

MODIFICATION NO. 2
TO OHIO COMMUNITY SCHOOL CONTRACT
BY and BETWEEN
Educational Service Center of Lake Erie West (“Sponsor” or “ESCLEW”)
AND
Summit Academy Community School – Warren (“Governing Authority” or “School”)

WHEREAS, the ESCLEW and the Governing Authority entered into an amended and restated Community School Contract (“Contract”) effective on July 1, 2017; and

WHEREAS, the ESCLEW and the Governing Authority agree to the following modifications;

NOW THEREFORE, the parties modify the Contract as follows:

1. **Article IV, Section 4.1.** In the first sentence add “3319.074” in the appropriate numerical order.

The rest of Section 4.1 remains as original written in the Contract.

2. **Article VI, Section 6.12.**

- a. Insert the following new subsection as subsection (d): “The School shall adopt a policy regarding the enrollment and attendance of students, which requires a student’s parent to notify the School when there is a change in the location of the parent’s or student’s primary residence. This policy is included in **Attachment 6.12.**”

- b. Insert the following new subsection as subsection (e): “The School shall adopt a policy regarding the verification of a student’s residence and address consistent with the School’s obligations in accordance with R.C. 3314.11. This policy shall be included in **Attachment 6.12.**”

- c. The rest of Section 6.12 remains as originally written in the Contract.

3. **Article VI, Section 6.13.** Insert the following sentence after the second sentence in the section: “Beginning November 1, 2018, the policy must include procedures for the automatic withdrawal of a student from the School if the student fails to participate in seventy-two (72) consecutive hours of learning opportunities without a legitimate excuse.”

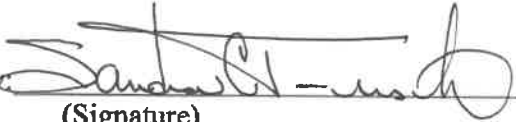
The rest of Section 6.13 remains as originally written in the Contract.

4. **Attachment 6.7** shall be replaced in its entirety with the attached.
5. **Attachment 6.12** shall be replaced in its entirety with the attached.
6. **Attachment 6.13** shall be replaced in its entirety with the attached.

7. Attachment 11.6 shall be replaced in its entirety with the attached.

ALL OTHER SECTIONS, SUBSECTIONS, TERMS, OR PROVISIONS OF THE CONTRACT SHALL REMAIN IN FULL FORCE AND IN EFFECT UNLESS OTHERWISE SPECIFICALLY MODIFIED HEREIN.

**Educational Service Center of
Lake Erie West**

By: 
(Signature)

Its: Superintendent

with full authority to execute this Contract
for and on behalf of **Sponsor**
and with full authority to bind **Sponsor**.

Date: 4-2-2019

**Governing Authority of
Summit Academy Community School –
Warren**

By: 
(Signature)

Its: President

with full authority to executive this Contract
for and on behalf of **Governing Authority**
and with full authority to bind **Governing
Authority**.

Date: 10/3/18

ATTACHMENT 6.7
STUDENT DISCIPLINE AND DISMISSAL POLICIES

1. Policy regarding suspension, expulsion, removal, and permanent exclusion of a student that specifies, among other things:
 - a. Types of misconduct for which a student may be suspended, expelled, or removed, and
 - b. Due process related to these forms of discipline
2. Policy for the discipline, suspension, and expulsion of disabled students
3. Policy for Positive Behavioral Interventions and Supports/Restraints and Seclusion

275.1 Disciplining a 504 Student

Section 504 Manifestation Determination Reviews

A Student on a 504 Plan is to be afforded due process relating to any proposed change in educational placement where the Student is subject either to expulsion or suspension for a period of more than ten consecutive school days or a series of suspensions that are each 10 or fewer school days in duration, but exceed 10 school days in the aggregate and create a pattern of exclusions. In all such cases, except in the case where such suspension or expulsion pertains to the use or possession of illegal drugs or alcohol as detailed below, the School shall follow the procedures outlined in Policy Discipline/Suspension/Expulsion of Disabled Students.

Disciplinary Procedures for Students Possessing or Using Alcohol or Illegal Drugs

The School may take disciplinary action pertaining to the use or possession of illegal drugs or alcohol against any Student on a 504 Plan who currently is engaging in the illegal use of drugs or in the use of alcohol to the same extent that such disciplinary action is taken against Students without disabilities, in accordance with Policy 273 Expulsion and Suspension Policies. In such a case, the disability due process procedures found in Policy Discipline/Suspension/Expulsion of Disabled Students are inapplicable.

Emergency Removal from Placement

Emergency removal of a 504 student from his/her current placement may take place through parental agreement to an interim placement or through injunctive relief from a court, when the current placement presents a substantial likelihood of resulting in injury to the student or others.

29 USC § 701 et seq. (Section 504 of the Rehabilitation Act of 1973)

See also Policy No. 228 Section 504 of the Rehabilitation Act of 1973.

Positive Behavior Intervention Supports and the Use of Restraint and/or Seclusion

This policy governs the school's use of positive behavior intervention supports, including the use of restraint and seclusion. Any use of emergency safety interventions that does not meet the requirements set forth below is prohibited. The policy shall be made available to parents annually and posted to the school's website. Physical restraint and seclusion shall only occur in accordance with this policy unless there is an immediate risk of harm to a student or others. The school shall only be utilized in a manner that protects the safety of all children and adults.

I. Definitions

The following definitions apply to this policy:

- A. "Aversive behavioral interventions" means an intervention that is intended to induce pain or discomfort to a student for the purpose of eliminating or reducing maladaptive behaviors, including such interventions as application of noxious, painful and/or intrusive stimuli, including any form of noxious, painful or intrusive spray, inhalant or taste.
- B. "Chemical restraint" means a drug or medication used to control a student's behavior or restrict freedom of movement that is not:
 1. Prescribed by a licensed physician, or other qualified health professional acting under the scope of the professional's authority under Ohio law, for the standard treatment of a student's medical or psychiatric condition; and,
 2. Administered as prescribed by the licensed physician or other qualified health professional acting under the scope of the professional's authority under Ohio law.
- C. "Mechanical restraint" means:
 1. Any method of restricting a student's freedom of movement, physical activity, or normal use of the student's body by using an appliance or device manufactured for this purpose; but,
 2. Does not mean a device used by trained school personnel, or used by a student, for the specific and approved therapeutic or safety purpose for which the device was designed and, if applicable, prescribed, including:
 - a. Restraints for medical immobilization;
 - b. Adaptive devices or mechanical supports used to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports; or,
 - c. Vehicle safety restraints when used as intended during the transport of a student in a moving vehicle.
- D. "Parent" means:



1. A biological or adoptive parent;
 2. A guardian generally authorized to act as the child's parent, or authorized to make decisions for the child (but not the state if the child is a ward of the state);
 3. An individual acting in the place of a biological or adoptive parent (including a grandparent, stepparent or other relative) with whom the child lives, or an individual who is legally responsible for the child's welfare;
 4. A surrogate parent who has been appointed in accordance with paragraph (E) of rule 3301-51-05 of the Administrative Code; or,
 5. Any person identified in a judicial decree or order as the parent of a child or the person with authority to make educational decisions on behalf of a child.
- E. "Physical escort" means the temporary touching or holding of the hand, wrist, arm, shoulder, waist, hip, or back for the purpose of inducing a student to move to a safe location.
- F. "Physical restraint" means the use of physical contact in a way that immobilizes or reduces the ability of an individual to move the individual's arms, legs, body, or head freely. Such term does not include a physical escort, mechanical restraint, or chemical restraint. Physical restraint does not include brief physical contact for the following or similar purposes:
1. To break up a fight;
 2. To knock a weapon away from a student's possession;
 3. To calm or comfort;
 4. To assist a student in completing a task/response if the student does not resist the contact; or,
 5. To prevent an impulsive behavior that threatens the student's immediate safety (e.g. running in front of a car).
- G. "Positive behavior intervention and supports" means
1. A school-wide systematic approach to embed evidence-based practices and data-driven decision making to improve school climate and culture in order to achieve improved academic and social outcomes, and increase learning for all students, and that,
 2. Encompasses a range of systemic and individualized positive strategies to reinforce desired behaviors, diminish reoccurrences of challenging behaviors, and teach appropriate behaviors to students.
- H. "Prone restraint" means physical or mechanical restraint while the individual is in the face-down position for an extended period of time.
- I. "School district" means a local, exempted village, city, joint vocational or cooperative education school district as defined in Chapter 3311. of the Revised Code; an educational service center that operates a school or educational program; a community school as defined in Chapter 3314. of the Revised Code; a science, technology, engineering, and mathematics school as defined in Chapter 3326. of the Revised Code; or a college-preparatory boarding school as defined in Chapter 3328. of the Revised Code. For purposes of this rule, the term does not include schools operated in facilities



under the jurisdiction of the department of rehabilitation and corrections or the department of youth services.

- J. "Seclusion" means the involuntary isolation of a student in a room, enclosure, or space from which the student is prevented from leaving by physical restraint or by a closed door or other physical barrier.
- K. "Student" means a child or adult aged three to twenty-one enrolled in a school district.
- L. "Student personnel" means teacher, principal, counselor, social worker, school resource officer, teacher's aide, psychologist, bus driver, or other school district staff who interact directly with students.
- M. "Timeout" means a behavior intervention in which a student, for a limited and specified time, is separated from the class within the classroom or in a non-locked setting for the purpose of self-regulating and controlling his or her own behavior. In a timeout, the student is not physically restrained or prevented from leaving the area by physical barriers.

II. Creation of Positive Behavioral Intervention and Supports (PBIS)

The school's system of positive behavior intervention and supports is implemented on a school-wide basis and based on the following principles/components:

- A. Every student deserves to be treated with dignity, be free from abuse, and treated as a unique individual with individual needs, strengths, and circumstances;
- B. Education environments shall be structured to greatly reduce, and in most cases eliminate, the need to use restraint or seclusion using a non-aversive effective behavioral system;
- C. The prevention-oriented framework or approach applies to all students, all staff, and all settings;
- D. Components include:
 - 1. Training school staff to identify conditions such as where, under what conditions, with whom and why specific inappropriate behavior may occur;
 - 2. Preventative assessments that include a review of existing data, interviews with parents, family members and students and examination of previous and existing behavioral intervention plans;
 - i. Analysis of the date to develop and implement preventative behavioral interventions and teach appropriate behavior; by modifying environmental factors that escalate the inappropriate behavior, supporting the attainment of appropriate behavior, and using verbal de-escalation to defuse potentially violent dangerous behavior.
 - 3. Supporting students' efforts to manage their own behavior; implementing instructing techniques in how to self-manage behavior, decreasing the development of new problem behaviors; preventing worsening of existing problem behaviors; redesigning learning/teaching environments to eliminate triggers and maintainers of problem behaviors; and,



4. Including family involvement as an integral part of the system.

III. Use of Restraint and Seclusion

- A. The following practices are prohibited under any circumstance:
 1. Prone restraint;
 2. Any form of physical restraint that involves the intentional, knowing, or reckless use of any technique that:
 - a. Involves the use of pinning down a student by placing knees to the torso, head, or neck of the student;
 - b. Uses pressure point, pain compliance, or joint manipulation techniques;
or
 - c. Otherwise involves techniques that are used to unnecessarily cause pain.
 3. Corporal punishment;
 4. Child endangerment, as defined in Section 2919.22 of the Revised Code;
 5. Deprivation of basic needs;
 6. Seclusion or restraint of preschool children in violation of paragraph (D) of Section 3301-37-10 of the Administrative Code;
 7. Chemical restraint;
 8. Mechanical restraint (that does not include devices used by trained school personnel, or by a student, for the specific and approved therapeutic or safety purposes for which such devices were designed and, if applicable, prescribed);
 9. Aversive behavioral interventions; or,
 10. Seclusion in a locked room or area.
- B. Physical Restraint:
 1. Prone restraint is prohibited;
 2. Physical restraint may only be used if;
 - a. A student's behavior poses an immediate risk of physical harm to the student or others and no other safe or effective intervention is available;
 - b. The physical restraint does not obstruct the student's ability to breathe;
 - c. The physical restraint does not interfere with the student's ability to communicate in the student's primary language or mode of communication; and
 - d. By school personnel who are trained in safe restraint techniques, except in the case of rare and unavoidable emergency situations when trained personnel are not immediately available.
 3. Physical restraint may not be used for punishment or discipline or as a substitute for other less restrictive means of assisting a student in regaining control.
- C. Seclusion:
 1. Seclusion may only be used:
 - a. If a student's behavior poses an immediate risk of physical harm to the student or others and no other safe or effective intervention is available;



- b. As a last resort to provide an opportunity for the student to regain control of his or her actions;
 - c. For the minimum amount of time necessary for the purpose of protecting the student and others from physical harm;
 - d. In a room or area that:
 - i. Is not locked;
 - ii. Does not prevent the student from exiting the area should staff become incapacitated or leave the area; and
 - iii. Provides adequate space, lighting, ventilation, and the ability to observe the student; and
 - e. Under constant supervision by staff who are trained to be able to detect indications of physical or mental distress that require removal and/or immediate medical assistance and who document their observations of the student.
2. Seclusion may not be used for punishment or discipline, for the convenience of staff, or as a substitute for other less restrictive means of assisting a student in regaining control.

IV. Data and Reporting.

Any use of restraint or seclusion shall be immediately reported to the school director and to the parent. Each incident must also be documented in a written report that is made available to the parent within twenty-four hours and that is maintained by the school.

The school shall annually report information regarding its use of restraint and seclusion to the Ohio department of education in the form and manner as prescribed by the department.

V. Complaint Procedures

A parent may present a written complaint to the school director at any time. Upon receiving a complaint, the school director shall respond to the parent in writing within thirty days of receipt. A parent of a child with a disability may choose to file a complaint with the Ohio department of education's office of exceptional children, in accordance with its established complaint procedures.

VI. Training

Student personnel shall receive annual training on the requirement of this policy and Section 3301-35-15 of the Administrative Code regarding the use of restraint and seclusion. The school shall ensure an adequate number of personnel are trained in crisis management and de-



escalation techniques and that the training is kept current. The school shall document each training and keep a list of all participants.



SPECIAL EDUCATION MODEL POLICIES AND PROCEDURES

Adopted on:

Date

By:

District

July 1, 2009

INTRODUCTION

By adopting these Model Policies and Procedures, the _____ (the “District”) is adopting written policies and procedures regarding the manner in which the District fulfills its obligations under the Individuals with Disabilities Education Improvement Act of 2004 (IDEA) and the *Ohio Operating Standards for Ohio Educational Agencies Serving Children with Disabilities* (hereafter referred to as the “Operating Standards”). The Operating Standards require that the District adopt written policies and procedures in a number of different areas, and the District has chosen to adopt the model policies and procedures promulgated by the Ohio Department of Education’s Office for Exceptional Children (ODE-OEC) in order to satisfy these requirements of the Operating Standards.

This document, while comprehensive, does not include every requirement set forth in the IDEA, the regulations implementing IDEA, the Operating Standards, the Ohio Revised Code (ORC) and/or the Ohio Administrative Code (OAC). The District recognizes its obligation to follow these laws, regardless of whether their provisions are restated in the Model Policies and Procedures.

I. FREE APPROPRIATE PUBLIC EDUCATION (FAPE)

The District ensures that a free appropriate public education (FAPE) is made available to all children with disabilities between the ages of 3 and 21, inclusive, in accordance with IDEA and the Operating Standards.

A. RESIDENTIAL PLACEMENT

If the District places a child with a disability in a public or private residential program deemed necessary to provide special education and related services to a child with a disability, the program, including non-medical care and room and board, is at no cost to the parents of the child.

B. ASSISTIVE TECHNOLOGY

The District makes assistive technology available if required as part of the child's special education, related services or supplementary aids and services.

C. EXTENDED SCHOOL YEAR (ESY) SERVICES

The District ensures that extended school year services are provided if a child's individualized education program (IEP) team determines that the services are necessary for the provision of FAPE to the child. If a child is transitioning from Part C services, the District considers extended school year (ESY) services as part of the IEP process.

D. NONACADEMIC SERVICES

The District takes steps, including the provision of supplementary aids and services determined appropriate and necessary by the child's IEP team, to provide nonacademic and extracurricular services and activities in the manner necessary to afford children with disabilities an equal opportunity for participation in those services and activities as provided to students without disabilities.

Nonacademic and extracurricular services and activities include counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the school district, referrals to agencies that provide assistance to individuals with disabilities and employment of students, including both employment by the school district and assistance in making outside employment available.

E. PROGRAM OPTIONS AND PHYSICAL EDUCATION

The District takes steps to ensure that children with disabilities served by the District have available to them the variety of educational programs and services available to nondisabled

children served by the school district, including art, music, industrial arts, consumer and homemaking education and vocational education.

The District ensures that a child with a disability receives appropriate physical education services. The District affords each child with a disability the opportunity to participate in a regular physical education program available to non-disabled children, unless the child is enrolled full time in a separate facility or needs specially designed physical education, as prescribed in the child's IEP. The District provides a specially designed physical education program if prescribed by the IEP.

For preschool children, the District considers adapted physical education or related services, as appropriate, in conjunction with center-based or itinerant teacher services, and considers the factors set forth in 3301-51-11(F) of the Operating Standards.

F. TRANSPORTATION

The District provides, as a related service, transportation service in accordance with IDEA and the Operating Standards.

II. CONFIDENTIALITY

The District safeguards the confidentiality of personally identifiable information at use, collection, storage, retention, disclosure and destruction stages. In the District, _____ (name of responsible official) is responsible for maintaining the confidentiality of personally identifiable information. The District ensures that all persons collecting or using personally identifiable information receive training and instruction regarding the District's policies regarding that information. The District maintains for public inspection a current listing of the names and positions of those employees within the agency who may have access to personally identifiable information. The District gives notice to all parents of students receiving special education and related services that is adequate to fully inform parents about confidentiality requirements, in accordance with 3301-51-04(C) of the Operating Standards. The District also ensures that its contractors adhere to applicable confidentiality requirements.

A. ACCESS RIGHTS

The District permits parents (or a representative of a parent) to inspect and review any education records relating to their children that are collected, maintained, or used by the District. If any education record includes information on more than one child, the parents of those children have the right to inspect and review only the information relating to their child or to be informed of that specific information. The District does not charge a fee to search for or retrieve information. The District may charge a fee for copies of records, but does not charge a fee for copies of records that will effectively prevent the parents from exercising their right to inspect and review records.

The District complies with a request to access records without unnecessary delay and before any meeting regarding an IEP, or any hearing pursuant to 3301-51-05 of the Operating Standards, and any resolution session pursuant to 3301-51-05 of the Operating Standards, and in no case more than 45 days after the request has been made.

The District responds to reasonable requests for explanations and interpretations of the records, provides copies if failure to provide copies would effectively prevent the parent from exercising the right to inspect and review the records and permits a representative of a parent to inspect and review records.

The District presumes that a parent has the authority to inspect and review records relative to that parent's child unless the District has been advised that the parent does not have the authority under applicable state law governing such matters as guardianship, separation and divorce.

Upon request, the District provides parents a list of the types and locations of education records collected, maintained or used by the District.

The District keeps a record of parties obtaining access to education records collected, maintained or used under Part B of the IDEA (except access by parents and authorized employees of the

participating agency), including the name of the party, the date access was given and the purpose for which the party is authorized to use the records.

B. AMENDMENT OF RECORDS/HEARING PROCESS

If a parent requests the District to amend the information in the education records collected, maintained or used in the provision of special education or related services, the District decides whether to amend the information in accordance with the request within a reasonable period of time. If the District decides to refuse to amend the information in accordance with the request, it informs the parent of the refusal and advises the parent of the right to a hearing as set forth below and in 3301-51-04 of the Operating Standards.

(1) HEARING PROCEDURE

If the parent requests a hearing to challenge information in education records, the hearing is conducted in accordance with the procedures in 34 Code of Federal Regulations (C.F.R.) 99.22 (July 1, 2005) and within a reasonable period of time after the District receives the request. The hearing is conducted in accordance with the following procedures:

- (a) The parents shall be given notice of the date, time and place reasonably in advance of the hearing;
- (b) The records hearing shall be conducted by any individual, including an official of the District, who does not have a direct interest in the outcome of the hearing;
- (c) The parents shall be afforded a full and fair opportunity to present evidence relevant to the child's education records and the information the parent believes is inaccurate or misleading or violates the privacy or other rights of the child;
- (d) The parents may, at their own expense, be assisted or represented by one or more individuals of their choice, including an attorney;
- (e) The District makes its decision in writing within a reasonable period of time after the hearing; and
- (f) The decision is based solely upon the evidence presented at the hearing and includes a summary of the evidence and the reasons for the decision.

(2) RESULTS OF HEARING

If the District, as a result of the hearing, decides that the information is inaccurate, misleading or otherwise in violation of the privacy or other rights of the child, it amends the information accordingly and informs the parent in writing.

If the District, as a result of the hearing, decides that the information is not inaccurate, misleading or otherwise in violation of the privacy or other rights of the child, it must inform the parent of the parent's right to place in the child's records a statement commenting on the information or setting forth any reasons the parents disagree with the decision of the District.

Any explanation placed in the records of a child are:

- (a) Maintained by the District as part of the records of the child as long as the record or contested portion is maintained by the District; and

- (b) Disclosed any time the records of the child or the contested portion is disclosed by the District to any party.

C. PARENTAL CONSENT PRIOR TO DISCLOSURE OF RECORDS

The District obtains parental consent before personally identifiable information is disclosed to parties, other than officials of participating agencies in accordance as defined by 3301-51-04(B)(3) of the Operating Standards, unless the information is contained in education records and the disclosure is authorized without parental consent under the Family Educational Rights and Privacy Act of 1974, August 1974, 20 U.S.C. 1232g (FERPA).

The parent's consent must be in writing, signed and dated and must:

- (1) Specify the records to be disclosed;
- (2) State the purpose of the disclosure; and
- (3) Identify the party or class of parties to whom the disclosure may be made.

The District obtains parental consent, or the consent of an eligible child who has reached the age of majority under Ohio law, before personally identifiable information is released:

- (1) To officials of participating agencies providing or paying for transition services in accordance with 3301-51-07 of the Operating Standards;
- (2) To officials in another district or school in connection with the child's enrollment in a nonpublic school; and/or
- (3) For purposes of billing insurance and/or Medicaid.

D. TRANSFER OF RIGHTS AT AGE OF MAJORITY

The District affords rights of privacy to children similar to those afforded to parents, taking into consideration the age of the child and type or severity of disability.

The rights of parents regarding education records under FERPA transfer to the child at age 18.

