-approved social media platforms/sites are considered limited public forums. As such, the District will monitor posted comments to verify they are on-topic, consistent with the posted rules for use of the forum, and in compliance with the platform/site's applicable terms of service. The Board's review of posted comments will be conducted in a viewpoint neutral manner, and consistent with State and Federal law. Employees' personal posts on the public platforms/sites are limited/restricted to matters of general public interest that are not related to the employee's specific employment and wholly unrelated to the employee's job responsibilities (i.e., matters where it is clear the individual is posting not in an official capacity, but simply as a member of the public). Employees in administrative positions are ordinarily not permitted to post personal comments on matters of general public interest because to do so could be misconstrued as Board-sponsored speech.

Each District-approved social media account/site must contain a statement that specifies its purposes(s) and limits those who access the social media account/site to use of the account/site only for that/those purpose(s), and in accordance with any specified procedures, and applicable terms of service. Users are personally responsible for the content of their posts.

Social Media for Instructional and School-Sponsored Activities
Staff (including District-approved volunteers) may, with prior approval/authorization from the Principal, use social media platforms/sites for classroom instruction or school-sponsored activities. When a staff member uses a District-approved social media platform/site for an educational purpose, it will be considered an educational activity and will not be considered a limited public forum. Students' use of District-approved social media platforms/sites must be consistent with the Student Code of Conduct, Policy 5722 - School-Sponsored Student Publications and Productions/AG 5722 - School-Student Publications and Productions, Policy 7540.03/AG 7540.03 - Student Technology Acceptable Use and Safety, the instructor's directions/procedures, and the platform/site's applicable terms of service. Students are prohibited from posting or releasing personal information about students, employees, and volunteers through District-approved social media without appropriate consent.

Staff members (including District-approved volunteers) must provide parents of students involved in a school-sponsored activity the ability to opt-out of having their child use social media platforms/sites for communication purposes associated with that activity, and arrange for an alternative method of communicating with the participating student about the school-sponsored activity.

Expected Standards of Conduct on District-Approved Social Media

Employees and District-approved volunteers who access District-approved social media platforms are expected to conduct themselves in a respectful, courteous, and professional manner. Students, parents, and members of the general public who access District-approved social media platforms are similarly expected to conduct themselves in a respectful, courteous, and civil manner.

District-approved social media sites shall not contain content that is obscene; is vulgar or offensive; is libelous or defamatory; constitutes hate speech; promotes illegal drug use; is aimed at inciting an individual to engage in unlawful acts or to cause a substantial disruption or material interference with District operations; or interferes with the rights of others. The District may exercise editorial control over the style and content of student speech on District-approved social media, if reasonably related to legitimate pedagogical concerns. Staff or students who post prohibited content shall be subject to appropriate disciplinary action.

The District is committed to protecting the privacy rights of students, parents/guardians, staff, volunteers, Board members, and other individuals on District-approved social media sites. District employees and volunteers are prohibited from posting or releasing confidential information about students, employees, volunteers, or District operations through social media, without appropriate consent (i.e., express written consent from the parent of a student, the affected employee or volunteer, or the Superintendent concerning District operations).

Retention of Public/Student Records

District communications that occur through the use of District-approved social media platforms/sites — including staff members'/volunteers’ use of social media with school-sponsored activities, and comments, replies, and messages received from the general public — may constitute public records or student records, and all such communications will be maintained (i.e., electronically archived) in accordance with the Board’s adopted record retention schedule and all applicable State statutes. (See AG 8310A – Requests for Public Records)

Records that do not document the organization, functions, policies, decisions, procedures, operations, or other activities of the District do not become public records just because they are kept or maintained by the District under this policy.

If a staff member uses District-approved social media platforms/sites in the classroom for educational purposes (i.e., classroom instruction), the staff member must consult with the Principal concerning whether such use may result in the creation of public and/or education records that must be maintained (i.e., electronically archived) for a specific period of time.

Employees' Use of District Technology Resources to Access Social Media for Personal Use

Employees and District-approved volunteers are permitted to use District technology resources (as defined in Bylaw 0100) to access social media for personal use during work hours, provided it does not interfere with the employee's/volunteer's job performance.