If the rights accorded to parents under Part B of the IDEA are transferred to a child who reaches the age of majority (which is 18 in Ohio), the rights regarding education records also transfer to the child. See Chapter IV, Procedural Safeguards, Section G, regarding the transfer of rights under IDEA at the age of majority.

Once a child reaches the age of 17, the IEP must include a statement that the child has been informed regarding this transfer of rights.

E. DISCIPLINARY INFORMATION AND REPORTS TO LAW ENFORCEMENT

The District includes in the records of a child with a disability a statement of any current or previous disciplinary action that has been taken against the child and transmits the statement to

the same extent that disciplinary information is included in, and transmitted with, the records of nondisabled children.

When a child transfers from the District, the transmission of any of the child's records includes both the child's current IEP and any statement of current or previous disciplinary action that has been taken against the child.

A statement of disciplinary action shall:

- (1) Specify the circumstances that resulted in the disciplinary action and provide a description of the disciplinary action taken if the disciplinary action was taken because the child:
 - (a) Carried a weapon to or possessed a weapon at school, on school premises or to or at a school function;
 - (b) Knowingly possessed or used illegal drugs, or sold or solicited the sale of a controlled substance, while at school, on school premises or at a school function; or
 - (c) Inflicted serious bodily injury upon another person while at school, on school premises or at a school function; and
- (2) Include any information that is relevant to the safety of the child and other individuals involved with the child.

A statement of disciplinary action may include a description of any other behavior engaged in by the child that required disciplinary action, and a description of the disciplinary action taken.

If the District reports a crime to the appropriate law enforcement officials, the District transmits copies of the special education and disciplinary records of the child to those officials only to the extent that the transmission is permitted by FERPA and any other applicable laws.

F. DESTRUCTION OF RECORDS

The District informs parents when personally identifiable information is no longer needed to provide educational services to the child. If the parents request, the information is then destroyed. However, a permanent record of a student's name, address, telephone number, grades, attendance record, classes attended, grade level completed and year completed is maintained without time limitation.

III. CHILD FIND

In accordance with federal law, the District assumes responsibility for the location, identification and evaluation of all children birth through age 21 who reside within the district and who require special education and related services.

This includes students who are:

- (1) Advancing from grade to grade;
- (2) Enrolled by their parents in private elementary or private secondary schools, including religious schools, located in our District (regardless of the severity of their disability);
- (3) Wards of the state and children who are highly mobile, such as migrant and homeless children; and
- (4) Home-schooled.

A. RESPONSIBILITY FOR DETERMINING ELIGIBILITY

In the District, the Evaluation Team ensures that the student meets the eligibility requirements of IDEA and state regulations.

In all cases, the Evaluation Team will not determine that a student has a disability if the suspected disability is because of a lack of instruction in reading or math. If the student is not proficient in English, the District will not identify the student as disabled if the limited English proficiency (LEP) is the cause of the suspected disability.

B. CHILD IDENTIFICATION PROCESS

(1) GENERAL

The District has a child identification process that includes the location, identification and evaluation of a child suspected of having a disability. _____
(title of individual or department) coordinates the child identification process. The department and its staff use a variety of community resources and systematic activities in order to identify children requiring special services. District staff members consult with appropriate representatives of private school students attending private schools located in the District in carrying out this process. The District ensures that this process for students attending private or religious schools located in the District is comparable to activities undertaken for students with disabilities in the public schools.

(2) IDENTIFICATION OF CHILDREN BETWEEN THE AGES OF BIRTH TO AGE 3.

When the District becomes aware of a child between the ages of birth to 3 who has or may have a disability, it either:

- (a) Makes a child referral directly to the county family and children first council responsible for implementing the “Help Me Grow” (HMG) early intervention services under Part C of the IDEA; and/or

- (b) Provides the parents with the information so that they can make the referral themselves.

Parents may opt out of and/or opt not to be referred for Part C services. They may request an evaluation from the District to determine if their child has a disability that may require special education. These parents are entitled to an evaluation from the District, even if the child is between the ages of birth to 3. The District is responsible for providing an evaluation but is not responsible for the provision of FAPE for an eligible child until the child is age 3.

(3) TRANSITION TO SPECIAL EDUCATION FROM HELP ME GROW (HMG).

The District and the county family and children first council responsible for HMG have a current interagency agreement that includes processes for the referral of children from HMG to the District. The District has an assigned transition contact, _____, who is the primary person responsible for contact with HMG regarding children transitioning from that program.

- (a) If invited by a representative of HMG (and with parent permission), a District representative attends a transition conference to discuss transition from early intervention services to preschool for a child suspected of having a disability.
- (b) If the parents request, the District invites the Part C service coordinator to the initial IEP meeting.

If there is a suspected disability and the child is eligible for special education and related services as a preschool child, the District works to ensure that an IEP is in place and implemented by the child's third birthday. In the case of children who are 45 days or less from their 3rd birthdays and who are suspected of having disabilities, an evaluation is completed within 60 days of parental consent, but an IEP is not required by their third birthdays.

As part of the IEP process, the IEP team determines if extended school year services are required for the preschool child.

(4) COORDINATION WITH OTHER AGENCIES.

The District has interagency agreements with Head Start programs within the school district's service delivery that provide for:

- (a) Service coordination for preschool children with disabilities, 3 through 5 years of age, in a manner consistent with the state interagency agreement for service coordination with Head Start; and
- (b) Transition of children eligible for special education and related services as a preschool child at age 3.

The District also has interagency agreements with the relevant county board(s) of MR/DD for identification, service delivery and financial responsibilities to adequately serve preschool children with disabilities 3 through 5 years of age.

C. DATA COLLECTION

The District maintains an education management information system and submits data to ODE pursuant to rule 3301-14-01 of the Administrative Code. The District's collection of data includes information needed to determine if significant disproportionality based on race and ethnicity is occurring in the District with respect to the identification of children as children with disabilities, the placement of children in educational settings and the incidence, duration and type of disciplinary actions.

IV. Procedural Safeguards

A. PRIOR WRITTEN NOTICE

The District provides prior written notice as required by IDEA and Operating Standards. See Appendix A which summarizes the situations in which prior written notice is required. The District uses the form required by ODE-OEC Prior Written Notice PR-01.

(1) CONTENT OF PRIOR WRITTEN NOTICE

The prior written notice, in accordance with the IDEA regulations and the Operating Standards, includes the following information to ensure that parents are fully informed of the action being proposed or refused:

- (a) A description of the action proposed or refused by the District;
- (b) An explanation of why the District proposes or refuses to take this action;
- (c) A description of other options that the IEP team considered and the reasons why those options were rejected;
- (d) A description of each evaluation procedure, assessment, record or report that the District used as a basis for the proposed or refused action;
- (e) A description of other factors that are relevant to the District's proposal or refusal;
- (f) A statement that the parents of a child with a disability have procedural safeguards and, if the notice is not an initial referral for evaluation, the means by which a copy of the description of procedural safeguards can be obtained; and
- (g) Sources for parents to contact to obtain assistance in understanding the provisions of Ohio's rule regarding procedural safeguards.

(2) COMMUNICATION OF THE PRIOR WRITTEN NOTICE

The District provides the notice in the native language of the parents or other mode of communication used by the parents unless it is clearly not feasible to do so.

If the native language or other mode of communication is not a written language, the District takes steps to have the notice translated orally or by other means to the parent in the parent's native language or other mode of communication. The District takes steps to ensure that such parents understand the content of the notice and maintains written evidence that both requirements set forth in this paragraph, if applicable, have been met.

The District may provide the prior written notice, procedural safeguards notice and the notification of a due process complaint by e-mail if the parents choose to receive the notices electronically.

B. PROCEDURAL SAFEGUARDS NOTICE

Parents of a child with a disability are entitled to specific procedural safeguards under IDEA and the Operating Standards.

Whose IDEA Is This? A Parent's Guide to the Individuals with Disabilities Education Improvement Act of 2004, developed by ODE-OEC, includes a full explanation of these procedural safeguards as required by IDEA and 3301-51-02, 3301-51-04 and 3301-51-05 of the Operating Standards.

The District provides parents with a copy of *Whose IDEA Is This?* at least once a year. This includes:

- (1) Providing a copy to the parents of a child who transfers into the District from out-of-state; and
- (2) Providing a copy to the parents of a child who transfers into the District from an in-state school if the sending District has not provided a copy to the parents during the current school year.

In addition, the District provides parents with a printed copy of this procedural safeguards notice in each of the following circumstances:

- (1) The initial referral or parental request for evaluation;
- (2) The receipt of the first due process complaint in a school year;
- (3) A change in placement for disciplinary action; and
- (4) When requested by the parents or the child who has reached the age of majority.

In providing *Whose IDEA is This?*, the District follows the procedures for communication that are described above under Prior Written Notice.

C. PARENTAL CONSENT

Consent means that the parents:

- (a) Have been fully informed, in the parents' native language or other mode of communication, of all information relevant to the activity for which consent is sought;
- (b) Understand and agree in writing to the carrying out of the activity for which the consent was asked. The consent describes that activity and lists the records (if any) that will be released and to whom they will be released; and
- (c) Understand that the granting of consent is voluntary and may be revoked at any time.

(1) ACTIONS REQUIRING INFORMED WRITTEN PARENTAL CONSENT

The District obtains written consent from the parents before:

- (a) Conducting an initial evaluation to determine if a child is eligible for special education;
- (b) Initially providing special education and related services;
- (c) Conducting a reevaluation when assessments are needed;
- (d) Making a change in placement on the continuum of alternative placement options (i.e., regular classes, special classes, special schools, home instruction and instruction in hospitals and institutions); and
- (e) Releasing personally identifiable information about the child to any person other than a person authorized to obtain those records without parental consent pursuant to FERPA. For example, parental consent is obtained prior to releasing records to a representative of

an agency that is likely to be responsible for providing or paying for transition services or for the purposes of billing Medicaid.

The District uses the ODE-OEC required Consent for Evaluation PR-05 form to obtain written parental consent for evaluation and reevaluation and the required IEP PR-07 form to obtain written parental consent for the initial provision of special education and related services and for making a change in placement.

The District does not obtain written parental consent when reviewing existing data as part of an evaluation or reevaluation or when administering a test or evaluation that is given to all children, unless consent is required of all parents.

(2) CHANGE IN PLACEMENT

Once the District receives the initial parental consent for special education and related services, the District must obtain consent only for a change in placement. A “change of placement” means a change from one option on the continuum of alternative placements to another (instruction in regular classes, special schools, home instruction and instruction in hospitals and institutions).

If the District cannot obtain parental consent, it may file a due process complaint requesting a due process hearing or engage in conflict resolution to obtain agreement or a ruling that the placement may be changed.

(3) PARENTS’ FAILURE TO RESPOND OR REFUSAL TO PROVIDE CONSENT

The District makes “reasonable efforts” to contact parents and obtain written parental consent that may include:

- (a) Written correspondence;
- (b) Phone calls;
- (c) Electronic mail communications, to include but not limited to e-mail and password-protected parent pages; and/or
- (d) Visits to the home or parents’ places of employment.

The District documents its attempts. If the parents fail to respond or refuse to provide consent, the District proceeds as follows:

(4) INITIAL EVALUATION

If the parents fail to respond to the District’s efforts to obtain consent or refuse consent for the initial evaluation, the District may:

- (a) Request a due process hearing and engage in conflict resolution (e.g., resolution meeting and/or mediation) to convince the parents to provide their consent; or
- (b) Decide not to pursue the initial evaluation and provide the parents with prior written notice.

If the child is being home schooled or has been placed in a private school at the parents' expense, the District cannot file a due process complaint or request the parents to participate in a resolution meeting and/or mediation.

(5) REEVALUATION

If the parents fail to respond to the District's efforts to obtain consent for a reevaluation when assessments are needed, the District proceeds with the reevaluation.

If the parents expressly refuse consent for a reevaluation when assessments are needed, the District may:

- (a) Agree with the parents that a reevaluation is unnecessary;
- (b) Conduct a reevaluation by utilizing data and/or documentation that the District already possesses;
- (c) Request a due process hearing and engage in conflict resolution (e.g., resolution meeting and/or mediation) to convince the parents to provide their consent; or
- (d) Decide not to pursue having the child reevaluated.

The District continues to provide FAPE to the child if the District agrees with the parents that a reevaluation is unnecessary.

(6) INITIAL PROVISION OF SPECIAL EDUCATION AND RELATED SERVICES

If the parents do not attend the IEP meeting to develop the IEP for the initial provision of services, the District attempts to obtain written parental consent through other methods such as calling the parents, corresponding with the parents and or visiting the parents.

If the parents expressly refuse consent, as evidenced by their signatures on the IEP indicating that consent is not given, the District maintains a copy of the signed IEP showing that the District offered FAPE.

If the parents fail to respond or refuse consent, the District provides the parents with prior written notice and continues to provide the child with appropriate interventions in the regular education classroom. The District may not request a due process hearing or engage in conflict resolution to obtain agreement or a ruling that services may be provided to the child.

The District does not use the parents' refusal to consent to one service or activity to deny the parents or the child any other service, benefit or activity in the District, except in those instances in which IDEA authorizes that denial.

(7) REVOCATION OF CONSENT

The parents may revoke consent for and remove the child from special education and related services. Once the District receives written revocation of consent, it provides the parents with prior written notice and continues to provide the child with appropriate interventions through the regular education environment.

The District is not required to amend the child's education records to remove any references to the child's receipt of special education and related services because of the revocation of consent.

If a parent has provided written revocation of consent, the District does not file a due process complaint or engage in conflict resolution to attempt to obtain agreement or a ruling that special education and related services may be provided to the child.

D. INDEPENDENT EDUCATIONAL EVALUATION

Parents who disagree with an evaluation that was completed or obtained by the District may request an independent educational evaluation at public expense. Parents are entitled to request only one independent educational evaluation at public expense each time the District conducts an evaluation with which the parents disagree.

(1) INDEPENDENT EDUCATIONAL EVALUATION AT PUBLIC EXPENSE

If the parents request an independent educational evaluation at public expense, the District either:

- (a) Ensures that an independent evaluation is provided at public expense; or
- (b) Files a due process complaint requesting a hearing to show that the District's evaluation is appropriate.

If the District files a due process complaint and the final decision is that the District's evaluation is appropriate, the parent still has the right for an independent educational evaluation, but not at the public expense.

(2) PARENT INITIATED EVALUATIONS

If a parent obtains an independent educational evaluation at public expense or shares with the District an evaluation obtained at private expense, the District considers that evaluation, if it meets District criteria, in any decision made with respect to the provision of FAPE to the child.

(3) DISTRICT CRITERIA

If an independent educational evaluation is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria which the District uses when it initiates an evaluation, to the extent those criteria are consistent with the parent's right to an independent educational evaluation. Except for the above-mentioned criteria, the District does not impose conditions or timelines related to obtaining an independent educational evaluation at public expense.

E. CONFLICT RESOLUTION

(1) ADMINISTRATIVE REVIEWS

Within 20 days of receipt of a complaint from a child's parents or another educational agency, the District's superintendent, or the superintendent's designee, conducts a review, may hold an administrative hearing and notifies all parties of the decision in writing.

- (a) All parties have the right to invite others, including legal counsel, to participate in the review.
- (b) The review is conducted at a time and place convenient to all parties.
- (c) Every effort is made to resolve any disagreements at the administrative review.

(2) MEDIATION

At its discretion, the District participates in the resolution of disputes with other parties through the voluntary mediation processes available through ODE-OEC.

(3) IMPARTIAL DUE PROCESS HEARING/RESOLUTION MEETINGS

Due process complaints filed against the District proceed in the manner set forth in 3301-51-05(K) of the Operating Standards.

The District convenes a resolution meeting before the initiation of a due process hearing. The resolution meeting:

- (a) Occurs within 15 days of the receipt of notice of the parents' due process complaint;
- (b) Includes a representative of the District who has decision-making authority on behalf of the District;
- (c) Does not include the District's attorney unless the parents are accompanied by an attorney;
- (d) Provides an opportunity for the parents to discuss their due process complaint and the facts the complaint is based on; and
- (e) Provides the District an opportunity to resolve the dispute.

The District does not hold a resolution meeting if the parents and the District agree in writing to waive the meeting or agree to use the mediation process. Also, if the District files the due process complaint, it is not required to hold a resolution meeting.

The District, if it is the child's school district of residence, is responsible for conducting the impartial due process hearing utilizing the hearing officer appointed by ODE-OEC. The District follows the procedures required by 3301-51-05(K)(10)–(15) of the Operating Standards when conducting a hearing at a time and place that is reasonably convenient to the parents and the child involved.

If the parents request to inspect and review any education records relating to their child, the District replies without unnecessary delay and makes the records available before the hearing.

The District provides the parents with one copy of the written, or at the option of the parents, an electronic verbatim record of the hearing and findings of fact and decision at no cost. The decision is final except that any party to the hearing may appeal the decision to ODE-OEC.

The District pays for the costs incurred for the hearing except for expert testimony, outside medical evaluations, witness fees, subpoena fees and cost of counsel requested by the other party to the hearing and compensates the hearing officer as provided in 3301-51-05(K)(16)(d) of the Operating Standards. If the hearing was requested by another agency, the District shares the costs of the hearing except for the costs identified in the preceding sentence.

Any further appeals or actions proceed in accordance with 3301-51-05 of the Operating Standards.

F. CHILD'S STATUS DURING DUE PROCESS PROCEEDINGS/CODE OF CONDUCT VIOLATIONS

(1) CHILD'S STATUS DURING DUE PROCESS PROCEEDINGS

The District ensures that a child remains in the current educational placement during the pendency of any administrative or judicial proceeding regarding a due process complaint, unless the state or the District and the parents of the child agree otherwise. If the state level review officer agrees with the child's parents that a change in placement is appropriate, that placement is treated as an agreement between the state and the parents.

If the complaint involves an application for initial admission to the District, the child, with the consent of the parents, is placed in the District until the completion of all proceedings.

If the complaint involves an application for services from a child who is transitioning from Part C to Part B, the District provides those special education and related services that are not in dispute, if the child is found eligible for special education and related services under Part B and the parent consents to the initial provision of special education and related services.

(2) DISCIPLINARY PROCEEDINGS

The District may consider any unique circumstances on a case-by-case basis when determining whether a change in placement, consistent with the other requirements of 3301-51-05 of the Operating Standards, is appropriate for a child with a disability who violates a code of student conduct.

(a) Changes in placement less than 10 consecutive school days

The District may remove a child with a disability who violates a code of student conduct from the child's current placement to an appropriate interim alternative educational setting, another setting, or suspension, for not more than 10 consecutive school days (to the extent those alternatives are applied to children without disabilities), and for additional removals of not more

than 10 consecutive school days in that same school year for separate incidents of misconduct (as long as those removals do not constitute a change of placement).

The District considers on a case-by-case basis whether a pattern of removals constitutes a change of placement. A change in placement occurs if:

- (1) The removal is for more than 10 consecutive school days, **or**
- (2) The child has been subjected to a series of removals that constitute a pattern:
 - (a) Because the series of removals totals more than 10 school days in a school year;
 - (b) Because the child's behavior is substantially similar to the child's behavior in previous incidents that resulted in the series of removals; and
 - (c) Because of such additional factors as the length of each removal, the total amount of time the child has been removed and the proximity of the removals to one another.

(b) Services during removal from current placement

The District provides services to a child removed from the child's current placement as follows:

- (1) If the child has been removed from the child's current placement for 10 school days or less in the school year, services are provided only to the extent that services are provided to a child without disabilities who is similarly removed;
- (2) After a child with a disability has been removed from the child's current placement for 10 school days in the same year (under circumstances in which the current removal is for not more than 10 consecutive days and is **not** a change in placement), the District provides services, as determined by school personnel in consultation with at least one of the child's teachers, so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP;
- (3) If the removal is a change in placement, the child's IEP team determines appropriate services; and
- (4) If a child with a disability is removed from the child's current placement for either more than 10 consecutive days for behavior that is determined **not** to be a manifestation of the child's disability or under circumstances that constitute special circumstances, as defined below, the District ensures that the child:
 - (a) Continues to receive educational services so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP; and
 - (b) Receives, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur.

(c) Manifestation determination

Within 10 school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the school district, the parent and relevant members of the child's IEP team (as determined by the parent and the school district) must review all relevant information in the child's file, including the child's IEP, any teacher observations and any relevant information provided by the parents to determine if the conduct

was a manifestation of the child's disability. The District determines that the conduct is a manifestation of the child's disability:

- (1) If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
- (2) If the conduct in question was the direct result of the school district's failure to implement the IEP.

If the District, parents and relevant members of the IEP team determine that the conduct in question was the direct result of the school district's failure to implement the IEP, the District takes immediate steps to remedy those deficiencies.

- (1) If the conduct was a manifestation of the child's disability, the IEP team either:
 - (a) Starts to conduct a functional behavioral assessment within 10 days of the manifestation determination and complete the assessment as soon as practicable, unless the school district had conducted a functional behavioral assessment before the behavior that resulted in the change of placement occurred, and implemented a behavioral intervention plan for the child; **or**
 - (b) If a behavioral intervention plan already has been developed, within 10 days of the manifestation determination, reviews the behavioral intervention plan and the implementation of the plan, and modifies it, as necessary, to address the behavior subject to disciplinary action; **and**
- (2) Returns the child to the placement from which the child was removed, unless the parent and the District agree to a change of placement as part of the modification of the behavioral intervention plan.

(d) Special circumstances.

The District may remove a child to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the child's disability, if the child:

- (1) Carries a weapon to or possesses a weapon at school, on school premises, or to or at a school function under the jurisdiction of ODE or a school district;
- (2) Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of ODE or a school district; or
- (3) Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of ODE or a school district.

The District defines the terms controlled substance, weapon, illegal drug and serious bodily injury in accord with 3301-51-05(K)(20)(h)(i) of the Operating Standards.

On the date on which the decision is made to make a removal that constitutes a change of placement of a child with a disability because of a violation of a code of student conduct, the school district must notify the parents of that decision and provide the parents with the procedural safeguards notice described in Section B above.

(e) Expedited Due Process Hearing

The District or the parents may submit a due process complaint requesting an expedited due process hearing to appeal a decision made during disciplinary procedures.

- (1) The District may request a an expedited due process hearing if it believes that maintaining the current placement of a child is substantially likely to result in injury to the child or to others.
- (2) The parents may request an expedited due process hearing to appeal decisions regarding placement for disciplinary removals or the manifestation determination.

The District is responsible for conducting the expedited due process hearing utilizing the hearing officer appointed by ODE-OEC. The District follows the procedures that apply for other due process hearings except that the expedited due process hearing must occur within 20 school days after the date the due process complaint is filed and no extensions of time shall be granted. The hearing officer then must make a determination within 10 school days after the hearing. The District follows the expedited timelines and the procedures set forth in 3301-51-05(K)(22)(c)-(d) of the Operating Standards.

G. TRANSFER OF PARENTAL RIGHTS AT AGE OF MAJORITY/STUDENT NOTIFICATION

Once a child reaches the age of majority, the District sends all required notices to both the student and parent, unless the student has been determined incompetent under state law. If a child with a disability is incarcerated in an adult or juvenile correctional institution, prior written notices are provided to both the parents and the student.

One year before the child's 18th birthday, the District notifies both the parents and the child of the parental rights that will transfer to the child upon reaching the age of majority (age 18) and provides the child with a copy of *Whose IDEA Is This?* The District documents this notice on the child's IEP PR-07 form.

Once the child turns 18, the District obtains informed written consent, as required by the Operating Standards, from the student, unless the student has been determined incompetent under state law.

H. SURROGATE PARENTS

The District ensures that the rights of a child are protected when:

- (1) No parent, as defined in 3301-51-01 of the Operating Standards, can be identified;
- (2) The District, after making reasonable efforts, cannot locate a parent;
- (3) The child is a ward of the state; or
- (4) The child is an unaccompanied homeless youth as defined by 3301-51-05(E)(1)(d) of the Operating Standards.

One way in which the District protects the rights of such children is through the assignment of surrogate parents where appropriate. The District has a method for determining when a child needs a surrogate parent and for assigning a surrogate parent to the child, and complies with the requirements of 3301-51-05(E) of the Operating Standards regarding surrogate parents.

V. EVALUATION

The District ensures that initial evaluations are conducted and that reevaluations are completed for children residing within the District. The District uses a referral process to determine whether or not a child is a child with a disability. The District also provides interventions to assist a child who is performing below grade-level standards. The provision of intervention services is not used to unnecessarily delay a child's evaluation for purposes of determining eligibility for special education services.

A. INITIAL EVALUATION

1. TIMING AND INITIATION

The district conducts an evaluation before the initial provision of special education and related services. Either a parent of a child or a public agency may initiate a request for an initial evaluation to determine if the child is a child with a disability.

Within 30 days of receipt of a request for an evaluation, the District either obtains parental consent for an initial evaluation or provides to the parents prior written notice stating that the school district does not suspect a disability and will not be conducting an evaluation.

The initial evaluation:

- (a) Is conducted within 60 days of receiving parental consent for the evaluation unless the exception set forth in 3301-51-06(B)(5) of the Operating Standards applies; and
- (b) Consists of procedures:
 - (i) To determine if the child is a child with a disability as defined in 3301-51-01(B)(10) of the Operating Standards; and
 - (ii) To determine the educational needs of the child.

The district obtains parental consent before conducting an evaluation. See Chapter IV, Section C, regarding parental consent requirements.

The evaluation team consists of the IEP team and other qualified professionals.

2. THE EVALUATION PLAN AND EVALUATION TEAM REPORT

As part of the initial evaluation, if appropriate, and as part of any reevaluation, the evaluation team shall develop an evaluation plan that will provide for the following and be summarized in an evaluation team report:

- (a) Review of existing evaluation data on the child, including:
 - (i) Evaluations and information provided by the parents of the child;
 - (ii) Current classroom-based, local or state assessments and classroom-based observations;
 - (iii) Observations by teachers and related services providers;
 - (iv) Data about the child's progress in the general curriculum, or, for the preschool-age child, data pertaining to the child's growth and development;

- (v) Data from previous interventions, including:
 - (a) Interventions required by rule 3301-51-06 of the Operating Standards and
 - (b) For the preschool child, data from early intervention, community, or preschool program providers; and
- (vi) Any relevant trend data beyond the past twelve months, including the review of current and previous IEPs; and
- (b) On the basis of that review and input from the child's parents, identify what additional data, if any, are needed to determine:
 - (i) Whether the child is a child with a disability, as defined in 3301-51-01 of the Operating Standards, and the educational needs of the child;
 - (ii) In the case of a reevaluation of a child, whether the child continues to have such a disability and the educational needs of the child;
 - (iii) The present levels of academic achievement and related developmental needs of the child;
 - (iv) Whether the child needs special education and related services; or
 - (v) In the case of a reevaluation of a child, whether the child continues to need special education and related services; and
 - (vi) Whether any additions or modifications to the special education and related services are needed to enable the child to meet the measurable annual goals set out in the IEP of the child and to participate, as appropriate, in the general education curriculum.

The District administers such assessments and other evaluation measures as may be needed to produce the data identified above. The district provides prior written notice to the parents of a child with a disability that describes any evaluation procedures the school district proposes to conduct.

3. CONDUCT OF EVALUATION

In conducting the evaluation, the District:

- (a) Uses a variety of assessment tools and strategies to gather relevant functional, developmental and academic information about the child, including information provided by the parent, that may assist in determining:
 - (i) Whether the child is a child with a disability as defined in 3301-51-01(B)(10) of the Operating Standards; and
 - (ii) The content of the child's IEP, including information related to enabling the child to be involved in and progress in the general education curriculum (or for a preschool child to participate in appropriate activities);
- (b) Does not use any single measure or assessment as the sole criterion for determining whether a child is a child with a disability and for determining an appropriate educational program for the child; and
- (c) Uses technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.

The District ensures that:

- (a) Assessments and other evaluation materials used to assess a child:
 - (i) Are selected and administered so as not to be discriminatory on a racial or cultural basis;
 - (ii) Are provided and administered in the child's native language or other mode of communication and in the form most likely to yield accurate information about what the child knows and can do academically, developmentally and functionally, unless it is clearly not feasible to so provide or administer;
 - (iii) Are used for the purposes for which the assessments or measures are valid and reliable;
 - (iv) Are administered by trained and knowledgeable personnel; and
 - (v) Are administered in accordance with any instructions provided by the producer of the assessments.
- (b) Assessments and other evaluation materials include those tailored to assess specific areas of educational need and not merely those that are designed to provide a single general intelligence quotient.
- (c) Assessments are selected and administered so as best to ensure that if an assessment is administered to a child with impaired sensory, manual or speaking skills, the assessment results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure rather than reflecting the child's impaired sensory, manual or speaking skills (unless those skills are the factors that the test purports to measure);
- (d) A school age child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status and motor abilities;
- (e) Preschool children are assessed in the following developmental areas: adaptive behavior, cognition, communication, hearing, vision, sensory/motor function, social-emotional functioning and behavioral function.
- (f) Assessments of children with disabilities who transfer from one school district to another school district in the same school year are coordinated with the children's prior and subsequent schools, as necessary and as expeditiously as possible, consistent with 3301-51-06(B)(5)(b) and (B)(6) of the Operating Standards, to ensure prompt completion of the full evaluations.
- (g) In evaluating each child with a disability under 3301-51-06(E)-(G) of the Operating Standards, the evaluation is sufficiently comprehensive to identify all of the child's special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified.
- (h) Assessment tools and strategies that provide relevant information that directly assists persons in determining the educational needs of the child are provided.
- (i) Medical consultation shall be encouraged for a preschool or school-age child on a continuing basis, especially when school authorities feel that there has been a change in the child's behavior or educational functioning or when new symptoms are detected; and
- (j) For preschool-age children, as appropriate, the evaluation shall include the following specialized assessments:

- (i) Physical examination completed by a licensed doctor of medicine or doctor of osteopathy in cases where the disability is primarily the result of a congenital or acquired physical disability;
- (ii) Vision examination conducted by an eye care specialist in cases where the disability is primarily the result of a visual impairment; and
- (iii) An audiological examination completed by a certified or licensed audiologist in cases where the disability is primarily the result of a hearing impairment.

B. ELIGIBILITY DETERMINATION AND EVALUATION TEAM REPORT

1. COMPLETION OF THE EVALUATION TEAM REPORT

The following occurs upon completion of the administration of assessments and other evaluation measures:

- (a) The IEP team and other qualified professionals and the parent of the child determines whether the child is a child with a disability, in accordance with the Operating Standards; and
- (b) The District provides a copy of the evaluation report and the documentation of determination of eligibility at no cost to the parent.

The written evaluation team report shall include:

- (a) A summary of the information obtained during the evaluation process; and
- (b) The names, titles and signatures of each team member, including the parent, and an indication of whether or not they are in agreement with the eligibility determination. Any team member who is not in agreement with the team's determination of disability shall submit a statement of disagreement.

The District provides a copy of the evaluation team report and the documentation of determination of eligibility or continued eligibility to the parents prior to the next IEP meeting and in no case later than 14 days from the date of eligibility determination.

2. DETERMINATION OF ELIGIBILITY

A child is not determined to be a child with a disability:

- (a) If the determinant factor for that determination is:
 - (i) Lack of appropriate instruction in reading, including the essential components of reading instruction as defined in Section 1208(3) of the Elementary and Secondary Act of 1965, as amended and specified in the No Child Left Behind Act of 2002, January 2002, 20 U.S.C. 6301 (ESEA);
 - (ii) Lack of appropriate instruction in math; or
 - (iii) LEP; and
- (b) If the child does not otherwise meet the eligibility criteria under 3301-51-01(B)(10) of the Operating Standards.

The district, in interpreting evaluation data for the purpose of determining if a child is a child with a disability, does the following:

- (a) Draws upon information from a variety of sources, including aptitude and achievement tests, state and district wide assessments, parent input and teacher recommendations, as well as information about the child's physical condition, social or cultural background and adaptive behavior; and
- (b) Ensures that information obtained from all of these sources is documented and carefully considered.

If a determination is made that a child has a disability and needs special education and related services, the District develops an IEP for the child.

C. REEVALUATIONS

The District conducts reevaluations of a child with a disability:

- (a) If the District determines that the child's educational or related services needs, including improved academic achievement and functional performance, warrant a reevaluation; or
- (b) If the child's parent or teacher requests a reevaluation; or
- (c) When a child transitions from pre-school to school-aged services; or
- (d) In order to make a change in disability category.

A reevaluation may not occur more than once a year, unless the parent and the District agree otherwise.

A reevaluation must occur at least once every three years, unless the parent and the District agree that a reevaluation is unnecessary.

The District evaluates a child with a disability before determining that child is no longer a child with a disability, although this evaluation is not required if the child's eligibility terminates due to graduation from secondary school with a regular diploma or due to exceeding the age eligibility for FAPE under state law. If a child's eligibility terminates for one of these reasons, the District provides the child with a summary of the child's academic achievement and functional performance, which shall include recommendations on how to assist the child in meeting the child's postsecondary goals.

D. IDENTIFYING CHILDREN WITH SPECIFIC LEARNING DISABILITIES (SLD)

The District has written procedures for the implementation of the evaluation process the District uses to determine the existence of a specific learning disability (SLD). In addition, the District uses the form required by ODE-OEC, Evaluation Team Report PR-06 and completes Part 3: Documentation for Determining the Existence of a Specific Learning Disability of PR-06 when the District suspects the child has a SLD.

(1) DETERMINING THE EXISTENCE OF A SPECIFIC LEARNING DISABILITY

The parents, the IEP team, and a group of qualified professionals from the District determine that a child has a SLD if:

- (a) The child does not achieve adequately for the child's age or to meet state-approved grade-level standards in one or more of the following areas, when the District provides learning experiences and instruction appropriate for the child's age or state-approved grade-level standards:
 - (i) Oral expression;
 - (ii) Listening comprehension;
 - (iii) Written expression;
 - (iv) Basic reading skill;
 - (v) Reading fluency skills;
 - (vi) Reading comprehension;
 - (vii) Mathematics calculation; or
 - (viii) Mathematics problem-solving;

AND

- (b) The child does not make sufficient progress to meet age or state-approved grade-level standards in one or more of the areas identified in number 1, above, when the District uses an evaluation process to determine the child's response to scientific, research-based intervention;

OR

- (c) The child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, state-approved grade-level standards, or intellectual development, when the District uses appropriate assessments consistent with 3301-51-06(E) and (F) of the Operating Standards that the group has determined to be relevant to the identification of a SLD.

Alternatively, the District may choose a third method of evaluation, for determining if a child has a SLD. The District seeks prior approval from ODE-OEC if it chooses to use an alternative research-based assessment procedure to determine if a child has a SLD.

(2) USE OF AN EVALUATION PROCESS BASED ON THE CHILD'S RESPONSE TO SCIENTIFIC, RESEARCH-BASED INTERVENTION FOR SLD DETERMINATION

If the District uses an evaluation process based on the child's response to scientific, research-based intervention to determine whether a child has a SLD. The District ensures that this process:

- (a) Begins when the District has gathered and analyzed sufficient data from scientifically-based instruction and targeted and intensive individualized interventions that provide evidence that the child's needs are unlikely to be met without certain specialized instruction, in addition to the regular classroom instruction;
- (b) Employs interventions that are scientifically-based and provided at appropriate levels of intensity, frequency, duration and integrity, relative to the child's identified needs;

- (c) Is based on results of scientifically-based, technically adequate assessment procedures that assess ongoing progress while the child is receiving scientifically-based instruction and the results of these procedures have been reported to the child's parents; and
- (d) Includes the analysis of data described in 3301-51-06(H)(3)(b)(i) and (H)(3)(b)(ii) of the Operating Standards to determine whether a discrepancy is present between the child's actual and expected performance, in both the child's rate of progress in developing skills, and in the child's level of performance on measures assessing one or more of the academic areas listed in 3301-51-06(H)(3)(a)(i) of the Operating Standards

The District will not use this process to delay unnecessarily a child's referral for a comprehensive evaluation to determine eligibility for special education services.

(3) ADDITIONAL REQUIREMENTS FOR SLD DETERMINATION

The District ensures that the following additional requirements are satisfied when determining if a child has a SLD:

Inclusion of additional required group members for SLD determination

The group that determines that a child suspected of having a SLD is a child with a disability includes the child's parents and a group of qualified professionals consisting of, but not limited to:

- (a) In the case of a school-age child, the child's regular teacher (or if the child does not have a regular teacher, the District includes a regular classroom teacher qualified to teach a child of the child's age);
- (b) In the case of children less than school-age, an individual qualified by ODE to teach a child of the child's age; and

At least one person qualified to conduct individual diagnostic examinations of children, such as a school psychologist, speech-language pathologist or remedial reading teacher.

Observation requirements

The District ensures that the child is observed in the child's learning environment, including the regular classroom setting, to document the child's academic performance and behavior in the areas of difficulty. The group of qualified professionals identified by the District conducts the observation by:

- (a) Using information from an observation of the child's performance conducted during routine classroom instruction, including monitoring of the child's performance during instruction, that was done before the child was referred for an evaluation; or
- (b) Having at least one member of the group conduct an observation of the child's academic performance in the regular classroom after the child has been referred for an evaluation and parent consent has been obtained.

In the case of a child of less than school-age or a child who is out of school, the District ensures that a group member observes the child in an environment appropriate for a child of that age.

Ensuring the child's underachievement is not due to a lack of appropriate instruction in reading and math

In order to ensure that underachievement in a child suspected of having a SLD is not due to lack of appropriate instruction in reading or math, the District considers:

- (a) Data demonstrating that prior to, or as part of, the referral process, the child received appropriate instruction in regular education settings delivered by qualified personnel; and
- (b) Data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of the child's progress during instruction, the results of which were provided to the child's parents.

Obtaining parental consent to evaluate

The District promptly requests parental consent to evaluate a child to determine if the child needs special education and related services:

- (a) If prior to the referral, the child does not make adequate progress after an appropriate period of time when provided with appropriate instruction. To make this determination, the District considers:
 - (i) Data demonstrating that prior to, or as part of, the referral process, the child received appropriate scientifically-based instruction in regular education settings delivered by qualified personnel; and
 - (ii) Data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of the child's progress during instruction, the results of which were provided to the child's parents; and
- (b) Whenever a child is referred for an evaluation.

Consideration of exclusionary factors

When determining that a child has a SLD, the District ensures that the findings from the evaluation process are not primarily the result of:

- (a) A visual, hearing, or motor disability;
- (b) Mental retardation;
- (c) Emotional disturbance;
- (d) Cultural factors;
- (e) Environmental or economic disadvantage; or
- (f) LEP.

If the District determines that one of these factors is the primary reason for the child's suspected disability, the District does not identify the child as having a SLD.

VI. INDIVIDUALIZED EDUCATION PROGRAMS (IEPs)

The District ensures that an IEP is developed and implemented for each child with a disability, ages 3 through 21, inclusive, who requires special education and related services and who resides in the district. For all children with disabilities for whom our district is the district of residence, the District is responsible for ensuring that the requirements of 3301-51-07 of the Operating Standards are met regardless of which district, county board of MR/DD, or other educational agency implements the child's IEP.

The meeting to develop an IEP is conducted within 30 days of a decision that a child needs special education and related services.

The initial IEP is developed within whichever of the following time periods is the shortest:

- (a) Within 30 calendar days of the determination that the child needs special education and related services;
- (b) Within 90 days of receiving informed parental consent for an evaluation; or
- (c) Within 120 calendar days of receiving a request for an evaluation from a parent or school district (unless the evaluation team has determined it does not suspect a disability).

The District ensures that the parents receive a copy of the child's IEP at no cost to the parents. The parents may receive a copy of the IEP either at the conclusion of the IEP meeting or within 30 calendar days of the date of the IEP meeting.

A. MEMBERS OF THE IEP TEAM

The IEP team includes:

- (1) The child's parents;
- (2) Not less than one of the child's regular education teachers, if the child is or may be participating in the regular education environment;
- (3) Not less than one special education teacher of the child or, where appropriate, not less than one special education provider of the child;
- (4) A representative of the school district who:
 - a) Is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities;
 - b) Knows the general education curriculum; and
 - c) Knows about the availability of resources of the school district.
- (5) Someone who can interpret the instructional implications of the evaluation results, who may be one of the team noted previously;
- (6) At the discretion of the parents or the school district, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate; and
- (7) The child, whenever appropriate. The child must be invited if a purpose of the meeting is the consideration of postsecondary goals for the child and the transition services needed to assist the child in reaching those goals.

A member of the IEP team, other than the parent and the child if appropriate, is not required to attend an IEP team meeting, in whole or in part, if the parent and the district agree, in writing, that the attendance of that member is not necessary because the member's area of the curriculum or related services is not being modified or discussed at the meeting or portion of the meeting.

B. PARENTAL PARTICIPATION

The District takes steps to ensure that one or both of the parents of a child with a disability are present at each IEP team meeting or are afforded the opportunity to participate, including:

- (1) Notifying the parents of the meeting early enough to ensure that they will have an opportunity to attend; and
- (2) Scheduling the meeting at a mutually-agreed upon time and place.

A Notice to a Parent Regarding an IEP meeting:

- (1) Indicates the purpose, time and location of the meeting and who will be in attendance; and
- (2) Informs the parents of the provisions of the Operating Standards regarding the participation of other individuals who have knowledge or special expertise about the child and the participation of the Part C service coordinator or other representatives of the part C system at the initial IEP team meeting for a child previously served under Part C. See 3301-51-07(J)(2)(a)(ii) of the Operating Standards.

Beginning no later than the first IEP to be in effect when the child turns 14, the Notice also:

- (1) Indicates that a purpose of the meeting will be the development of a statement of the transition needs of the child; and
- (2) Indicates that the District will invite the child.

Beginning no later than the first IEP to be in effect when the child turns 16, the Notice also:

- (1) Indicates that a purpose of the meeting will be the consideration of the postsecondary goals and transition services for the child;
- (2) Indicates that the school district will invite the child; and
- (3) Identifies any other agency that will be invited to send a representative, if the parents consent.

The District conducts IEP team meetings without a parent in attendance only if it cannot convince parents that they should attend. Before an IEP team meeting is held without a parent, the District makes multiple attempts to contact a parent to arrange a mutually agreed on time and place, and records its attempts to do so.

C. CONTENTS OF AN IEP

The District uses ODE's required form, PR-O7, for its IEPs.

In developing each child's IEP, the IEP team considers:

- (1) The strengths of the child;

- (2) The concerns of the parents for enhancing the education of their child;
- (3) The results of the initial or most recent evaluation of the child;
- (4) The results of the child's performance on any state or district-wide assessment programs, as appropriate; and
- (5) The academic, developmental and functional needs of the child.

Further, the IEP team considers the following special factors:

- (1) In the case of a child whose behavior impedes the child's learning or that of others, the use of positive behavioral interventions and supports, and other strategies, to address that behavior;
- (2) In the case of a child with LEP, the language needs of the child as those needs relate to the child's IEP;
- (3) In the case of a child who is blind or visually impaired, the instruction of that child in accordance with the Operating Standards and section 3323.011 of the Revised Code;
- (4) The communication needs of the child, including those of a child who is deaf or hard of hearing; and
- (5) Whether the child needs assistive technology devices and services.

(1) CONTENTS OF EVERY IEP

The District's IEPs are written, and are developed, reviewed and revised in IEP meetings. The District's IEPs include all of the following:

- (a) A statement that discusses the child's future and documents planning information;
- (b) A statement of the child's present levels of academic and functional performance, including:
 - (1) How the child's disability affects the child's involvement and progress in the general education curriculum (i.e., the same curriculum as for nondisabled children); or
 - (2) For preschool children, as appropriate, how the disability affects the child's participation in appropriate activities;
- (c) A statement of measurable annual goals, including academic and functional goals and benchmarks or short-term objectives designed to:
 - (1) Meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general education curriculum; and
 - (2) Meet each of the child's other educational needs that result from the child's disability;
- (d) A description of:
 - (1) How the child's progress toward meeting the annual goals described in the IEP will be measured; and
 - (2) When periodic reports on the progress the child is making toward meeting the annual goals will be provided;
- (e) A statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the child, or on behalf of the child, and a statement of the program modifications or supports for school personnel that will be provided to enable the child:
 - (1) To advance appropriately toward attaining the annual goals;

- (2) To be involved in and make progress in the general education curriculum in accordance with the Operating Standards, and to participate in extracurricular and other nonacademic activities; and
- (3) To be educated and participate with other children with disabilities and nondisabled children, as appropriate, in the activities described in 3301-51-07(H)(1)(e) of the Operating Standards;
- (f) An explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular classroom and in activities;
- (g) A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on state and districtwide assessments consistent with Section 612(a)(16) of the IDEA;
- (h) If the IEP team determines that the child must take an alternate assessment instead of a particular regular state or districtwide assessment of student achievement, a statement of why:
 - (1) The child cannot participate in the regular assessment; and
 - (2) The particular alternate assessment selected is appropriate for the child; and
- (i) The projected date for the beginning of the services and modifications described in the IEP and the anticipated frequency, location and duration of those services and modifications.