They are reminded that the District may monitor their use of District technology resource.

Employees’ Use of Personal Communication Devices at Work to Access Social Media for Personal Use

Employees are permitted to use personal communication devices to access social media for personal use during work hours, provided it does not interfere with the employee's job performance.

Employees and District-approved volunteers are prohibited from posting or engaging in communication that violates State or Federal law, Board policies, or administrative procedures. If an employee/volunteer's communication interferes with his/her ability to effectively perform his/her job, or violates State or Federal law, Board policies, or administrative procedures, the District may impose disciplinary action and/or refer the matter to appropriate law enforcement authorities.

This policy and its corresponding administrative guideline will be reviewed and updated as necessary.

20 U.S.C. 1232g
34 C.F.R. Part 99
Children's Internet Protection Act (CIPA), Pub. L. No. 106-554 (2001)

Barton, yes; Douglas, yes; Gindlesberger, yes; Winkhart, yes. Motion carried.
19.33 Moved by Gindlesberger, seconded by Douglas, to resolve to continue the policy on intra-district open enrollment and further resolve to continue to not participate/permit inter-district open enrollment.

Gindlesberger, yes; Douglas, yes; Barton, yes; Winkhart, yes. Motion carried.

19.34 Moved by Barton, seconded by Gindlesberger, to approve the roof restoration project at Sauder Elementary and the contract with Weatherproofing Technologies, Inc. utilizing the State of Ohio/AEPA Line Item Pricing, as presented.

Barton, yes; Gindlesberger, yes; Douglas, yes; Winkhart, yes. Motion carried.

19.35 Moved by Douglas, seconded by Gindlesberger, to adopt the following resolution:

STARK COUNTY AUDITOR

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

Revised Code, Secs. 5705.34-5705.35

WHEREAS, This Board of Education in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing July 1st, 2019:
WHEREAS, The Budget Commission of Stark County, Ohio, has certified its action thereon to this council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Board, and what part thereof is without, and what part within the ten mill limitation; there be it RESOLVED, by the Board of Education of Jackson Local School District, Stark County, Ohio that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted: and be it further RESOLVED, That there be and is hereby levied on the tax duplicate of said Jackson Local School District the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A

SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION, AND COUNTY AUDITOR'S ESTIMATED TAX RATES

<table>
<thead>
<tr>
<th>FUND</th>
<th>Amount to be derived from Levies outside 10 mill Limitation</th>
<th>Amount Approved by Budget Commission Inside 10 Mill Limitation</th>
<th>County Auditor's Estimate of Tax Rate to be Levied Inside</th>
<th>County Auditor's Estimate of Tax Rate to be Levied Outside</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bond Retirement Fund</td>
<td>4,534,007</td>
<td>7,504,563</td>
<td>4.80</td>
<td>36.40</td>
</tr>
<tr>
<td>General Fund</td>
<td>33,687,703</td>
<td>1,563,451</td>
<td>1.00</td>
<td>39.30</td>
</tr>
<tr>
<td>For Permanent Improvement</td>
<td>38,221,710</td>
<td>9,068,014</td>
<td>5.80</td>
<td>39.30</td>
</tr>
<tr>
<td>Total</td>
<td>38,221,710</td>
<td>9,068,014</td>
<td>5.80</td>
<td>39.30</td>
</tr>
</tbody>
</table>

SCHEDULE B

LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

GENERAL FUND

- Current expense levy authorized by voters on 11/5/68 for not to exceed Continued years.
- Current expense levy authorized by voters on 12/10/68 for not to exceed Continued years.
- Current expense levy authorized by voters on 11/4/69 for not to exceed Continued years.
- Current expense levy authorized by voters on 11/8/77 for not to exceed Continued years.

Maximum Rate Authorized to be Levied

- 3.70
- 4.20
- 10.30
- 7.60

County Auditor's Estimate of Yield of Levy

- 2,828,590
- 3,210,832
- 7,874,183
- 6,323,512
And be it further

RESOLVED, That the Treasurer/CFO of this Board be and she is hereby directed to certify a copy of this resolution to the County Auditor of Stark County.