(2) TRANSITION SERVICES

The District's IEPs address transition services as follows:

- (a) For children age 14 or over (or younger, if determined appropriate by the IEP team), the IEP includes a statement, updated annually, of the transition service needs of the child under the applicable components of the child's IEP that focuses on the child's courses of study (such as participation in advanced-placement courses or a vocational education program.); and
- (b) Beginning not later than the first IEP to be in effect when the child turns 16 (or younger if determined appropriate by the IEP team), the IEP includes:
 - (1) Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment and, where appropriate, independent living skills; and
 - (2) The transition services (including courses of study) needed to assist the child in reaching those goals.

(3) TRANSFER OF RIGHTS AT AGE OF MAJORITY

Beginning not later than one year before the child reaches 18 years of age, the IEP includes a statement that the child has been informed of the child's rights under Part B of the IDEA that will transfer to the child on reaching the age of majority.

(4) NONACADEMIC SERVICES, PHYSICAL EDUCATION, EXTENDED SCHOOL YEAR AND TRANSPORTATION

If appropriate, the IEP includes the services to be provided in each of these areas.

D. REVIEW AND AMENDMENT OF AN IEP

The District ensures that the IEP team:

- (1) Reviews the child's IEP periodically, but not less than annually, to determine whether the annual goals for the child are being achieved; and
- (2) Revises the IEP, as appropriate, to address:
 - (a) Any lack of expected progress toward the annual goals and in the general education curriculum;
 - (b) The results of any reevaluation;
 - (c) Information about the child provided to, or by, the parents as part of an evaluation or reevaluation;
 - (d) The child's anticipated needs; or
 - (e) Other matters; and
- (3) Reconvenes if an agency, other than the school district, fails to provide the transition services described in the IEP.

Changes to the IEP may be made either at an IEP team meeting, or by a written document amending or modifying the IEP, if the parent of the child and the District agree not to convene an IEP team meeting for the purposes of making those changes. If the IEP is amended by written document, without a meeting of the IEP team, the District ensures that the IEP team is informed of the changes made. When an IEP is amended, the District sends a copy of the amended IEP to the parent within thirty days of the date the IEP was amended.

VII. LEAST RESTRICTIVE ENVIRONMENT (LRE)

The District ensures that, to the maximum extent appropriate, children with disabilities, including children in public or nonpublic institutions or other care facilities, are educated with children who are nondisabled. Placement of students with disabilities in special classes, separate schooling or other removal from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services, modifications and/or accommodations cannot be achieved satisfactorily.

The District ensures that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services in the least restrictive environment (LRE).

The District determines the placement of a child with a disability at least annually, and the placement is based on the child's IEP, and is as close as possible to the child's home.

Unless the IEP of a child with a disability requires some other arrangement, the child is educated in the school that the child would attend if nondisabled.

In selecting the LRE for a child with a disability, the IEP team considers any potential harmful effect on the child or on the quality of the services that the child needs.

A child with a disability is not removed from education in age-appropriate regular classrooms solely because of needed modifications in the general education curriculum.

VIII. PARENTALLY PLACED NONPUBLIC SCHOOL CHILDREN

A. CHILD FIND

(1) GENERALLY

The District locates, identifies and evaluates all children with disabilities who are enrolled by their parents in chartered and nonchartered nonpublic schools, including religious elementary and secondary schools located within the District's geographical boundaries.

The District consults with the nonpublic school representatives and representatives of parents of parentally placed nonpublic school children with disabilities regarding the child find process, including:

- (a) How parentally placed nonpublic school children suspected of having a disability can participate equitably; and
- (b) How parent, teachers and nonpublic school officials will be informed of the child find process.

After timely and meaningful consultation with representatives of nonpublic schools, the District carries out child find activities for parentally placed nonpublic school children, including children whose parents live out-of-state. These activities are similar to the child find activities the District conducts for its public school children and ensures an accurate count of children with disabilities. The District completes these activities in a time period comparable to that for children attending its public schools, including completing any evaluations within 60 days of receiving parental consent. See Chapter V, Section A(1).

The District follows all IDEA and FERPA confidentiality requirements when serving children with disabilities attending nonpublic schools located within the District's boundaries and obtains parental consent before releasing any personally identifiable information about a child to officials of the child's district of residence or the nonpublic school in which the child is enrolled.

The District conducts, either directly or through contract, a full and individual initial evaluation of any parentally placed nonpublic school child suspected of having a disability who is enrolled in a nonpublic school within the District's boundaries. The District obtains written parental consent before conducting an initial evaluation.

- (a) If the parents of a parentally placed nonpublic school child do not provide consent or fail to respond to the District's request for consent to evaluate the child, the District may not use mediation or due process procedures to pursue the evaluation. The District does not have to consider this child as eligible for services.
- (b) If the parents do not make clear their intent to keep their child enrolled in the nonpublic school, the District provides the parents of a child who is determined to be eligible for special education services written documentation stating that the child's school district of residence is responsible for making FAPE available to the child.

- (c) The District sends a copy of this documentation to the child’s district of residence, provided the District obtains written parental consent to release the information.

The District conducts reevaluations of parentally placed nonpublic school children with disabilities receiving special education and any related services to determine continued eligibility for services. The District conducts reevaluations no more than once a year, unless the parents and the District agree otherwise, and at least once every three years, unless the parents and the district agree that a reevaluation is unnecessary.

(2) AUTISM SCHOLARSHIP PROGRAM PARTICIPANTS

The District assumes responsibility for the initial evaluations and re-evaluations of children who reside in the District and desire to participate in the Autism Scholarship Program. The district where the nonpublic school is located conducts all reevaluations for children with disabilities participating in the Autism Scholarship Program. (See 3301-51-08(R)(1) of the Operating Standards). The District creates the IEP that is required for eligible children who reside within the District to participate in the Autism Scholarship Program.

B. CONSULTATION

The District consults with nonpublic school representatives and representatives of parents who have placed their children with disabilities in nonpublic schools in a timely and meaningful way during the design and development of special education and related services for the children regarding the following:

(1) CHILD FIND

See above requirements.

(2) PROPORTIONATE SHARE OF FUNDS

- (a) The determination of the proportionate share of federal IDEA Part B funds available to serve parentally-placed nonpublic school children with disabilities;
- (b) The determination of how the proportionate share of those funds was calculated; and
- (c) Consideration of the number of children and their needs and location.

“Proportionate share” refers to the amount of federal IDEA Part B funds the District must expend to provide the group of parentally-placed nonpublic school children with disabilities with equitable participation in services funded with federal IDEA Part B funds. The District follows the formula in 3301-51-05(E)(1)–(4) of the Operating Standards to calculate the proportionate amount.

(3) CONSULTATION PROCESS

- (a) How the consultation process will bring together District representatives, nonpublic school officials and representatives of parentally placed nonpublic school children with disabilities;

- (b) How the process will take place throughout the school year to ensure that parentally-placed nonpublic school children with disabilities identified through the child find can meaningfully participate in special education and related services.

(4) PROVISION OF SPECIAL EDUCATION AND RELATED SERVICES

- (a) How, where and by whom special education and related services will be provided;
- (b) The types of services, including direct services and alternate service delivery mechanisms;
- (c) How special education and related services will be apportioned if funds are insufficient to serve all parentally placed nonpublic school children; and
- (d) How and when these decisions will be made.

(5) WRITTEN EXPLANATION BY THE SCHOOL DISTRICT

How the District will provide the nonpublic school officials a written explanation of the reasons why the District chose not to provide services directly or through a contract if the District disagrees with the views of the nonpublic school officials on the provision of services or the types of services.

The District obtains a written affirmation signed by representatives of the participating nonpublic schools that timely and meaningful consultation has occurred. If representatives of the participating nonpublic schools do not provide the affirmation within a reasonable period of time or choose not to participate under the proportionate share provisions of IDEA and engage in consultation, the District documents its consultation attempts and forwards the documentation to the ODE-OEC. If a nonpublic school located within the boundaries of the District chooses not to participate, the parents may contact the District to request services for the child.

C. RIGHTS TO SERVICES

The District is not required to pay for the cost of education, including special education and related services, of a child with a disability, enrolled at a nonpublic school or facility if:

- (1) The child's district of residence made FAPE available to the child; and
- (2) The parents elected to place the child in the nonpublic school.

The District includes these children and their needs in the population being considered when making decisions about services to be provided to parentally placed nonpublic school children with disabilities.

If the parents make clear their intention to keep their child with a disability enrolled in the nonpublic school, the child's district of residence does not need to develop an IEP for the child. If the child with a disability re-enrolls in the District, the District makes FAPE available.

D. EQUITABLE SERVICES DETERMINED

The District makes the final decisions about the services to be provided through a services plan to eligible parentally placed nonpublic school children with disabilities who are attending

nonpublic schools within the District's geographic boundaries. The District makes these decisions after consultation with nonpublic school representatives and parents of parentally placed nonpublic school children and through meetings to develop, review and revise services plans. A child with a disability attending a nonpublic school does not have an individual right to receive some or all of the special education and related services that the child would receive if enrolled in a public school.

E. EQUITABLE SERVICES PROVIDED

(1) THE SERVICES PLAN

- (a) The District, whether or not it is the child's school district of residence, convenes the services plan meeting, conference call, or video conference for each eligible child who will receive special education and any related services for children who attend nonpublic schools located within the District's geographical boundaries.
- (b) The District determines required participants at the services meeting.
- (c) The District ensures that a nonpublic school representative participates in the development or revision of the services plan.
- (d) The District conducts a meeting, conference call, or video conference at least annually to review and revise, if appropriate, each child's services plan.
- (e) The District uses the ODE required Services Plan PR-09 form for individually developing a services plan for each participating child that describes the specific special education and related services that the District will provide to the child. Parentally placed nonpublic school children with disabilities may receive a different amount of services than children with disabilities enrolled in the District.

(2) PROVISION AND LOCATION OF SERVICES

- (a) District personnel provide services to parentally placed nonpublic school children who attend nonpublic schools located within the District's geographical boundaries or the District provides services through a contract with an individual, association, agency, organization or other entity.
- (b) The District ensures that special education and related services, including materials and equipment, provided to parentally placed nonpublic school children with disabilities are secular, neutral and non-ideological.
- (c) The District, in consultation with the nonpublic school, will determine where services will be provided. Services may be provided on or off the premises of the nonpublic school. The District may provide services at the nonpublic school with the permission of that school.

(3) TRANSPORTATION

- (a) The District provides transportation to parentally placed nonpublic school children with disabilities who attend nonpublic schools located within the District's geographical boundaries if the services being provided under IDEA are being delivered at a location other than the nonpublic school the child is attending. The District provides transportation:
 - (1) From the child's nonpublic school or the child's home to the site other than the nonpublic school; and

- (2) From the service site to the nonpublic school or to the child's home depending on the timing of the services;
- (b) The District may include the cost of transportation to special education and related services that are being delivered at a location other than the nonpublic school in calculating whether it has met the requirements of spending a proportionate amount of federal funds that it receives to serve children with disabilities; and
- (c) The District provides transportation to all children, with and without disabilities, who reside within the District and who are parentally placed in chartered nonpublic schools following the requirements in ORC 3327.01.

F. DUE PROCESS COMPLAINTS AND COMPLAINTS TO ODE

Due process rights do not apply to the provision of special education and related services the District has agreed to provide through a services plan. However, the parents of a child with a suspected disability, or a child identified as having a disability, who is enrolled in a nonpublic school, have the right to file a due process complaint against the District where the nonpublic school is located regarding that District's failure to meet the child find requirements, including location, identification, evaluation and reevaluation of the child.

If the District receives a due process complaint requesting a due process hearing from the parents of parentally placed nonpublic school child, the District follows the procedures that apply to other due process complaints.

The parents of a child with a disability, who has been unilaterally placed in a nonpublic school, have the right to file a formal written complaint with ODE-OEC regarding a number of different issues, which are listed in 3301-51-08(L)(3) of the Operating Standards.

APPENDIX A

When to Provide

Prior Written Notice, Informed Consent and Procedural Safeguards Notice (*Whose IDEA Is This?*)

Steps in the Special Education Process	Action Required		
	Notification or Informed Consent	Prior Written Notice to Parents PR-01	Whose IDEA Is This?
1. Procedural safeguards must be provided to the parents once a year			X
2. Procedural safeguards must be provided upon request of the parents			X
3. Initial referral for a suspected disability		X	X
4. Initial evaluation	Informed consent (Parent Consent for Evaluation PR-04 form)	X	
5. Eligibility determination		X	
6. IEP meeting	Notification (Parent Invitation to Meeting PR-02 form)	Provide after an IEP, if parents do not agree or do not attend the meeting	
7. Reevaluation with assessments conducted	Informed consent (Parent Consent for Evaluation PR-04 form)	Provide before, and after if parents do not agree or disability category changes	
8. Reevaluation without further assessments conducted	Notification	May use this form to notify before, and provide after, if parents do not agree or disability category changes	
9. No reevaluation conducted		X	
10. Transfers from out of state and out of district	Informed consent (Parent Consent for Evaluation PR-04 form) (If an evaluation is to be conducted)	Provide only after an IEP, if parents do not agree	If moved from out of state
11. Change of placement	Informed consent (IEP PR-07 form)	Provide only after an IEP, if parents do not agree	
12. Change in the type and amount of services		Provide only after an IEP, if parents do not agree	
13. Exit from special education	Notification (Summary of performance if graduating or aging out of special education)	X	
14. District refuses services requested by parents		X	
15. District proposes/refuses to change disability category		X	
16. Releasing personally identifiable information	Informed consent (written consent)		
17. Destruction of personally identifiable information	Notification prior to destruction		
18. Transfer of parental rights	Statement included in IEP PR-07 form		X
19. Upon receipt of the first due process complaint or upon receipt of first state complaint in school year			X
20. Disciplinary change in placement		X	X
21. Revocation of consent		X	

Prior Written Notice, Informed Consent and Procedural Safeguards Notice (*Whose IDEA Is This?*)

1. Procedural safeguards must be provided to the parents once a year.

The school district must give a copy of the **procedural safeguards notice (*Whose IDEA Is This?*)** to the parents at least once a year, except as noted below:

- Upon initial referral or the parents request for evaluation;
- Upon request by the parents;
- Upon receipt of the first due process complaint or state complaint in a school year; and
- Upon a change in placement for disciplinary action.

2. Procedural safeguards must be provided upon request of the parents.

The school district must give a copy of the **procedural safeguards notice (*Whose IDEA Is This?*)** to the parents whenever the parents request.

3. Initial referral for a suspected disability

On the date of the referral, the district must provide the parents with a copy of the **procedural safeguards notice (*Whose IDEA Is This?*)**. For a parental referral, the date of referral is the date that the district received either the verbal or written request from the parents to conduct an evaluation. For a district referral, the date of referral is the date that the screening or review team decided an evaluation should be conducted. See Evaluation – 6.2 Request and Referral for Initial Evaluation. Within 30 days of the date of initial referral by the parents for a suspected disability, the district must provide the **Prior Written Notice to Parents PR-01** form to the parents if the district does not suspect a disability.

4. Initial evaluation

Within 30 days of the date of initial referral by the parents for a suspected disability, the district must provide the **Prior Written Notice PR-01** form to the parents and receive written, **informed consent (Parent Consent for Evaluation PR-04 form)** from the parents prior to conducting any assessments as part of an initial evaluation. A description of any evaluation procedures the district proposes to conduct must also be provided to the parents. (If the notice relates to an action proposed by the district that also requires parental consent, the district may give notice at the same time it requires parental consent.)

5. Eligibility determination

If the evaluation team determines that a child is not eligible for special education and related services the district will provide the parents the **Prior Written Notice to Parents PR-01** form once this determination is made. If the evaluation team determines that a child is eligible for special education and related services, see Item number 6, IEP Meeting.

6. IEP Meeting

The district must use the required **Parent Invitation PR-02** form to notify and invite the parents to an IEP meeting. Districts must take steps to ensure that one or both parents are present at each IEP meeting or are afforded the opportunity to participate. This requires that the district:

- Notify the parents of the IEP meeting early enough to ensure that they have an opportunity to attend; and
- Schedule the meeting at a mutually agreed upon time and place.

A district must provide the **Prior Written Notice to Parents PR-01** form after an IEP meeting, if the parents do not agree with the IEP or any portion of the IEP or do not attend the meeting.

A district must provide **prior written notice** to the parents and receive **written, informed consent** from the parents before the initial placement of a child in special education. The **IEP PR-07** form serves as prior written notice unless the parents disagree with the IEP. Written informed consent to initiate special education and related services is provided through the parents' signature on the IEP form.

7. Reevaluation with assessments conducted

A district must provide the **Prior Written Notice to Parents PR-01** form and obtain **informed parental consent (Parent Consent for Evaluation PR-05 form)** before conducting any tests or assessments as part of a reevaluation of a child with disabilities, unless the district has provided notice and the parents have failed to respond to reasonable attempts to obtain consent.

The district must provide the **Prior Written Notice to Parents PR-01** form after the reevaluation is completed, if the parents disagree with the reevaluation or the reevaluation results in a change in the child's disability category.

8. Reevaluation without further assessments conducted

If the evaluation team determines that no additional data are needed to determine that the child continues to be a child with a disability and to determine the child's educational needs, the evaluation team must notify the child's parents. The notification that no further assessments are necessary must include:

- The team's determination and the reasons for the determination; and
- The parents' right to request an assessment to determine whether the child continues to be a child with a disability and to determine the child's educational needs.

The **Prior Written Notice to Parents PR-01** form may be used for this notification as long as it includes the information listed directly above.

The district must provide the **Prior Written Notice to Parents PR-01** form after the reevaluation is completed, if the parents disagree with the reevaluation or the reevaluation results in a change in the child's disability category.

9. No reevaluation conducted

If the IEP team, including the parents, agrees that a reevaluation of a child is unnecessary, the district must provide the **Prior Written Notice to Parents PR-01** form.

10. Transfers from out of state and out of district

Upon the enrollment of a child with an existing IEP from another district or state, the district must convene the IEP team and determine if the team will accept the existing IEP or change the existing IEP. If the parents disagree with the IEP team on the IEP that will be implemented by the district, the **Prior Written Notice to Parents PR-01** form must be provided to the parents. See IEP – 7.1 General.

Transfers from out of state

If the child moved into the district from another state, the district must provide the parents with a copy of the **procedural safeguards notice (Whose IDEA Is This?)**.

If the district determines that a new evaluation is necessary for a child who transfers from out of state, the evaluation is considered an initial evaluation and the district must provide the **Prior Written Notice to Parents PR-01** form and obtain written parental consent (**Parent Consent for Evaluation PR-05 form**). See Evaluation – 6.2 Request and Referral for Initial Evaluation.

Transfers from out of district

If the child transfers into the district from another district in the state, the district provides the parents with a copy of the **procedural safeguards notice (*Whose IDEA Is This?*)** if the sending school district had not provided the parents with a copy during the current school year.

If the IEP team refers a child who transfers from another district in the state for additional evaluation, the evaluation is considered to be a reevaluation. The district must provide the **Prior Written Notice to the Parents PR-01** form and obtain written parental consent (**Parent Consent for Evaluation PR-05** form). See Evaluation – 6.5 Reevaluation.

11. Change of placement

The district must provide the **Prior Written Notice to Parents PR-01** form after an IEP meeting, if the parents do not agree with the IEP team's proposed change of placement on the continuum of alternative placement options. The district may not change the child's placement until the parents consent to the proposed change of placement.

12. Change in the type and amount of services

The district must provide the **Prior Written Notice to Parents PR-01 form** after an IEP meeting, if the parents do not agree with the changes in the types and amount of services being proposed. The district may then proceed to implement the IEP.

13. Exit from special education

The district must provide the **Prior Written Notice to Parents PR-01** form whenever a child exits special education. In addition, for a child whose eligibility for special education terminates because the child is graduating with a regular diploma or exceeding the age eligibility for special education, the school district must provide the child with a **summary of the child's academic achievement and functional performance**, which shall include recommendations on how to assist the child in meeting the child's postsecondary goals.

14. District refuses services requested by parents

The district must provide the **Prior Written Notice to Parents PR-01** form to the parents any time the district refuses the request of the parents to provide special education and related services to the child.

15. District proposes/refuses to change disability category

The district must provide the **Prior Written Notice to Parents PR-01** form to the parents any time the district proposes or refuses to change the child's disability category. The ETR and the documentation of eligibility can be considered a prior written notice if all the elements required in a prior written notice are present in the ETR and determination of eligibility.

16. Releasing personally identifiable information

The district must obtain **written parental consent** prior to releasing any personally identifiable information about the child to any person or agency not entitled by law to see it, and to a representative of any participating agency that is likely to be responsible for providing or paying for transition services.

17. Destruction of personally identifiable information

The school district must inform the parents when personally identifiable information collected, maintained and used is no longer needed to provide educational services to the child. The information must be destroyed at the request of the parents. However, a permanent record of a child's name, address, telephone number, grades, attendance record, classes attended, grade level completed and year completed shall be maintained without time limitation. This **notification may be in writing or provided verbally**. If provided verbally, the school district should document this notification in the child's education record.

18. Transfer of parental rights

One year before the child's 18th birthday, the district must notify both the child and the parents of the parental rights, under Part B, that will transfer to the child upon reaching the age of majority. The district also must provide the child with a copy of the **procedural safeguards notice (Whose IDEA Is This?)**. This notification is documented on the child's **IEP PR-07** form.

19. Upon receipt of the first due process complaint or upon receipt of the first state complaint in the school year

The school district must give the parents a copy of the **procedural safeguards notice (Whose IDEA Is This?)** upon receipt of the parents' first due process request. The Ohio Department of Education, Office for Exceptional Children gives the parents a copy of the **procedural safeguards (Whose IDEA Is This?)** upon the parents' filing of the first state complaint within the school year.

20. Disciplinary change in placement

Whenever a change of placement occurs due to disciplinary action, a copy of the **procedural safeguards notice (Whose IDEA Is This?)** and **Prior Written Notice PR-01** form must be provided.

21. Revocation of consent (must be in writing)

The district must provide the **Prior Written Notice to Parents PR-01** form if the parents of a child with a disability revoke consent in writing for the continued provision of all special education and related services. This notice must include:

- A summary of all of the supports and services the child will no longer receive, and any change in educational placement that will occur as a result of the revocation of consent.
- Statements that once the revocation takes effect, the district will not be considered to be in violation of its requirement to make FAPE available, is not required to convene an IEP meeting or develop an IEP, is not required to conduct a three year reevaluation, is not required to offer the child the discipline protections available under IDEA and is not required to amend the child's education records to remove any reference to the child's receipt of special education and related services.
- A statement that by revoking consent for special education and related services for the child, the parent is not waiving the right to request an initial evaluation or to receive services in the future.



Student Code of Conduct and Discipline

It is the mission of Summit Academy to build hope, success, and well-being through education and advocacy for all of our students. In order to achieve these goals, students are expected to conduct themselves in accordance with law, school policies, student code of conduct, and the School's "Full Value Contract". The Full Value Contract sets the following standards:

Safety – I will keep others and myself safe at all times, both physically and emotionally.

Respect – I will value the Summit Academy Code of Conduct. I will not disrespect anyone in the group; but will help to build up others. When I help someone, I am helped.

Full Participation – I will participate in all scheduled activities without complaint, and to the best of my abilities.

Honest Feedback – I will offer honest opinions to others in the group in an affirming (nice) way. I also will accept other's comments to me, as this will help me grow.

Students may face discipline when their conduct does not fall within these standards.

A. Student Code of Conduct

All students are expected to:

- Be prompt and on-time to school and classes;
- Be attentive in classes;
- Fully participate;
- Refrain from disruptive activity, which includes but is not limited to talking at inappropriate times, running, pushing, fighting, inappropriate contact, yelling or other inappropriate behaviors;
- Refrain from lying;
- Refrain from leaving school grounds without permission
- Act courteously to adults and other students, this includes refraining from using obscenities, vulgarities, engaging in verbal abuse, or using obscene or offensive gestures;
- Cooperate and follow the directions of teachers, administrators, staff, and parent volunteers;
- Work cooperatively with others regardless of the other's race, ability, gender, or ethnic



background;

- Complete assignments and homework on-time; and,
- Act at all times in a manner that conforms to the School's Mission and Full Value Contract.

Conduct occurring at school, on school grounds, or at school related events that violates the Student Code of Conduct and/or the School's Full Value Contract may subject the student to disciplinary action including loss of privileges.

B. Student Discipline Code

Each of the behaviors described below are prohibited and may be subject to disciplinary action, including but not limited to suspension, expulsion, removal, or permanent exclusion:

Academic Misconduct

Academic Misconduct is any action or attempted action that may result in an unfair academic advantage for oneself or an academic disadvantage to another student. This includes, but is not limited to, cheating, plagiarism, altering documents, gaining access to materials before they are available, or helping another student to gain an unfair academic advantage.

Bomb Threats or Other False Alarms/Reports

Making a threat to bomb a school building or any premises at which a school sponsored activity is taking place is prohibited. Intentionally giving a false alarm of a fire, or tampering/interfering with a fire alarm is prohibited. False alarms or reports endanger not only the students and staff in the building, but also the safety responders responding to the false alarm/report.

Criminal Acts

An act that is considered a criminal offense if committed by an adult, whether or not it results in an adjudication of delinquency or conviction. Criminal Acts include acts that are considered both misdemeanors and felonies if committed by an adult.

Dress Code

In general, school dress should ensure the welfare, safety, and enhance a positive image of our students and School. Students are expected to practice good personal hygiene and have clean clothing and footwear that meets dress code standards. Any form of dress or grooming that attracts undue attention, distracts from instruction and/or interferes with health and safety will be considered unacceptable and the student will be referred to the School Administrator.



Outerwear (i.e., coats, jackets, gloves, boots, hats) and book or gym bags must be stored in the assigned location during the school day.

Acceptable dress code (Monday-Friday)

- Dress pants – khaki (tan), black, or navy only – Jeans can be worn with special permission only. Summit Academy students should wear pants that are modest.
- Shorts or skirts – khaki (tan), black or navy only – Skirts and shorts must be knee-length.
- Summit Academy uniform shirts – are required and should be tucked in. Each school location will provide information on acquiring uniform shirts.
- Belts – if pants, shorts, or skirts were designed for belts, then belts should be worn.
- Comfortable Shoes – tie, loafer or tennis shoes of any solid color are acceptable. NO platform shoes, high heels/wedges, sandals, open-toed shoes or flip flops. Tennis shoes must be tied at all times. No loose, dragging laces will be permitted. Tennis shoes must be worn in gymnasiums.
- Uniforms are required on all field trips, unless alternative dress is approved by the School Administrator.

Miscellaneous

- NO large earrings, gauges, charms, necklaces at any time.
- NO jewelry is to be worn in body piercings. Clear piercing retainers may be worn if necessary.
- NO jewelry during Martial Arts or Physical Education classes.
- NO hats/head coverings or sunglasses. These items must be removed before entering the building, stored in a book bag, and may be put on after exiting the building.
- NO clothing or footwear that may damage flooring and/or furniture
- NO sleepwear or bathing suits (unless specified for camp, field trip or special day activities) bathing suits must be modest and one piece suits.
- NO see-through or sheer clothing, exceptionally tight or potentially distracting clothing, and spandex or yoga wear.
- NO low-cut necklines
- NO gang-associated attire as determined by the School Administrator.

Drugs and/or Alcohol

Possessing, attempting to possess, using, transmitting, concealing, purchasing or attempting to purchase, selling or being under the influence of any alcoholic beverage, controlled substance, over the counter stimulants or depressants, anabolic steroids, or drug-related paraphernalia.

Electronic Equipment or Misuse of Technology

The School will provide any electronic equipment necessary for a student's participation in the

education program. Students shall not use or possess electronic devices such as cell phones, PDA's, CD players, radios, music players, gaming devices, etc., without approval of the School Director during the school day.

Explosives or Fireworks

Students are prohibited from possession or using explosives or fireworks on school property or at any school related activity, competition, program, or event regardless of where it occurs. Explosives include any compound or mixture, the primary or common purpose of which is to function by explosion, with substantially instantaneous release of gas and heat (including, but not limited to explosives and chemical-reaction objects such as smoke bombs and poppers). Additionally, possessing or offering for sale any substance, combination of substances or article prepared to produce a visible and/or audible effect by combustion, explosion, deflagration or detonation.

Firearms

Students are prohibited from bringing a firearm, or possessing a firearm originally brought by another individual, on school property or at any school related activity, competition, program, or event regardless of where it occurs. A firearm under this policy has the same meaning as provided in the Gun-Free Schools Act, 20 U.S.C. 7151 (incorporating 18 U.S.C. 921a by reference). It means (A) 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; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term includes devices that reasonable resemble a firearm, but does not include an antique firearm that has been rendered inoperable.

Gang Activity

Gang activity includes initiations, hazing, intimidation, harassment or related activities of group affiliations that threaten the safety or well-being of persons or that are disruptive to the school environment. Students shall not wear, carry or display gang paraphernalia or exhibit behavior or make gestures associated with gangs or gang activities.

Intimidation, Harassment, or Bullying

Actions that violate the School's policy on intimidation, harassment or bullying.

Knives:

Students are prohibited from bringing a knife, or possessing a knife originally brought by



another individual, on school property or at any school related activity, competition, program, or event regardless of where it occurs.

A “knife” is defined as any cutting instrument consisting of a sharp blade fastened to a handle, a razor blade or any similar device that is used for, or is readily capable of causing physical harm.

A “knife capable of causing serious bodily injury” is defined as any cutting instrument consisting of a sharp blade, or sharp blade fastened to a handle, razor blade, or similar device that is readily capable of causing any physical harm that:

- Carries a substantial risk of death;
- Involves some permanent incapacity, whether partial or total, or that involved some temporary, substantial incapacity;
- Involves some permanent disfigurement or that involves some temporary, serious disfigurement; or
- Involves acute pain of such duration as to result in substantial suffering or that involves any degree of prolonged or intractable pain.

Knowledge of Dangerous Weapons or Threats of Violence

Students are required to report knowledge of dangerous weapons or threats of violence to a Teacher, Staff Member, or the School Director.

Misconduct against a School Official

Misconduct directed against a school official or employee, or his or her property, regardless of where it occurs is prohibited. Misconduct includes, but is not limited to, harassment, assault (verbal and/or physical), threats, and/or damaging or destruction of property.

Misconduct occurring off School Grounds

Students may be subject to discipline for misconduct even when it occurs off school property owned or controlled by the governing authority when that activity is connected to activities or incidents that occurred on property owned or controlled by the Governing Authority.

Tobacco

Possessing, attempting to possess, using, transmitting, concealing, purchasing, attempting to purchase, or selling of any tobacco product or paraphernalia on school property or at school events. Tobacco product includes e-cigarettes and vapor based nicotine.

Personal Property

Students are prohibited from bringing items such as digital music devices (i-pods, MP3 players, etc.) or pocket video games, etc. to school unless otherwise agreed upon by the school director and/or the IEP Team. Exceptions to this rule may be special occasions whereby the School director or teacher gives permission (i.e. video game day). Parents should receive notice in advance.

No pocketknives, lighters, or weapons of any type are allowed and possession of such items may result in legal prosecution. If the student brings items of this type to school, they will be confiscated—the parent/guardian must come in to retrieve it and further disciplinary action may result.

Weapons – Possession and/or Use

Students are prohibited from possession or using any weapon on school property or at any school related activity, competition, program, or event regardless of where it occurs. A weapon is any device that may be used for offensive or defensive purpose, including but not limited to conventional objects such as guns, pellet guns, knives, or club type implements. It may also include any toy that is presented as a real weapon or reacted to as a real weapon or be any object used to threaten, harm, or harass another person. Possession and/or use of a weapon may subject a student to expulsion and possible permanent exclusion

C. Discipline

Violations of either the Student Code of Conduct or the Student Discipline Code may result in discipline of the student. It is important to note that the rules apply to actions occurring at school, on school grounds, or at any school related activity, competition, program, or event regardless of where it occurs. This also includes anything occurring on school transportation whether or not provided by the School or by the Student's resident school district.

The School shall provide prompt, reasonable discipline consistent with the severity of the incident. Discipline shall be fair and consistent for all students at the School. Because it is not possible to list every type of misbehavior that may occur. Incidents not described above may be addressed as necessary by School staff. School staff may impose either informal or formal discipline as warranted by the violation and all extenuating circumstances. The disciplinary process may include student conferences and/or parent/guardian/custodian conferences.

Informal Discipline includes, but is not limited to:

- Writing assignments;
- Changing of seating or location;



- Before-school or After-school detention;
- In-school discipline; and
- Other lesser forms of discipline determined by the School Director that occur during the school day.

Detentions may be either before or after school. A student and their parent/guardian/custodian will be given at least one day's notice. The student and their parent/guardian/custodian are responsible for transportation.

Formal Discipline includes, but is not limited to:

- Suspension;
- Expulsion,
- Removal, and
- Permanent Exclusion.

These types of formal discipline are covered in the School's policy on Suspension, Expulsion, Removal, and Permanent Exclusion. In addition, any acts that may be criminal will be reported to law enforcement in addition to any discipline imposed by the School.

D. Search and Seizure

Search of a student and his/her possessions may be conducted at any time the student is under the jurisdiction of Summit Academy, provided there is a reasonable suspicion that the student is in violation of law or school rules. A search may also be conducted to protect the safety of others. All searches may be conducted with or without a student's consent. Anything that is found in the course of a search that may be evidence of a violation of school rules or the law and may be taken and held or turned over to the police. The School reserves the right not to return items which have been confiscated. A metal detection device may also be used to ensure safety of all students and will be used in accordance with school policy and corporate safety team guidelines.



Suspension, Expulsion, Removal, and Permanent Exclusion

The Governing Authority believes that keeping students in class is a high priority and that disciplinary actions such as suspension, expulsion or removal should only be used when absolutely necessary. However, the Governing Authority recognizes it may be necessary to suspend, expel, or remove students for misconduct. Therefore, the School's Superintendent or Director may suspend, expel, or remove a student for misconduct according to law, this policy, and other policies of the Governing Authority. In addition to any school discipline, the Governing Authority may approve seeking a student's permanent exclusion by submitting the matter to the State Superintendent of Public Instruction for determination.

I. General

General Provisions:

- A. The School shall not suspend, expel, or remove a student from school solely on the basis of the student's absences from school without legitimate excuse.
- B. A copy of this policy shall be posted in a central location at the School and made available to students upon request.
- C. No student shall be suspended, expelled, or removed except in accordance with this policy and/or other policies of the Governing Authority.
- D. No student shall be permanently excluded except in accordance with Sections 3301.121 and 3313.662 of the Revised Code.
- E. Except as described in Section 3313.668(B) of the Revised Code, any policy, program, or guideline adopted by the Governing Authority with regard to suspensions or expulsions pursuant to Section 3313.66(A) or (B) shall apply to any student, whether or not the student is enrolled at the School, attending or otherwise participating in any curricular program provided at a school operated by the Governing Authority or provided on any other property owned or controlled by the Governing Authority.
- F. The Governing Authority hereby delegates to the Superintendent the authority to establish a program and adopt guidelines under which the Superintendent may require a student, under suspension or expulsion to perform community service in conjunction with, or in place of, a suspension or expulsion, except for an expulsion for a firearm violation. The Superintendent may impose a community service requirement beyond the end of the school year in lieu of applying an expulsion into the next school year.
- G. Suspension, expulsion, removal and/or permanent exclusion may be imposed for misconduct by a student that: occurs off property owned or controlled by the Governing Authority, but that is connected to activities or incidents that have occurred on property

owned or controlled by Governing Authority; and/or, is directed at a School official or employee, or the property of a School official or employee, regardless of where it occurs.

II. Suspension, Expulsion, Removal, Permanent Exclusion

A student may be suspended, expelled, or removed for misconduct described in the Student Code of Conduct and Discipline Policy, unless limited by law, this policy, or other policies of the Governing Authority. The School's Superintendent or Director is authorized to suspend or remove a student and the School's Superintendent is authorized to expel a student and/or refer an expulsion to the Governing Authority to seek a referral to the State Superintendent for permanent exclusion. The types of misconduct specified in the Student Code of Conduct and Discipline Policy are fully incorporated herein as they currently exist or as subsequently amended by the Governing Authority.

A. Suspension

A student may not be suspended for more than 10 school days. A suspension may be either in-school or out-of-school. If at the time an out-of-school suspension is imposed there are fewer than 10 school days left in the school year, the remaining days shall not be applied to the following school year. In the alternative, the Superintendent may require the student to participate in a community service program or another alternate consequence for the number of hours equal to the remaining part of the period of the suspension. The student shall begin the student's community service or alternate consequence during the first full week day of summer break. The School may develop a list of alternative consequences. In the event the student fails to complete community service or an alternative consequence, the Superintendent may determine the next course of action, which shall not include requiring the student to serve the remaining time of the out-of-school suspension at the beginning of the following school year.

1. If the student is serving an in-school suspension, the School Director shall ensure the student serves the suspension in a supervised learning environment.
2. During a suspension, the following parameters apply to completing and grading assignments missed because of a student's suspension:
 - a. The student shall complete any classroom assignment missed because of the suspension and receive at least partial credit for a completed assignment; and
 - b. The student shall receive at least partial credit, within the discretion of the School Director for a completed assignment.
3. Grade reductions are permitted on account of the student's suspension within the discretion of the School Director.



4. No student shall receive a failing grade on a completed assignment solely on account of the student's suspension.

B. Expulsion

Except as otherwise provided in law, this policy, or other policies of the Governing Authority, the Superintendent may expel a student from school for a period not to exceed the greater of eighty school days or the number of school days remaining in the semester or term in which the incident occurs that gives rise to the expulsion, unless the expulsion is extended as provided below. If there are less than eighty school days left in the school year at the time the incident that give rise to the expulsion takes place, the Superintendent may apply any remaining part of all of the period of the expulsion to the following school year.

1. The Superintendent shall expel a student for a period of one year for bringing a firearm to a school operated by the Governing Authority or onto any other property owned or controlled by the Governing Authority, and may expel a student for a period not to exceed one year for bringing a firearm to an interscholastic competition, extracurricular event, or other school program/activity that is not located on School property or property owned/controlled by the Governing Authority. An expulsion under this division shall extend into the school year following the school year in which the incident giving rise to the expulsion takes place. The Superintendent may reduce an expulsion under this division on a case-by-case basis for the following reasons:
 - a. A recommendation from a group of persons knowledgeable of the student's educational needs in accordance with the Individual with Disabilities Education Act;
 - b. The student was unaware or did not understand that he or she was possessing a firearm or that the item is considered a firearm;
 - c. The student brought the item to School as part of an educational activity and did not realize it would be considered a firearm; and/or
 - d. The student may be eligible for participation in an alternative program.
2. The Superintendent may expel a student for a period not to exceed one year for bringing a knife capable of causing serious bodily injury to a school operated by the Governing Authority, onto any other property owned or controlled by the Governing Authority, or to an interscholastic competition, an extracurricular event, or any other program or activity sponsored by the School or in which the School is a participant, or for possessing a firearm or knife capable of serious bodily injury, at a school, on any other property owned or controlled by the Governing Authority, or at an interscholastic competition, an extracurricular event, or any other school program or activity, which firearm or knife was initially brought onto Governing Authority property by another



person. The Superintendent may extend the expulsion, as necessary, into the school year following the school year in which the incident that gives rise to the expulsion takes place.

3. The Superintendent may expel a student from school for a period not to exceed one year for committing an act that is a criminal offense when committed by an adult and that results in serious physical harm to persons as defined in Section 2901.01(A)(5) of the Revised Code or serious physical harm to property as defined in Section 2901.01(A)(6) of the Revised Code while the student is at school, on any other property owned or controlled by the Governing Authority, or at an interscholastic competition, an extracurricular event, or any other school program or activity. Any expulsion under this division shall extend, as necessary, into the school year following the school year in which the incident that gives rise to the expulsion takes place.
4. The Superintendent of schools to expel a student from school for a period not to exceed one year for making a bomb threat to a school building or to any premises at which a school activity is occurring at the time of the threat. Any expulsion under this division shall extend, as necessary, into the school year following the school year in which the incident that gives rise to the expulsion takes place.
5. For any expulsion authorized by subdivisions (B)(2) – (4), above, the Superintendent may reduce the discretionary one-year expulsion on a case-by-case basis for the following reasons, as applicable:
 - a. A recommendation from the group of persons knowledgeable of the student's educational needs in accordance with the Individual with Disabilities Education Act;
 - b. The student was unaware or did not understand that he or she was committing a prohibited act;
 - c. The student did not understand that a statement could reasonable be considered a bomb threat;
 - d. The student brought the item to School as part of an educational activity and did not realize it was a prohibited item; and/or
 - e. The student may be eligible for participation in an alternative program.
6. The terms “Firearm”, “Knife capable of causing serious bodily injury”, “Serious physical harm to persons”, and “Serious physical harm to property” are defined in the School’s Student Code of Conduct and Discipline Policy.
7. The Superintendent shall initiate expulsion proceedings pursuant to this section with respect to any student who has committed an act warranting expulsion under the Governing Authority’s policy regarding expulsion even if the student has withdrawn



from school for any reason after the incident that gives rise to the hearing but prior to the hearing or decision to impose the expulsion. If, following the hearing, the student would have been expelled for a period of time had the student still been enrolled in the school, the expulsion shall be imposed for the same length of time as on a student who has not withdrawn from the School.

C. Due Process

1. No student shall be issued an out-of-school suspension unless prior to the suspension the Superintendent or Director does both of the following:
 - a. Gives the student written notice of the intention to suspend the student and the reasons for the intended suspension and, if the proposed suspension is based on a violation listed in Section 3313.662(A) of the Revised Code and if the student is sixteen years of age or older, includes in the notice a statement that the Superintendent may seek to permanently exclude the student if the student is convicted of or adjudicated a delinquent child for that violation; and
 - b. Provides the student an opportunity to appear at an informal hearing before the School Director or their designee and challenge the reason for the intended suspension or otherwise to explain the student's actions.

2. No student shall be expelled unless prior to the student's expulsion, the Superintendent does the following:
 - a. Gives the student, the student's parent/guardian/custodian written notice of the intention to expel the student.
 - b. Provides the student, the student's parent/guardian/custodian an opportunity to appear before the Superintendent or their designee to challenge the reasons for the intended expulsion or otherwise explain the student's actions.
 - c. The notice required by this section shall include the reasons for the intended expulsion, notification of the right to appear before the Superintendent or their designee, and notification of the time, date, and place to appear. The time to appear shall not be earlier than three or later than five school days after notice is given, unless the Superintendent grants an extension of time at the request of the student, the student's parent/guardian/custodian, or representative. If an extension is given, the Superintendent shall provide notice of the new time, date, and place to appear. If the proposed expulsion is based upon a violation contained in Section 3313.662(A) of the Revised Code, and if the student was at least 16 years of age, the notice shall include a statement that the Superintendent may seek to permanently exclude the student if the student is convicted or adjudicated a delinquent child for that violation.



3. The Superintendent or Director, within one school day of a student's expulsion or suspension, shall notify in writing the parent/guardian/custodian of the student of the expulsion or suspension. In the case of an expulsion, the Superintendent or School Director, within one school day after the time of a student's expulsion, also shall notify in writing the treasurer of the Governing Authority. Each notice shall include the reasons for the expulsion or suspension, notification of the right of the student or the student's parent/guardian/custodian to appeal the expulsion or suspension to the Governing Authority or to its designee, to be represented in all appeal proceedings, to be granted a hearing before the Governing Authority or its designee in order to be heard against the suspension or expulsion, and to request that the hearing be held in executive session, notification that the expulsion may be subject to extension pursuant this policy if the student is sixteen years of age or older, and notification that the Superintendent may seek the student's permanent exclusion if the suspension or expulsion was based on a violation listed in Section 3313.662(A) of the Revised Code that was committed when the student was sixteen years of age or older and if the student is convicted of or adjudicated a delinquent child for that violation. The notice provided under this division shall specify the manner and date by which the student or the student's parent/guardian/custodian shall notify the Governing Authority of the student's, or the student's parent/guardian/custodian's intent to appeal the expulsion or suspension to the Governing Authority or its designee. If a student is expelled under this policy for more than twenty school days or for any period of time if the expulsion will extend into the following semester or school year, the Superintendent shall in the notice required under this section, provide the student and the student's parent/guardian/custodian with information about services or programs offered by public and private agencies that work toward improving those aspects of the student's attitudes and behavior that contributed to the incident that gave rise to the student's expulsion. The information shall include the names, addresses, and phone numbers of appropriate public and private agencies.
4. A student or the student's parent/guardian/custodian may appeal the student's expulsion by the Superintendent or suspension by a Superintendent or School Director to the Governing Authority or to its designee. If the student or the student's parent/guardian/custodian intends to appeal the expulsion or suspension to the Governing Authority or its designee, the student or the student's parent/guardian/custodian shall notify the Governing Authority in the manner and by the date specified in the notice. The student or the student's parent/guardian/custodian may be represented in all appeal proceedings and shall be granted a hearing before the



Governing Authority or its designee in order to be heard against the suspension or expulsion. At the request of the student or of the student's parent/guardian/custodian, or attorney, the Governing Authority or its designee may hold the hearing in executive session but shall act upon the suspension or expulsion only at a public meeting. The Governing Authority, by a majority vote of its full membership or by the action of its designee, may affirm the order of suspension or expulsion, reinstate the student, or otherwise reverse, vacate, or modify the order of suspension or expulsion. The Governing Authority or its designee shall make a verbatim record of appeal hearings held under this section. The decisions of the Governing Authority or its designee may be appealed under Chapter 2506. of the Revised Code.