Douglas, yes; Gindlesberger, yes; Barton, yes; Winkhart, yes. Motion carried.

19.36 Moved by Barton, seconded by Douglas, to authorize the following field trips per their tentative schedules and final approval of the Superintendent, as presented.

Members of Chorale, Jacks-n-Jills, Men’s and Women’s Chorus, and Concert Choir in grades 10-12, along with director Scott Eversdyke and staff members Susan Gardner, Elizabeth Galloway-Purcell, Audrey Bouscher and Hannah Rissler, will travel to New York City, NY to perform at St. John the Divine cathedral and participate in an educational tour of the city on March 12-15, 2020. The field trip is funded by the students and booster club.

Skills USA Junior and Senior students who qualify at the State competition, along with advisor Scott Elkins and staff members Ann Capuano, Brian Clevenger and Joe Drury, will travel to Columbus, OH to compete in the Skills USA Ohio Championships on April 15-17, 2019. The field trip is funded by the booster club.

The freshmen JAGS students, along with JAGS teacher, Kathryn Stone and teachers Becky Arter, Matt Gillette, Joe Knopick, Matt Marlett, Deanna Mazur, George Preston, and Diana Rankin will travel to Sharpsburg, MD to attend the Shepherd’s Spring Retreat at the Global Village on May 15-17, 2019. The field trip is paid for by the students.

The Girls Varsity Volleyball team (grades 9-12), along with head coach Cortney Goodwin, and assistant coaches Stacey Patterson, Brad Shupe and Ashley Hostetter, will travel to Toledo, OH to compete in the Maumee Bay Volleyball Tournament on July 18-20, 2019. The field trip is funded by the booster club.

The Girls Varsity Volleyball team (grades 9-12), along with head coach Cortney Goodwin, and assistant coaches Stacey Patterson, Brad Shupe and Ashley Hostetter, will travel to Mentor, OH to compete in the Mentor Power Volleyball Tournament on September 20-22, 2019. The field trip is funded by the booster club.

Barton, yes; Douglas, yes; Gindlesberger, yes; Winkhart, yes. Motion carried.
19.37 Moved by Gindlesberger, seconded by Douglas, to grant an unpaid medical leave of absence to Tammy Tolbert retroactive to March 14, 2019 and to continue through the end of the 2018/2019 school year, as presented.

Gindlesberger, yes; Douglas, yes; Barton, yes; Winkhart, yes. Motion carried.

19.38 Moved by Gindlesberger, seconded by Barton, to accept the following resignations, as presented.

Megan Burrows  Head Swimming/Diving Coach, effective March 16, 2019
Marie Isner    Teacher (CCL), effective April 1, 2019
Terry Peterson For retirement purposes, Athletic Director, effective May 31, 2019

Gindlesberger, yes; Barton, yes; Douglas, yes; Winkhart, yes. Motion carried.

19.39 Moved by Douglas, seconded by Gindlesberger, to employ the following classified personnel for the 2018-2019 contract year as recommended by the Local Superintendent; and to direct the Treasurer to send salary notices to these persons with salaries according to the adopted salary schedule or stipends and pending completion and return of all necessary documents including an acceptable B.C.I. record, where applicable:

Classified Employees
One-Year Limited Contract 2018/2019
Daniel George- Bus Driver; 3 hrs; effective 3/12/19

Substitutes
Matthew Andrews- Transportation Monitor
Sharon Dodd- Transportation Monitor
Suzann Drury- Courier/Transportation Monitor

Douglas, yes; Gindlesberger, yes; Barton, yes; Winkhart, yes. Motion carried.

F. The next board of education meeting is scheduled for Tuesday, April 23, 2019 at 5:00 pm at Jackson High School.

G. During the second hearing of visitors, Board President Winkhart thanked the administration office for the presentation on safety and security that was presented to the community on Saturday, March 17, 2019.

19.40 Moved by Barton, seconded by Douglas, to adjourn the meeting at 5:54 pm.

Barton, yes; Douglas, yes; Gindlesberger, yes; Winkhart, yes. Motion carried.

[Signatures]

President
Treasurer