5. This section shall not be construed to require notice and hearing in the case of normal disciplinary procedures in which a student is removed from a curricular activity for a period of less than one school day and is not subject to suspension or expulsion.

D. Removal

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 within a classroom or elsewhere on the school premises, the Superintendent, School Director, or Assistant School Director may remove a student from curricular activities or from the school premises, and a teacher may remove a student from curricular activities under the teacher's supervision, without the notice and hearing requirements for a suspension or expulsion. As soon as practicable after making such a removal, the teacher shall submit in writing to the School Director the reasons for such removal.

If a student is removed from a curricular activity or from the school premises, written notice of the hearing and of the reason for the removal shall be given to the student as soon as practicable prior to the hearing, which shall be held on the next school day after the initial removal is ordered. The hearing shall be held in accordance with the requirements under the suspension provision above unless it is probable that the student may be subject to expulsion, in which case a hearing in accordance with expulsion provision above shall be held, except that the hearing shall be held on the next school day after the date of the initial removal. The individual who ordered, caused, or requested the removal to be made shall be present at the hearing.

If the Superintendent or School Director reinstates a student in a curricular activity under the teacher's supervision prior to the hearing following a removal under this section, the teacher, upon request, shall be given in writing the reasons for such reinstatement.

E. Special Suspension, Expulsion, and Removal Provisions for Students in Grades Pre-K



through 3

1. Suspension or Expulsion

- a. Except as provided in law, this policy, or other policies of the Governing Authority, the School shall not issue an out-of-school suspension or expulsion for any student in grades Pre-K through 3.
- b. The School may issue an out-of-school suspension or expulsion to a student in any of grades Pre-K through 3 who has engaged in any of the behaviors described in Section 3313.66(B)(2) – (5) of the Revised Code.
- c. The School may issue an out-of-school suspension not to exceed ten days or an expulsion to a student in any of grades Pre-K through 3 who has not engaged in any of the behaviors described in Section 3313.66(B)(2) – (5) of the Revised Code only as 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.
- d. Whenever possible, the School Director shall consult with a mental health professional under contract with the school prior to suspending or expelling a student in any of grades Pre-K through 3. If the events leading up to suspension or expulsion indicate a need for additional mental health services, the student's School Director or the School's mental health professional shall, in any manner that does not result in a financial burden to the School, assist the student's parent or guardian with locating providers or obtaining those services, including referral to an independent mental health professional. Nothing in this division shall be construed to limit the responsibilities of the School with respect to the provision of special education and related services under Chapter 3323. of the Revised Code.
- e. A student in any of grades Pre-K through 3 who is suspended or expelled shall be afforded the same notice and hearing, procedural, and educational opportunities as prescribed for a suspension or expulsion pursuant to Section 3313.66 of the Revised Code.
- f. Nothing in this policy shall be construed to limit the authority of the School 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 in accordance with Sections 3313.66(A)(2) and (K)(2) of the Revised Code.

2. Removal

- a. A student in any of grades Pre-K through 3 may be removed only for the remainder of the school day and shall be permitted to return to curricular and



- extracurricular activities on the school day following the day in which the student was removed.
- b. If a student returns curricular and extracurricular activities on the next school day, the School shall not be required to provide written notice of a hearing and reasons for the removal.
 - c. The School shall not initiate a suspension or expulsion proceeding against a student in any of grades Pre-K through 3 who was removed pursuant to this section unless the student has committed an act described in Section 3313.668(B)(1)(a) or (b) of the Revised Code.

H. Permanent Exclusion

Pursuant to Section 3313.662 of the Revised Code, a student may be permanently excluded by the Superintendent of Public Instruction if the student is convicted of or adjudicated a delinquent child for committing, when age 16 or older, an act that would be considered a criminal offense if committed by an adult and the act is a violation of any of the following sections of the Revised Code or provisions:

1. 2923.122 – Illegal conveyance or possession of a deadly weapon or dangerous ordnance or of object indistinguishable from firearm in a school safety zone.
2. 2923.12 – Carrying concealed weapons, or 2925.03 – Trafficking, Aggravated Trafficking in Drugs, if committed on property owned or controlled by, or at an activity held under the auspices of, the governing authority.
3. 2925.11 – Possession of Controlled Substances, other than what would be a minor drug offense, if committed on property owned or controlled by, or at an activity held under the auspices of, the governing authority.
4. 2903.01 (Aggravated Murder), 2903.02 (Murder), 2903.03 (Voluntary Manslaughter), 293.04 (Involuntary Manslaughter), 2903.11 (Felonious Assault), 2903.12 (Aggravated Assault), 2907.02 (Rape), 2907.05 (Gross Sexual Imposition), 2907.12 (Repealed), if committed on property owned or controlled by, or at an activity held under the auspices of, the governing authority, if the victim at the time of the commission of act was an employee of the governing authority.
5. Complicity in any of the above regardless of whether the act of complicity was committed on property owned or controlled by, or at an activity held under the auspices of the governing authority.

A student may be suspended or expelled prior to permanent exclusion.



Upon obtaining or receiving proof that a Student has been convicted or adjudicated delinquent as provided above, the Superintendent or designee may issue to the Governing Authority a request that the student be permanently excluded from public school attendance if both of the following apply:

1. The Superintendent or the Superintendent's designee determines that the student's continued attendance in school may endanger the health and safety of other students or school employees and gives the student and the student's parent/guardian/custodian written notice that the Superintendent intends to recommend to the Governing Authority that the Governing Authority adopt a resolution requesting the Superintendent of Public Instruction to permanently exclude the student from public school attendance; and
2. The Superintendent or the Superintendent's designee forwards to the Governing Authority the Superintendent's written recommendation that includes the determinations the Superintendent or designee made pursuant to division (C)(1)(a) of this section and a copy of the proof the Superintendent received showing that the student has been convicted of or adjudicated a delinquent child for an applicable violation that was committed when the student was sixteen years of age or older.

The request shall comply with the requirements of Section 3313.662 of the Revised Code, including all relevant documentation or other evidence available. The request shall also include the name of the person who will present the School's case to the State Superintendent of Public Instruction. The Governing Authority, after considering all the evidence, which may include hearing of witnesses, shall take action within fourteen (14) days after receipt of the Superintendent's recommendation.

If the resolution is approved, the Governing Authority shall submit the resolution and all required documentation to the State Superintendent. A copy of the resolution shall be sent to both the student and the student's parent/guardian/custodian.

If the resolution is not approved, the Governing Authority shall notify the Superintendent. The Superintendent shall provide written notification of the Governing Authority's action to both the student and the student's parent/guardian/custodian.

ATTACHMENT 6.12 ADMISSIONS POLICY

1. Admissions and enrollment policy and procedures, including:
 - a. Specification that the school will not discriminate in its admission of students on the basis of race, religion, color, national origin, handicap, intellectual ability, athletic ability, or measurement of achievement or aptitude (unless at-risk limitations apply)
 - b. Specification that the School is open to any individual entitled to attend school in Ohio pursuant to R.C. 3314.64 or 3313.65, except that the School may limit to:
 - i. Students who have obtained a specific grade level or are within a specific age group,
 - ii. Students who meet the definition of “at risk,” or
 - iii. Residents of a specific geographic area
 - c. Wait list and lottery procedures
2. Enrollment and attendance policy, which must require that parents notify the community school in which their child is enrolled when there is a change in the parent’s or student’s primary residence
3. Student residency and address verification policy, which must requires schools to verify the address of enrolling students and annually verify the residency of attending students, and must specify the number and type of documents to be used for residency verification
4. Open Enrollment Policy, if applicable
5. At-Risk Definitions, including gifted, if applicable

NOTE: Any change in the admissions or enrollment policies must be reported in writing to the Sponsor within five (5) business days.



Admission and Enrollment

The Governing Authority establishes the following admission and enrollment policies and procedures:

I. Admission

- A. Except as otherwise provided, admission to the School is open to any individual age five to twenty-two, entitled to attend school pursuant to Sections 3313.64 or 3313.65 of the Revised Code in a school district in the state. Admission to the School is not restricted by an individual's district of residence and is open to residents of any district in Ohio.
- B. Admission is also open to any individual age five to twenty-two who is not a resident of Ohio on a tuition basis. In such cases, the Management Company shall determine the amount of tuition as allowed by law.
- C. If a child is admitted to school for the first time, to kindergarten or first grade, the child must be age five or six, respectively, by August 1st in the year of admittance. The School does not have an early admission or acceleration policy. However, the School shall not deny admission to a transferring student based on age, if the student has been admitted to kindergarten by another school.
- D. Admission to the School may be limited to students who have attained a specific grade level or are within a specific age group; to students that meet the definition of "at-risk", if and as defined in the Community School Contract; or, to separate groups of autistic students and nondisabled students, as provided below. "At-risk" students may include those students identified as "gifted" students under Section 3324.03 of the Revised Code.
- E. There shall be no discrimination in the admission of students to the School on the basis of race, creed, color, disability, or sex and admission shall not be limited on the basis of intellectual ability, measures of achievement or aptitude, or athletic ability.
- F. If and as designated in the Community School Contract, the Governing Authority may establish a school for the purpose of simultaneously serving a group of students identified as autistic and a group of students who are not disabled, as authorized by Section 3314.031 of the Revised Code. If applicable, a target ratio of the number of autistic students to nondisabled students that may be enrolled in the School, and the total number of nondisabled students that may be enrolled in the School shall be specified in the Community School Contract. If the number of applicants among the



group of autistic students or the group of students with disabilities exceeds the capacity restriction for that group, students shall be admitted by lot from all those of that same group submitting applications according to the procedures set out below. However, unless the total capacity established for the School has been filled, no student with any disability shall be denied admission on the basis of a disability.

- G. Upon admission of any student with a disability, the School shall comply with all federal and state laws regarding the education of students with disabilities.
- H. The School will admit the number of students that does not exceed the capacity of the School's programs, classes, grade levels, or facilities.
- I. Except as otherwise provided by Sections 3314.06(B) or 3314.061 of the Revised Code, if the number of applicants exceeds the School's capacity restrictions, students shall be admitted by lot from all those submitting applications, except preference shall be given to students in the following order:
 - 1. Students attending the school in the previous year;
 - 2. To siblings of students attending the school the previous year; and,
 - 3. To children of full-time School or Management Company staff assigned to work at the School, provided that the total number of students receiving this preference is less than five percent of the School's total enrollment.

If required, a lottery will be conducted in the following manner:

- 1. Each applicant will be assigned a number;
 - 2. The numbers will then be drawn at random by a disinterested third party;
 - 3. The first number drawn will be the first new applicant placed on a permanent waiting list and so on until all numbers are drawn;
 - 4. Applicants on a permanent waiting list prior to any lottery will retain their position on the waiting list; and
 - 5. The lottery and waiting lists may be separate for each grade or age grouping.
- J. Notwithstanding any other provision in these procedures, in the event the racial composition of the enrollment of the School is in violation of a federal desegregation order, the School shall take any and all corrective measures to comply with the desegregation order.
- K. Students that have been suspended or expelled from any public school may temporarily be denied admission to the School, if the period of suspension or expulsion has not expired. A student in this situation shall be offered a hearing prior to the decision to temporarily deny admission. If a hearing is requested, the School's superintendent or



designee shall conduct the hearing and render a decision on whether or not to temporarily deny admission. The decision of the superintendent or designee shall be final. If temporarily denied admission, a student shall be admitted when the period of suspension or expulsion has expired.

- L. If a student requesting admission to the School has been discharged from the custody of the Department of Youth Services just prior to requesting admission, the School shall not admit that student until the following records have been received from the Department of Youth Services by the School's superintendent:
 - 1. An updated copy of the student's transcript;
 - 2. A report outlining the student's behavior while in the custody of the department;
 - 3. A current IEP, if any; and,
 - 4. A summary of the student's institutional behavior.

II. Enrollment

- A. "Initial Entry" is defined as a student's first day of attendance at the School participating in the School's course of instruction.
- B. At or prior to the time of initial entry, a student is required to present the following documentation to the School, as applicable:
 - 1. Records given to the student by the school the student most recently attended;
 - 2. A certified copy of an order, decree, or modification of an order or decree allocating parental rights and responsibilities for the care of a child and designating a parent as the residential parent of the child and/or legal custodian;
 - 3. A copy of an executed power of attorney or grandparent caretaker authorization affidavit issued pursuant to Sections 3109.51 to 3109.80 of the Revised Code; and,
 - 4. A certification of birth issued pursuant to Chapter 3705. of the Revised Code or, a comparable certificate or certification issued pursuant to the statutes of another state, territory, possession, or nation or a document in lieu of a certificate or certification from the list as follows:
 - a. A passport or attested transcript of a passport filed with a registrar of passports at a point of entry of the United States showing the date and place of birth of the child;
 - b. An attested transcript of the certificate of birth;
 - c. An attested transcript of the certificate of baptism or other religious record showing the date and place of birth of a child;



- d. An attested transcript of a hospital record showing the date and place of birth of the child; or,
 - e. A birth affidavit.
 5. Proof of Residency. One document from any one of the following categories shall establish evidence of the location of a student's primary residence:
 - a. A deed, mortgage, lease, current homeowner's or renter's insurance declaration page, or a current real property tax bill;
 - b. A utility bill or receipt of utility installation issued within the most recent ninety days;
 - c. A paycheck or paystub issued to parent or student within the most recent ninety days that includes the address of the parent's or student's primary residence;
 - d. The most current available bank statement issued to the parent or student that includes the address of parent's or student's primary residence;
 - e. Any other official document issued to the parent or student that includes the address of the parent's or student's primary residence pursuant to guidelines issued by the Department of Education; or,
 - f. Any type of communication with a government official authorized to provide such information.
- C. Verification of Residency. The School shall verify each student's residency upon enrollment and annually by collecting one proof of residency, pursuant to section (B)(9) above, at or prior to the date of initial entry for new students and within 90 days of the first day of school for returning students. The School shall comply with the statutory requirement to review enrollment records on a monthly basis.
 1. For the purposes of making these determinations, the traditional school district in which the parent (or custodial parent) resides is the location the parent has established as the primary residency where substantial activity takes place.
 2. If the district identified as a student's district of residence district disputes residency, the School shall provide the district with documentation of the student's residency and make a good faith effort to accurately identify the correct residence of the student and resolve the dispute with the district. In the event that resolution is unsuccessful, within sixty (60) days after the deadline established by the department of education for reporting community school enrollment, the School may present the matter to the state superintendent of public instruction for determination of the correct district of residence. The student shall remain enrolled in the School with the disputing district listed as the student's district of residence during resolution of the dispute, including a decision by the state superintendent, if the matter was submitted to the state superintendent for determination.



3. Each month during the school year, the School shall randomly select two student files for verification of residency. The School shall initially verify that a selected student's file contains the annual proof of residency collected within the first 90 days of the school year. Next, the school shall contact the parent and verify that the address on file remains the parent's primary residence. The school may contact the parent via phone, email, letter, or by another reasonable method. The contact and verification of residency shall be noted in the student's file and on a log created to verify monthly compliance reviews. During the first 90 days of the school year, a proof of residency provided by the parent for the current year shall satisfy the monthly verification review if it is in the student's file. A file randomly selected during the school year may not be used again that year for the monthly verification review and the School shall randomly select another file in that circumstance. If residency has changed, the School shall report the appropriate district of residence for the student using the method and timeline specified by the Department of Education.

D. Enrollment Procedures. Except as otherwise provided in these procedures:

1. Within twenty-four hours of a student's initial entry, a School official shall request the student's official records from the public or nonpublic school most recently attended.
2. If the school replies that it has no records for the student or if records are not received within fourteen days of the request, the School Director shall notify the law enforcement agency having jurisdiction over the student's place of residence that the student may be a missing child, as defined in Section 2901.30 of the Revised Code.

E. Other situations:

1. Definitions:
 - a. "Protected Child" is defined as a child placed in a foster home, as the term is identified in Section 5103.02 of the revised code, or in a residential facility;
 - b. "Residential Facility" is defined as a group home for children, children's crisis care facility, children's residential center, residential parenting facility that provides twenty-four hour care, county children's home, or district children's home.
2. The School shall not deny admission to a protected child solely because the child does not present a valid birth certificate or acceptable document in lieu of a birth certificate. However, such certificate or an acceptable document in lieu of a birth certificate is required to be provided to the School within ninety days of initial entry.



3. Where an order or decree allocating parental rights concerning a student has been issued, the parent designated as the residential parent for school purposes shall provide the School with a certified copy of the order or decree and certified copies of any subsequent modifications.
 4. If a student is under the care of a shelter for victims of domestic violence, the student or their parent shall notify the School of that fact. Upon notification, the School shall inform the school from which it requests records of that fact.
 5. Whenever the School is notified by a law enforcement agency pursuant to Section 2901.30(D) of the Revised Code that a missing child report has been filed regarding a student who is currently or was previously enrolled in the School, the person in charge of admission at the School shall mark that student's records in such a manner that whenever a copy of or information regarding the records is requested, any School official responding to the request is alerted to the fact that the records are those of a missing child. Upon any request for a copy or for information regarding a student's records that have been so marked, the person in charge of admission shall immediately report the request to the law enforcement agency that notified the School that the student is a missing child. When forwarding a copy of or information regarding a student's records in response to a request, the person in charge of admission shall do so in such a way that the receiving district or school would be unable to discern that the student's records were marked pursuant to this division but shall retain the mark in the student's records until notified that the student is no longer a missing child. Upon notification by a law enforcement agency that a student is no longer a missing child, the person in charge of admissions shall remove the mark from the student's records in such a way that if the records were forwarded to another district or school, the receiving district or school would be unable to discern that the records were ever marked.
- F. The following notice shall be distributed to parents of each student in writing upon the student's enrollment in the School via inclusion in an enrollment packet, placement in the student/guardian handbook, or via another method as determined by the management company:

"The (name of the School) School is a community school established under Chapter 3314. of the Revised Code. The School is a public school and students enrolled in and attending the School are required to take proficiency tests and other examinations prescribed by law. In addition, there may be other requirements for students at the School that are prescribed by law. Students who have been excused from the compulsory attendance law for the purpose of home education, as defined in the Administrative Code shall no longer be excused for that purpose upon their enrollment in a community school. For more information about this matter contact the School administration or the Ohio Department of Education."



- G. The management company is hereby authorized to implement these policies and procedures, including the creation and utilization of any admission or enrollment “packets” for the purposes of providing guidance to parents and for the collection of the required information.



Admission and Enrollment

The Governing Authority establishes the following admission and enrollment policies and procedures:

I. Admission

- A. Except as otherwise provided, admission to the School is open to any individual age five to twenty-two, entitled to attend school pursuant to Sections 3313.64 or 3313.65 of the Revised Code in a school district in the state. Admission to the School is not restricted by an individual's district of residence and is open to residents of any district in Ohio.
- B. Admission is also open to any individual age five to twenty-two who is not a resident of Ohio on a tuition basis. In such cases, the Management Company shall determine the amount of tuition as allowed by law.
- C. If a child is admitted to school for the first time, to kindergarten or first grade, the child must be age five or six, respectively, by August 1st in the year of admittance. The School does not have an early admission or acceleration policy. However, the School shall not deny admission to a transferring student based on age, if the student has been admitted to kindergarten by another school.
- D. Admission to the School may be limited to students who have attained a specific grade level or are within a specific age group; to students that meet the definition of "at-risk", if and as defined in the Community School Contract; or, to separate groups of autistic students and nondisabled students, as provided below. "At-risk" students may include those students identified as "gifted" students under Section 3324.03 of the Revised Code.
- E. There shall be no discrimination in the admission of students to the School on the basis of race, creed, color, disability, or sex and admission shall not be limited on the basis of intellectual ability, measures of achievement or aptitude, or athletic ability.
- F. If and as designated in the Community School Contract, the Governing Authority may establish a school for the purpose of simultaneously serving a group of students identified as autistic and a group of students who are not disabled, as authorized by Section 3314.031 of the Revised Code. If applicable, a target ratio of the number of autistic students to nondisabled students that may be enrolled in the School, and the total number of nondisabled students that may be enrolled in the School shall be as specified in the Community School Contract. If the number of applicants among the group of autistic students or the group of students with disabilities exceeds the capacity



restriction for that group, students shall be admitted by lot from all those of that same group submitting applications according to the procedures set out below. However, unless the total capacity established for the School has been filled, no student with any disability shall be denied admission on the basis of a disability.

- G. Upon admission of any student with a disability, the School shall comply with all federal and state laws regarding the education of students with disabilities.
- H. The School will admit the number of students that does not exceed the capacity of the School's programs, classes, grade levels, or facilities.
- I. Except as otherwise provided by Sections 3314.06(B) or 3314.061 of the Revised Code, if the number of applicants exceeds the School's capacity restrictions, students shall be admitted by lot from all those submitting applications, except preference shall be given to students in the following order:
 - 1. Students attending the school in the previous year;
 - 2. To students who reside in the district in which the school is located;
 - 3. To siblings of students attending the school the previous year; and,
 - 4. To children of full-time School or Management Company staff assigned to work at the School, provided that the total number of students receiving this preference is less than five percent of the School's total enrollment.
- J. If required, a lottery will be conducted in the following manner:
 - 1. Each applicant will be assigned a number;
 - 2. The numbers will then be drawn at random by a disinterested third party;
 - 3. The first number drawn will be the first new applicant placed on a permanent waiting list and so on until all numbers are drawn;
 - 4. Applicants on a permanent waiting list prior to any lottery will retain their position on the waiting list; and,
 - 5. The lottery and waiting lists may be separate for each grade or age grouping.
- K. Notwithstanding any other provision in these policies and procedures, in the event the racial composition of the enrollment of the School is in violation of a federal desegregation order, the School shall take any and all corrective measures to comply with the desegregation order.
- L. Students that have been suspended or expelled from any public school may temporarily be denied admission to the School, if the period of suspension or expulsion has not expired. A student in this situation shall be offered a hearing prior to the decision to temporarily deny admission. If a hearing is requested, the School's Superintendent or designee shall conduct the hearing and render a decision on whether or not to temporarily deny admission. The decision of the Superintendent or designee shall be



final. If temporarily denied admission, a student shall be admitted when the period of suspension or expulsion has expired.

M. If a student requesting admission to the School has been discharged from the custody of the Department of Youth Services just prior to requesting admission, the School shall not admit that student until the following records have been received from the Department of Youth Services by the School's Superintendent:

1. An updated copy of the student's transcript;
2. A report outlining the student's behavior while in the custody of the department;
3. A current IEP, if any; and,
4. A summary of the student's institutional behavior.

II. Enrollment

A. "Initial Entry" is defined as a student's first day of attendance at the School participating in the School's course of instruction.

B. At or prior to the time of initial entry, a student is required to present the following documentation to the School, as applicable:

1. Records given to the student by the school the student most recently attended;
2. A certified copy of an order, decree, or modification of an order or decree allocating parental rights and responsibilities for the care of a child and designating a parent as the residential parent of the child and/or legal custodian;
3. A copy of an executed power of attorney or grandparent caretaker authorization affidavit issued pursuant to Sections 3109.51 to 3109.80 of the Revised Code; and,
4. A certification of birth issued pursuant to Chapter 3705. of the Revised Code or, a comparable certificate or certification issued pursuant to the statutes of another state, territory, possession, or nation or a document in lieu of a certificate or certification from the list as follows:
 - a. A passport or attested transcript of a passport filed with a registrar of passports at a point of entry of the United States showing the date and place of birth of the child;
 - b. An attested transcript of the certificate of birth;
 - c. An attested transcript of the certificate of baptism or other religious record showing the date and place of birth of a child;
 - d. An attested transcript of a hospital record showing the date and place of birth of the child; or,
 - e. A birth affidavit.
5. Proof of Residency. One document from any one of the following categories shall establish evidence of the location of a student's primary residence:



- a. A deed, mortgage, lease, current homeowner's or renter's insurance declaration page, or a current real property tax bill;
 - b. A utility bill or receipt of utility installation issued within the most recent ninety days;
 - c. A paycheck or paystub issued to parent or student within the most recent ninety days that includes the address of the parent's or student's primary residence;
 - d. The most current available bank statement issued to the parent or student that includes the address of parent's or student's primary residence;
 - e. Any other official document issued to the parent or student that includes the address of the parent's or student's primary residence pursuant to guidelines issued by the Department of Education; or,
 - f. Any type of communication with a government official authorized to provide such information. Pursuant to guidelines issued by the Superintendent of Public Instruction, these documents include the following:
 - A voter registration card;
 - Documented affirmation of address of student's parent(s) from district of residence where parent(s) currently reside;
 - Notarized affirmation from parent(s) of current residence address;
 - USPS return receipt from certified letter sent to parent(s) by district of residence;
 - Written confirmation from the Ohio Department of Jobs and Family Services of current address of the parent(s); or,
 - Written confirmation from a local law enforcement agency of the current address of the parent(s).
- C. Except as otherwise provided in these enrollment procedures:
1. Within twenty-four hours of a student's initial entry, a School official shall request the student's official records from the public or nonpublic school most recently attended.
 2. If the school replies that it has no records for the student or if records are not received within fourteen days of the request, the School Director shall notify the law enforcement agency having jurisdiction over the student's place of residence that the student may be a missing child, as defined in Section 2901.30 of the Revised Code.

III. Other Situations

- A. Definitions:



1. "Protected Child" is defined as a child placed in a foster home, as the term is identified in Section 5103.02 of the Revised Code, or in a residential facility;
 2. "Residential Facility" is defined as a group home for children, children's crisis care facility, children's residential center, residential parenting facility that provides twenty-four hour care, county children's home, or district children's home.
- B. The School shall not deny admission to a protected child solely because the child does not present a valid birth certificate or acceptable document in lieu of a birth certificate. However, such certificate or an acceptable document in lieu of a birth certificate is required to be provided to the School within ninety days of initial entry.
- C. Where an order or decree allocating parental rights concerning a student has been issued, the parent designated as the residential parent for school purposes shall provide the School with a certified copy of the order or decree and certified copies of any subsequent modifications.
- D. If a student is under the care of a shelter for victims of domestic violence, the student or their parent shall notify the School of that fact. Upon notification, the School shall inform the school from which it requests records of that fact.
- E. Whenever the School is notified by a law enforcement agency pursuant to Section 2901.30(D) of the Revised Code that a missing child report has been filed regarding a student who is currently or was previously enrolled in the School, the person in charge of admission at the School shall mark that student's records in such a manner that whenever a copy of or information regarding the records is requested, any School official responding to the request is alerted to the fact that the records are those of a missing child. Upon any request for a copy or for information regarding a student's records that have been so marked, the person in charge of admission shall immediately report the request to the law enforcement agency that notified the School that the student is a missing child. When forwarding a copy of or information regarding a student's records in response to a request, the person in charge of admission shall do so in such a way that the receiving district or school would be unable to discern that the student's records were marked pursuant to this division but shall retain the mark in the student's records until notified that the student is no longer a missing child. Upon notification by a law enforcement agency that a student is no longer a missing child, the person in charge of admissions shall remove the mark from the student's records in such a way that if the records were forwarded to another district or school, the receiving district or school would be unable to discern that the records were ever marked.

IV. Verification of Residence and Address



Upon enrollment and annually, the School shall verify each student's residence and address by collecting one proof of residency, pursuant to section (B)(5) above, at or prior to the date of initial entry for new students and within 90 days of the first day of school for returning students in order satisfy initial enrollment and annual verification reporting requirements. In addition, the School shall verify initial and annual residency verifications to the Department of Education regarding the school district in which the student is entitled to attend school under Section 3313.64 or 3313.65 of the Revised Code.

- A. For the purposes of making these determinations, the traditional school district in which the parent (or custodial parent) resides is the location the parent has established as the primary residence where substantial activity takes place.
- B. If the district identified as a student's district of residence district disputes residency, the School shall provide the district with documentation of the student's residency and make a good faith effort to accurately identify the correct residence of the student and resolve the dispute with the district. In the event that resolution is unsuccessful, within 60 days after the deadline established by the Department of Education for reporting community school enrollment, the School may present the matter to the State Superintendent of Public Instruction for determination of the correct district of residence. The student shall remain enrolled in the School with the disputing district listed as the student's district of residence during resolution of the dispute, including a decision by the State Superintendent, if the matter was submitted to the State Superintendent for determination.
- C. Each month during the school year, the School shall randomly select two student files for verification of residence and address. The School shall initially verify that a selected student's file contains the annual proof of residency collected within the first 90 days of the school year. Next, the school shall contact the parent and verify that the address on file remains the parent's primary residence where substantial activity takes place. The school may contact the parent via phone, email, letter, or by another reasonable method. The contact and verification of residency shall be noted in the student's file and on a log created to verify monthly compliance reviews. During the first 90 days of the school year, a proof of residency provided by the parent for the current year shall satisfy the monthly verification review, if it is in the student's file. A file randomly selected during the school year may not be used again that year for the monthly verification review and the School shall randomly select another file in that circumstance. If residency has changed, the School shall report the appropriate district of residence for the student using the method and timeline specified by the Department of Education.

V. Enrollment and Attendance



A student's parent is required to notify the School when there is a change in the location of the parent's or student's primary residence.

VI. Distributing Statement

The following notice shall be distributed to parents of each student in writing upon the student's enrollment in the School via inclusion in an enrollment packet, placement in the student/guardian handbook, or via another method as determined by the management company:

"The (name of the School) School is a community school established under Chapter 3314. of the Revised Code. The School is a public school and students enrolled in and attending the School are required to take proficiency tests and other examinations prescribed by law. In addition, there may be other requirements for students at the School that are prescribed by law. Students who have been excused from the compulsory attendance law for the purpose of home education, as defined in the Administrative Code shall no longer be excused for that purpose upon their enrollment in a community school. For more information about this matter contact the School administration or the Ohio Department of Education."

ATTACHMENT 6.13 ATTENDANCE POLICIES

1. Attendance and Participation Policies, including any policy or procedures for non-classroom learning opportunities
2. Truancy Policy, including both the 105 hour automatic withdrawal procedures for students prior to November 1, 2018 and the 72 hour automatic withdrawal procedures for students after that date

NOTE: The School's attendance and participation records shall be made available, upon request, to the Ohio Department of Education, Auditor of State, and Sponsor, to the extent permitted by 20 U.S.C. 1232g, the Family Educational Rights and Privacy Act (FERPA), section 3319.321, and any applicable rule or regulations thereto.



Attendance, Truancy and Withdrawal

I. Attendance

A student's academic success requires continuity of instruction and classroom participation. Students are more likely to succeed when they consistently attend school. For the purposes of this policy, the term "parent(s)" also refers to legal guardian(s) or custodian(s) and the term "School Director" refers to the School Director or their designee.

When absent, the School shall require a written statement regarding the cause of the absence. For the purposes of this policy, the written statement may be a signed document, email, voice-mail as noted in writing by school personnel, or other document within the discretion of the School Director. The School Director, in their discretion, may investigate the cause of the absence including, but not limited to, obtaining statements, requiring written documentation, or obtaining any other information to verify the cause of the absence including a signed doctor's excuse or signed statement from the student's parent. The School Director shall determine whether or not the absence is considered excused or unexcused pursuant to this policy. The following absences are recognized as excused, within the discretion of the School Director:

- A. Illness;
- B. Personal mental illness such that the student will not benefit from instruction;
- C. Medical or dental appointments;
- D. Illness in the family necessitating the presence of the student;
- E. Death of a relative;
- F. Quarantine;
- G. Observance of religious holidays (consistent with truly held religious beliefs);
- H. Parent's inability to employ help in the family's business or to work on the family's farm at necessary times;
- I. College visits;
- J. Court subpoena;
- K. Due to placement in foster care or change in foster placement, or related court proceedings;
- L. An emergency or set of circumstances which in the judgement of the School Director or designee constitute a good and sufficient cause for the absence; or
- M. If a student is absent from school for the sole purpose of traveling out-of-state to participate in a School-approved enrichment activity or extracurricular activity, the



School shall count the absence as an excused absence, up to a maximum of twenty-four hours per school year. The student must complete any classroom assignment he/she misses due to the absence. If the student will be absent for twenty-four or more consecutive hours that the School is open for instruction, a teacher must accompany the student to provide the student with instructional assistance for the absence to be excused.

Tardiness is subject to discipline and chronic tardiness may result in additional disciplinary action.

If a child has a physical condition or impairment that could cause periodic or frequent absences from school, a parent is required to notify the School at the beginning of the school year or within five (5) school days after the condition or impairment develops. The notification shall be in the form of a written statement signed and dated by a physician. It must also include the expected duration of the condition or impairment.

II. Excessive Absences/Intervention Strategies

In an effort to address and reduce the number of student absences, the School has developed this policy and the following procedures in consultation with the judge of the juvenile court of the county in which the School is located, parents/guardians/other persons having care of the School's students, and with appropriate state and local agencies.

A student shall be deemed "excessively absent" if absent without excuse for thirty-eight or more hours in one School month or sixty-five or more hours in a School year. As an intervention strategy, the school will provide an excessively absent student with an intervention plan. The intervention plan will include as appropriate: counseling for a student who is a habitual truant; requesting or requiring their parent to attend parent involvement program(s) and/or a truancy prevention mediation program; notification of the registrar of motor vehicles; or taking other permissible legal action(s).

- A. Procedures. The school shall follow the following procedures when a student is deemed to be excessively absent:
1. The student's parent will be notified of the student's absences in writing within seven days of the triggering absence;
 2. If the student's unexcused absences reach the level of habitual truancy (thirty or more consecutive hours, forty-two or more hours in a school month, or seventy-two hours in a school year), the School Superintendent or School Director shall assign the student to an intervention team within ten days of the triggering unexcused absence.



3. Within fourteen days, the intervention team shall develop an intervention plan for the student in an effort to reduce or eliminate further absences. Each plan may vary based on the student's individual needs. The plan shall be provided to the student's parent in writing within seven days of its development.
4. The intervention plan shall provide a notice to the student and their parent that the attendance officer shall file a complaint not later than sixty-one days after the plan's implementation date if the student has refused to participate or failed to make satisfactory progress on the intervention plan or on an Alternative to Adjudication program.
5. As part of the plan, the School may contact the appropriate juvenile court and ask that the student be informally enrolled in an alternative to adjudication program. If the student has been deemed excessively absent for the first time, and had no prior court involvement of any kind, the School shall pursue an Alternative to Adjudication program if one is available.
6. The members of an absence intervention team may vary, but shall include a representative from the School, a representative from the School that knows the child, and the child's parent. The Superintendent or School Director may also appoint a school psychologist, counselor, social worker, or representative from a public or non-profit agency designed to assist students and families in the reduction of absences. Members must be appointed within seven days of the triggering unexcused absence. The School's Superintendent or School Director shall make at least three good faith attempts to secure the participation of the parent. If the parent responds, they shall be informed of their right to appear by designee if they are unable to participate. If attempts to secure the parent's participation fail, the School shall investigate whether the failure to respond triggers mandatory reporting to public children's services agency and instruct the intervention team to develop an intervention plan without the presence of the parent.
7. If the student becomes habitually truant within 21 days prior to the last day of instruction in the school year, the School may assign one school official to work with the student's parent over the summer to develop an intervention plan. If applicable, the intervention plan shall commence no later than seven days prior to the first day of instruction for the subsequent school year. In the alternative, the School may toll the time periods for the summer and reconvene the intervention process upon the first day of instruction the next school year.



8. The School shall report to the Department of Education as soon as possible, in the format if and as prescribed, when any of the following occur:
 - a. A parent is sent a notice that the student is excessively absent;
 - b. A parent is sent a notice that the student is habitually truant;
 - c. When a child of compulsory school age that has been adjudicated as an unruly child violates the court order pursuant to that adjudication; and
 - d. When an absence intervention plan has been developed for a child.

III. Truancy

When the School deems a student truant and that the student's parent has failed to cause their attendance, the School may require the parent to attend an educational program established by rules of the State Board of Education for the purpose of encouraging parental involvement in compelling a child's attendance at school. Upon request of the School's Superintendent, the School's designated attendance officer shall investigate cases of possible truancy and warn the child, if found truant, and the child's parent in writing of the legal consequences of being truant. When any child of compulsory school age is in violation of law by not attending school, the School's attendance officer shall notify the student's parent to cause the child to attend school. If the child still does not attend, the attendance officer shall inform the School's Superintendent of that fact. Upon request of the School's Superintendent, the attendance officer shall send the child's parents a notice requiring attendance at a parental education program and may file a complaint against the parent in the appropriate court.

If the child is considered habitually truant, the School's attendance officer shall file a complaint in the appropriate court against the student and the student's parents alleging that the child is unruly for being a habitual truant and that the parent has failed to compel the student's attendance.

IV. Withdrawal

- A. A student will automatically be withdrawn from school if the student without legitimate excuse fails to participate in 72 consecutive hours of learning opportunities offered to the student.
- B. Whenever a student of compulsory school age withdraws:
 1. The student's teacher must ascertain the reason for the withdrawal and then immediately transmit that the student has withdrawn and the reason for the withdrawal to the School's Superintendent.



2. If the withdrawal is due to a change in residence, the teacher must ascertain the next residence and include that information in the transmission to the School's Superintendent.
 3. The School's Superintendent shall forward a card to the superintendent of the traditional district where the new residence is located showing essential facts including the child's new address.
- C. If a student of compulsory school age withdraws for a reason other than for a change of residence and is not enrolled in or attending an approved program to obtain a diploma or equivalent:
1. Within two weeks of the withdrawal, the School Superintendent must notify the registrar of motor vehicles and the juvenile judge of the county in which the School is located of the withdrawal and failure to enroll/attend an approved program. This notification must be given in writing to the juvenile judge and to the registrar of motor vehicles in the manner specified by those respective offices.

Approved: November and December 2018



Performance Accountability Framework Attachment 11.6

School Name	Summit Academy Community School - Warren
School IRN	000305
Building Principal/Director	Allison Glass
Management Company	Summit Academy Management
Contract Dates with the ESC of Lake Erie West	
Start Date: 07/01/2017	End Date: 06/30/2022
School Mission: The mission of Summit Academy schools is to build hope, success, and well-being through education and advocacy for students with special needs.	

A.01	ACADEMIC PERFORMANCE STANDARD	Achievement: Indicators Met
<p>The Achievement component of the report card represents the number of students who passed the state tests and how well they performed on them.</p> <p>The Indicators Met measure represents student performance on state tests. This measure is based on a series of up to 24 state tests that record the percent of students proficient or higher in a grade and subject. Schools and districts also are evaluated on the gifted indicator, giving them up to 25 possible indicators.</p> <p>Goals set for this standard should address 1.) The expected numeric increase; and 2.) at least one targeted grade or content area.</p>		

	2016/17	2017/18	2018/19	Contract End Date: 2022
GOAL	1 of 13	2 of 13	1 of 12 indicators Chronic Absenteeism, 41.5	1 of 12 Chronic Absenteeism, 38.2
ACTUAL	0 of 13	0 of 12		
RATING (completed by sponsor)				*Goals in this column will only address the Indicators Met numeric value.

DESCRIPTION OF MEASURE AND MONITORING STRATEGY

Our goal for the 2018 – 2019 school year is to reach and then maintain the chronic absenteeism indicator. Our strategy for decreasing chronic absenteeism is explained in the attendance goal.

As the chart below shows we will not meet the state standard of 80% in any state test even with beginning with a 5% increase in 2019 and raising that increase by 1% additionally annually. To reach the increases detailed in the chart we will be focusing on math with our students with disabilities. Our math scores are lower in all grades but grade 7 and in that case, it's not that the math grade is high, but that the ELA grade is much lower than the other grades.

We will be using two instructional strategies to drive this improvement. First, we will continue to implement Whole Brain Teaching with fidelity throughout our school. This set of behavioral expectations and teaching strategies has been the main impetus for the academic growth we've had over the last several years. Monitoring for teacher implementation is done through classroom walk-throughs and lesson plan reviews. We are also implementing a new online assessment and instruction tool this year – Renaissance Star. We will use this tool to benchmark and progress monitor students' academic performance. The assessment creates an individualized learning path for each student. Time will be provided for students to work independently during the math and reading blocks each day. This will be monitored by software reports that will be used by the TBTs to ensure that students are consistently working while on the program and that improvement is being made. The reports will also be reviewed by the Intervention Specialists as we are focusing monitoring on our subgroup of students with disabilities.

	2018	5%	2019	6%	2020	7%	2021	8%	2022
3R	42.9	2.1	45.0	2.7	47.7	3.3	51.1	4.1	55.2
3M	38.1	1.9	40.0	2.4	42.4	3.0	45.4	2.3	47.6
4R	43.8	2.2	46.0	2.8	48.7	3.4	52.2	2.6	54.8

4M	18.8	0.9	19.7	1.2	20.9	1.5	22.4	1.1	23.5
5R	38.9	1.9	40.8	2.5	43.3	3.0	46.3	2.3	48.6
5M	16.7	0.8	17.5	1.1	18.6	1.3	19.9	1.0	20.9
5SC	50.0	2.5	52.5	3.2	55.7	3.9	59.5	3.0	62.5
6R	38.9	1.9	40.8	2.0	42.9	2.1	45.0	2.3	47.3
6M	27.8	1.4	29.2	1.5	30.6	1.5	32.2	1.6	33.8
7R	18.8	0.9	19.7	1.0	20.7	1.0	21.8	1.1	22.9
7M	25.0	1.3	26.3	1.3	27.6	1.4	28.9	1.4	30.4

↓ label	2018	-1.1%	2019	-1.1%	2020	-1.1%	2021	-1.1%	2022
chronic absenteeism rate	42.9	(0.47)	42.4	(0.47)	42.0	(0.46)	41.5	(0.46)	41.0

THIS AREA WILL BE COMPLETED BY THE REGIONAL TECHNICAL ASSISTANCE EDUCATOR.

MONTH	EVIDENCE PRESENTED BY THE SCHOOL	TECHNICAL ASSISTANCE PROVIDED	PROGRESS BEING MADE (YES/NO)

SUMMARY RATING FOR THIS STANDARD:
THIS AREA WILL BE COMPLETED BY THE SPONSOR AT THE END OF ACADEMIC SCHOOL YEAR.

0 points: Significantly Below Goal	1 point: Below Goal	2 points: Progressing Towards Goal	3 points: Meets Goal	4 points: Exceeds Goal

PERFORMANCE SUMMARY:
THIS AREA WILL BE COMPLETED BY THE SPONSOR AT THE END OF THE ACADEMIC SCHOOL YEAR

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A.02	ACADEMIC PERFORMANCE STANDARD	Achievement: Performance Index
<p>The Achievement component of the report card represents the number of students who passed the state tests and how well they performed on them. The Performance Index measures the achievement of every student, not just whether or not he or she reaches “proficient.” Districts and schools receive points for every student’s level of achievement. The higher the student’s level, the more points the school earns toward its index. This rewards schools and districts that improve the performance of all students.</p> <p>Goals set for this standard should address 1.) The number of total PI points earned; and 2.) “Movement” (identified in at least two categories) of students scoring Advanced, Accelerated, Proficient, Basic or Limited on at least one of Ohio’s State Tests.</p>		

	2016/17	2017/18	2018/19	Contract End Date: 2022
GOAL	55.9 of 120	58.5 of 120	62.3 of 120	66.5 of 120
ACTUAL	57.7 of 120	59.9 of 120		
RATING (completed by sponsor)				*Goals in this column will only address the PI score.

DESCRIPTION OF MEASURE AND MONITORING STRATEGY										
<p>Our goal is to reach 66.5 PI points by the end of our contract period. This represents a 10% movement of limited to basic scores and 10% of basic to proficient. We will use the strategies outlined in the previous goal to reach this target – continued use of Whole Brain Teaching and the implementation of Renaissance Star assessments and instructional software.</p>										
	Adv+	Adv	Accel	Prof	Basic	Limited	Untested	PI Points	PI %	Grade
2017-18	-	5.1	11.2	16.8	15.3	51.6	-	59.9	49.9%	D
2018-19	-	5.1	11.2	18.9	18.5	46.4	-	62.3	51.9%	D
2019-20	-	5.1	11.2	19.3	22.6	41.8	-	63.8	53.2%	D
2020-21	-	5.1	11.2	19.7	26.4	37.6	-	65.3	54.4%	D
2021-22	-	5.1	11.2	20.1	29.7	33.9	-	66.5	55.4%	D

THIS AREA WILL BE COMPLETED BY THE REGIONAL TECHNICAL ASSISTANCE EDUCATOR.			
MONTH	EVIDENCE PRESENTED BY THE SCHOOL	TECHNICAL ASSISTANCE PROVIDED	PROGRESS BEING MADE (YES/NO)

<p>SUMMARY RATING FOR THIS STANDARD: THIS AREA WILL BE COMPLETED BY THE SPONSOR AT THE END OF ACADEMIC SCHOOL YEAR.</p>
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0 points: Significantly Below Goal	1 point: Below Goal	2 points: Progressing Towards Goal	3 points: Meets Goal	4 points: Exceeds Goal

PERFORMANCE SUMMARY:
THIS AREA WILL BE COMPLETED BY THE SPONSOR AT THE END OF THE ACADEMIC SCHOOL YEAR

A.03	ACADEMIC PERFORMANCE STANDARD	Progress
<p>The Progress component looks closely at the growth that all students are making based on their past performances. There are four measures within the component: progress for all students; progress for gifted students; progress for students with disabilities; and progress for students whose academic performance is in the lowest 20 percent of students statewide. The state examines students' state tests through a series of calculations to produce a "value-added" rating for each of the four groups listed.</p>		
<p>Goals for this standard should address 1.) The overall letter grade; 2.) The overall percentage; 3.) Growth (identified as a percentage) for at least one of the individual measures listed above.</p>		

	2016/17	2017/18	2018/19	Contract End Date: 2022
GOAL	Overall – D Lowest 20% - C SWD – D	Overall – D Lowest 20% - C SWD – C	Grade - B % - 3.816 out of 5 SWD – C	Grade - B % - 3.816 out of 5 SWD – C
ACTUAL	Grade - A % - 5.000 Overall – A Lowest 20% - A SWD –A	Grade - B % - 3.816 out of 5 SWD – C		
RATING (completed by sponsor)				*Goals in this column will only address the Overall Percentage.

DESCRIPTION OF MEASURE AND MONITORING STRATEGY					
<p>Our goal in Progress is to maintain the component grade of B and incrementally increase our SWD composite score over the length of our contract. The tables below show the progression through 2021 – 2022. We will be focusing heavily on our 7th grade performance as it is significantly below our other grades. We will do this by again implementing the two strategies already explained but also by very close oversight of the instruction in the 7th grade classroom. The instructional coach will conduct weekly lesson observations and lesson plan reviews to ensure that school-wide instructional protocols are being followed with fidelity.</p>					
<p>This chart shows the progress scores by grade for the students with disabilities beginning with a 5% increase in 2019 and then increasing that by 1% additional each year.</p>					
	2018	2019	2020	2021	2022
SWD 4	-	-	-	-	-
SWD 5	(0.70)	(0.67)	(0.62)	(0.57)	(0.50)
SWD 6	2.50	2.63	2.78	2.98	3.22
SWD 7	(1.70)	(1.62)	(1.51)	(1.38)	(1.21)
Composite	0.50	0.53	0.56	0.60	0.64
<p>This chart shows how this increase will lead to a B in progress for the SWD subgroup by the end of the contract.</p>					
Subgroup	Grade	Points	Weight	Final Points	
Overall	B	4	0.6325	2.53	

Lowest %	B	4	0.18375	0.735
SWD	B	4	0.18375	0.735
			Ttl points	4.0000

THIS AREA WILL BE COMPLETED BY THE REGIONAL TECHNICAL ASSISTANCE EDUCATOR.

MONTH	EVIDENCE PRESENTED BY THE SCHOOL	TECHNICAL ASSISTANCE PROVIDED	PROGRESS BEING MADE (YES/NO)

SUMMARY RATING FOR THIS STANDARD:

THIS AREA WILL BE COMPLETED BY THE SPONSOR AT THE END OF ACADEMIC SCHOOL YEAR.

0 points: Significantly Below Goal	1 point: Below Goal	2 points: Progressing Towards Goal	3 points: Meets Goal	4 points: Exceeds Goal

PERFORMANCE SUMMARY:

THIS AREA WILL BE COMPLETED BY THE SPONSOR AT THE END OF THE ACADEMIC SCHOOL YEAR

A.04	ACADEMIC PERFORMANCE STANDARD	Gap Closing		
<p>Schools must close the gaps that exist in the achievement between groups of students that may be based on income, race, ethnicity or disability. This component shows how well schools are meeting performance expectations for our most vulnerable students in English language arts, math and graduation. It compares the academic performance of nine student groups against the performance of a 10th group; all students in Ohio.</p> <p>Goals for this standard should address 1.) The component score; and 2.) At least one targeted area (reading, math or graduation rate).</p>				

	2016/17	2017/18	2018/19	Contract End Date: 2022
GOAL	Reading All –31.3 White –37.8 Af Amer – 24.5 Multiracial –5.5 Econ Dis – 40.9 SWD – 37.7 Math All –31.9 White – 26.3 Af Amer –12.2 Multiracial –5.5 Econ Dis – 21.2 SWD –18.0	Reading All – 32.2 White – 39 Af Amer –25.7 Multiracial –5.8 Econ Dis –42.1 SWD – 38.8 Math All – 32.9 White – 27.1 Af Amer – 12.8 Multiracial –5.8 Econ Dis – 21.8 SWD – 18.5	Score – 60.8, F Math – 25 pts	Score – 72, C Math – 47.5 pts
ACTUAL	Score <u>Reading</u> All – 25 White – 30.2 Af Amer –15.3 Econ Dis – 25 SWD – 23.2 <u>Math</u> All – 31.6 White – 34 Af Amer –23 Econ Dis –31.6 SWD – 29	Score – 48.2, F Reading – 96.5 pts Math – 0 pts		
RATING (completed by sponsor)				*Goals in this column will only address the Overall Percentage.

DESCRIPTION OF MEASURE AND MONITORING STRATEGY
Our goal for the Gap Closing Measure is to increase our math points to 25 in the 2018 – 2019 school year. We

have seen that our math scores are lower than ELA is all grades but one. We did our projections based on the math scores for Students with Disabilities subgroup as that subgroup is below expectations in math, but has met them in reading. We know that this group's low scores is also negatively impacting our Progress grade.

We will follow the same strategies of continuing to implement Whole Brain Teaching with fidelity and implementing the Renaissance Star assessments and learning paths for individual students. Both teachers and Intervention Specialists will concentrate on math scores during TBT and IAT meetings to ensure that these strategies are working with this subgroup.

This table shows the progression of a 5% increase in subgroup points. In actuality, we would expect all groups to increase somewhat, as 84.3% of the All Student and ED groups are students with disabilities. We expect to see at least a 10% increase in all of the other groups annually as we concentrate on the SWD population because of this overlap.

	Subgroup Points Math			
	FY19	FY20	FY21	FY22
All students	0	10	20	30
White	0	10	20	30
ED	0	10	20	30
SWD	100	100	100	100
Total	100	130	160	190

This table shows how the points are computed. Because this subgroup will earn the maximum points in 2018 – 2019, you don't see any change over the course of the contract. When we create the performance goals next year, we will be able to see the results and if we achieved the 100 points for the SWD subgroup, we will target a different group for improvement.

Math Subgroup Points	FY19	FY20	FY21	FY22
Total of Subgroup Points	100.0	130.0	160.0	190.0
Possible Subgroup Points	400.0	400.0	400.0	400.0
Math Points Earned	25.0	32.5	40	47.5

This final table shows how the math points and ELA points combine to earn the grade.

	FY18	FY19	FY20	FY21	FY22
Current ELA Points	96.5	96.5	96.5	96.5	96.5
Current Math Points	-	25	32.5	40	47.5
Total	48.3	60.8	64.5	68.3	72
Grade	F	D	D	D	C

Annual Measurable Objectives percentages and all reported subgroups.

Reading

All – 66.067

White – 65.167

Econ Dis –66.067

SWD – 63.600

Math

All – 51.348

White – 54.167

Econ Dis – 51.348

THIS AREA WILL BE COMPLETED BY THE REGIONAL TECHNICAL ASSISTANCE EDUCATOR.

MONTH	EVIDENCE PRESENTED BY THE SCHOOL	TECHNICAL ASSISTANCE PROVIDED	PROGRESS BEING MADE (YES/NO)

SUMMARY RATING FOR THIS STANDARD:

THIS AREA WILL BE COMPLETED BY THE SPONSOR AT THE END OF ACADEMIC SCHOOL YEAR.

0 points: Significantly Below Goal	1 point: Below Goal	2 points: Progressing Towards Goal	3 points: Meets Goal	4 points: Exceeds Goal

PERFORMANCE SUMMARY:

THIS AREA WILL BE COMPLETED BY THE SPONSOR AT THE END OF THE ACADEMIC SCHOOL YEAR

A.05	ACADEMIC PERFORMANCE STANDARD	K-3 Literacy
<p>Reading is the foundation for all learning. That is why it is critical to fund and address reading issues for a student as early as possible. K-3 Literacy looks at how successful the school is at getting struggling readers on track to proficiency in third grade and beyond.</p> <p>The measure and component relate to Ohio's Third Grade Reading Guarantee, which aims to make sure that all students are reading at grade level by the end of third grade. The guarantee drives attention to students from kindergarten through third grade who are struggling readers and makes sure they get the help they need to succeed in reading. Districts and schools are expected to diagnose reading issues, create individualized reading improvement and monitoring plans, and provide intensive reading interventions.</p> <p>Goals for this standard should address 1.) The component grade; and 2.) At least one measurable, targeted strategy aimed at improving student reading scores.</p>		

	2016/17	2017/18	2018/19	Contract End Date: 2022
GOAL	5.2%	5.4%	Grade C, 33.3%	Grade B, 49.3%
ACTUAL	Grade – B % - 54.2	Grade – NR, (-11.1%)		
RATING (completed by sponsor)				*Goals in this column will only address the Component Grade

DESCRIPTION OF MEASURE AND MONITORING STRATEGY		
<p>Many of our students struggle with literacy. Many begin kindergarten with no literacy foundation and with learning challenges that make learning skills difficult. With that in mind, we will continue with our intensive intervention for all readers in K-3. This includes 120 minutes of literacy instruction daily, employment of an instructional coach, and the implementation of a Whole Brain Teaching.</p> <p>In last year's scores, we show that we had a deduction of 2 taken for 3rd grade students who did not pass the state test but were not on RIMPs. All of our third grade students <u>were</u> on RIMPs and we are unsure of how this score was derived. Our score of -11.1% would have been 33.3%, a C, had this not occurred. We are setting a goal of 33.3% for next year and will be sure that all data is correctly reported to the state.</p>		
Not On-Track at Point A		Improving to On-Track at Point B
Kindergarten Reading Diagnostic, School Year 2016 – 2017 - 1	to	1st Grade Reading Diagnostic, School Year 2017 –2018 0
1st Grade Reading Diagnostic, School Year 2016 – 2017 - 1	to	2nd Grade Reading Diagnostic, School Year 2017 –2018 0
2nd Grade Reading Diagnostic, School Year 2016 – 2017 - 0	to	3rd Grade Reading Diagnostic, School Year 2017 –2018 0
3rd Grade Reading Diagnostic, School Year 2017 – 2018 - 7	to	3rd Grade Reading OST, School Year 2017 – 2018 – 1
Deduction for 3rd graders who did not pass OST and were not on a Reading Improvement and Monitoring Plan		2
Totals		9
		(1)

We are going to take the following steps to ensure that this doesn't happen again.

1. We have changed to the Renaissance Star assessment system which is an approved screener for 3GRG.
2. Because we have no baseline data with this assessment we will look to last year's AIMSweb data where available to see where each student ended the year.
3. We will create RIMPs for all students who are not scoring well above grade level.

We will monitor this by checking lesson plans and schedules for adherence to our 120 minute requirement with DI, track Star data in both TBT and BLT meetings and check that all 3rd graders have been appropriately placed on RIMPs as needed.

THIS AREA WILL BE COMPLETED BY THE REGIONAL TECHNICAL ASSISTANCE EDUCATOR.

MONTH	EVIDENCE PRESENTED BY THE SCHOOL	TECHNICAL ASSISTANCE PROVIDED	PROGRESS BEING MADE (YES/NO)

SUMMARY RATING FOR THIS STANDARD:

THIS AREA WILL BE COMPLETED BY THE SPONSOR AT THE END OF ACADEMIC SCHOOL YEAR.

0 points: Significantly Below Goal	1 point: Below Goal	2 points: Progressing Towards Goal	3 points: Meets Goal	4 points: Exceeds Goal

PERFORMANCE SUMMARY:

THIS AREA WILL BE COMPLETED BY THE SPONSOR AT THE END OF THE ACADEMIC SCHOOL YEAR

A.06	ACADEMIC PERFORMANCE STANDARD	Graduation Rate
<p>The Graduation Rate Component Grade is determined in the following manner: 60% - the letter grade for the four year graduation rate and 40%- the letter grade for the five-year graduation rate.</p> <p>The Four-Year Graduation Rate includes as graduates only those students who earn diplomas within four years of entering ninth grade for the first time. The Five-Year Graduation Rate includes those students who graduate within five years of entering ninth grade for the first time.</p> <p>Goals set for this standard should address 1.) The overall component letter grade; and 2.) The overall component percentage.</p>		

	2016/17	2017/18	2018/19	Contract End Date: 2022
GOAL	NA	NA	NA	NA
ACTUAL	NA	NA		

RATING (completed by sponsor)				*Goals in this column will only address the overall component percentage.
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DESCRIPTION OF MEASURE AND MONITORING STRATEGY

THIS AREA WILL BE COMPLETED BY THE REGIONAL TECHNICAL ASSISTANCE EDUCATOR.			
MONTH	EVIDENCE PRESENTED BY THE SCHOOL	TECHNICAL ASSISTANCE PROVIDED	PROGRESS BEING MADE (YES/NO)

SUMMARY RATING FOR THIS STANDARD: THIS AREA WILL BE COMPLETED BY THE SPONSOR AT THE END OF ACADEMIC SCHOOL YEAR.				
0 points: Significantly Below Goal	1 point: Below Goal	2 points: Progressing Towards Goal	3 points: Meets Goal	4 points: Exceeds Goal

PERFORMANCE SUMMARY: THIS AREA WILL BE COMPLETED BY THE SPONSOR AT THE END OF THE ACADEMIC SCHOOL YEAR

A.07	ACADEMIC PERFORMANCE STANDARD	Prepared for Success
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The Prepared for Success component looks at how well prepared Ohio’s students are for all post-secondary opportunities. Using multiple measures for college and career readiness enables districts to showcase their unique approaches to prepare students for success after high school.

A Prepared for Success letter grade is based on how well the students performed on these three measures: ACT or SAT remediation-free scores; An Honors Diploma; or Earning twelve points through an industry-recognized credential or group of credentials in one of 13 high-demand career fields. “Bonus” points are potentially earned by students for meeting additional criteria associated with Advanced Placement scores, International Baccalaureate credits, or College Credit Plus credits.

Goals for this standard should include 1.) The letter grade for the component score; 2.) The overall percentage of the component score; and 3.) A specific strategy to show growth in one or more of these six measures.

	2016/17	2017/18	2018/19	Contract End Date: 2022
GOAL	NA	NA	NA	NA
ACTUAL	NA	NA		
RATING (completed by sponsor)				*Goals in this column will only address the overall component percentage.

DESCRIPTION OF MEASURE AND MONITORING STRATEGY

THIS AREA WILL BE COMPLETED BY THE REGIONAL TECHNICAL ASSISTANCE EDUCATOR.			
MONTH	EVIDENCE PRESENTED BY THE SCHOOL	TECHNICAL ASSISTANCE PROVIDED	PROGRESS BEING MADE (YES/NO)

SUMMARY RATING FOR THIS STANDARD: THIS AREA WILL BE COMPLETED BY THE SPONSOR AT THE END OF ACADEMIC SCHOOL YEAR.				
0 points: Significantly Below Goal	1 point: Below Goal	2 points: Progressing Towards Goal	3 points: Meets Goal	4 points: Exceeds Goal

PERFORMANCE SUMMARY: THIS AREA WILL BE COMPLETED BY THE SPONSOR AT THE END OF THE ACADEMIC SCHOOL YEAR

A.08	ACADEMIC PERFORMANCE STANDARD	Other Academic Measure
<p>Schools must identify a nationally recognized assessment utilized to gather data regarding academic progress. Although many assessments are available, one that has been recognized as reliable and valid by the education community is recommended. Assessments may be given as a full battery, or sub-tests may be chosen for this standard.</p> <p>Goals set for this standard should include a brief description of the assessment and the increase being expected.</p>		

	2016/17	2017/18	2018/19	Contract End Date: 2022
GOAL	Using AIMSweb RCBM fall and spring benchmarking data, students will increase their words read correctly per minute by 20.	Using AIMSweb RCBM fall and spring benchmarking data, students will increase their words read correctly per minute by 20.	100% of teachers implementing the new Star assessments and learning programs.	Students will show an average of 10% growth in math from first to last benchmarking period.
ACTUAL	Average gain = 33.52 wrd/min	Average gain = 29.10 wrd/min		
RATING (completed by sponsor)				

DESCRIPTION OF MEASURE AND MONITORING STRATEGY
<p>All Summit Academy Schools adopted a new assessment system for the 2018 – 2019 school year. Our goal is for all teachers of ELA and math to learn and use the new system. This is the implementation plan:</p> <ol style="list-style-type: none"> 1. Purchase the system prior to school starting in August 2018 2. Preview the assessment and instruction components to principals at the early August training 3. Preview the assessment and instruction components to instructional coaches at the early August training 4. Preview the assessment and instruction components to all teachers in the mid-August training 5. Technology Integration Coaches will work with Renaissance to set up teacher and student accounts 6. Curriculum Administrator Mari Dew will set up Renaissance Star school managers, responsible for setting up their classes 7. Curriculum Team to meet with Renaissance representative to develop a professional development schedule 8. Share professional development meeting times with principals and Star managers, including the use of a Renaissance data coach 9. Curriculum team will monitor Star implementation and Star managers 10. Instructional Coach PD in November will focus on program strengths and weaknesses and determine additional support needed

11. Winter DLT will also focus program strengths and weaknesses and determine additional support needed

THIS AREA WILL BE COMPLETED BY THE REGIONAL TECHNICAL ASSISTANCE EDUCATOR.

MONTH	EVIDENCE PRESENTED BY THE SCHOOL	TECHNICAL ASSISTANCE PROVIDED	PROGRESS BEING MADE (YES/NO)

SUMMARY RATING FOR THIS STANDARD:

THIS AREA WILL BE COMPLETED BY THE SPONSOR AT THE END OF ACADEMIC SCHOOL YEAR.

0 points: Significantly Below Goal	1 point: Below Goal	2 points: Progressing Towards Goal	3 points: Meets Goal	4 points: Exceeds Goal

PERFORMANCE SUMMARY:

THIS AREA WILL BE COMPLETED BY THE SPONSOR AT THE END OF THE ACADEMIC SCHOOL YEAR

A.09	ACADEMIC PERFORMANCE STANDARD	Comparative Data from Similar Schools
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In order to evaluate performance data for a given school, it is often useful to consider how similar schools compare in the same components. ODE utilizes a method referencing six criteria to determine a “similar school” for local comprehensive districts. Because of the unique nature of Community Schools, “similar schools” should be comparable in ADM, percent poverty, and percent minority students. In determining “similar schools”, this can be any two schools within the state that are comparable in one of the areas to your school, this may include one or both being schools within the same management company.

Goals in this area should: 1.) Include the verbiage: “performing at rates higher than or equal to”; 2.) Identify at least two “similar” schools; 3.) Address at least one of the following areas as reported on the LRC: Performance Index, Progress, Gap Closing, K-3 Literacy Rate, or Graduation Rate.

	2016/17	2017/18	2018/19	Contract End Date: 2022
GOAL	NA	NA	#1 below	#2 below
ACTUAL	NA	NA		
RATING (completed by sponsor)				

DESCRIPTION OF MEASURE AND MONITORING STRATEGY

Name of School	% Economically Disadvantaged	% Minority Students	PI Points	Component Grade Progress
Summit Academy Community School - Warren	100	32.6	59.9	B
#1 Sherman Elementary School	93.9	93.1	44.5	
#2 Middlebury Prep Academy	100	86.3		F

#1 - Our school will perform at rates higher than or equal to Sherman Elementary School in PI points
 #2 - Our school will perform at rates higher than or equal to Middlebury Prep In the Progress Component Grade

THIS AREA WILL BE COMPLETED BY THE REGIONAL TECHNICAL ASSISTANCE EDUCATOR.

MONTH	EVIDENCE PRESENTED BY THE SCHOOL	TECHNICAL ASSISTANCE PROVIDED	PROGRESS BEING MADE (YES/NO)

SUMMARY RATING FOR THIS STANDARD: THIS AREA WILL BE COMPLETED BY THE SPONSOR AT THE END OF ACADEMIC SCHOOL YEAR.

0 points: Significantly Below Goal	1 point: Below Goal	2 points: Progressing Towards Goal	3 points: Meets Goal	4 points: Exceeds Goal

PERFORMANCE SUMMARY:
THIS AREA WILL BE COMPLETED BY THE SPONSOR AT THE END OF THE ACADEMIC SCHOOL YEAR

NA.01	NON-ACADEMIC PERFORMANCE STANDARD	Mission Specific Goal
<p>The mission statement is unique to the school and determines what makes the school stand out from other schools.</p> <p>The Mission of the school is: The mission of Summit Academy schools is to build hope, success, and well-being through education and advocacy for students with special needs.</p> <p>Goals set for this standard should address a specific area from the school's mission statement. Examples could include Character education, student behavior, STEM focus, College preparatory.</p>		

	2016/17	2017/18	2018/19	Contract End Date: 2022
GOAL	The students will be actively engaged in learning activities 93% of the time.	The students will be actively engaged in learning activities 94% of the time.	The students will be actively engaged in learning activities 100% of the time.	The students will be actively engaged in learning activities 100% of the time.
ACTUAL	63%	100%		
RATING (completed by sponsor)				*Goals in this column will only address the Indicators Met numeric value.

DESCRIPTION OF MEASURE AND MONITORING STRATEGY
<p>Summit Academy Schools have a mission educate students with disabilities. A large of proportion of our students have ADHD or ASD. Both disabilities can hinder the students' engagement with learning activities. Thus, a significant effort has to be made to keep the students engaged. Our goal is to increase incrementally the percentage of on-task student behavior as measured by principal walk-throughs and recorded in the OIP IMM. This data is monitored at TBTs, BLTs and again at quarterly DLT meetings. We exceeded our goal last year and 100% of students actively engaged. We have had a good bit of teacher turnover this year so we did not want to change the goal yet. We will revisit this next year.</p>

THIS AREA WILL BE COMPLETED BY THE REGIONAL TECHNICAL ASSISTANCE EDUCATOR.			
MONTH	EVIDENCE PRESENTED BY THE SCHOOL	TECHNICAL ASSISTANCE PROVIDED	PROGRESS BEING MADE (YES/NO)

SUMMARY RATING FOR THIS STANDARD: THIS AREA WILL BE COMPLETED BY THE SPONSOR AT THE END OF ACADEMIC SCHOOL YEAR.				
0 points:	1 point:	2 points:	3 points:	4 points:

Significantly Below Goal	Below Goal	Progressing Towards Goal	Meets Goal	Exceeds Goal

PERFORMANCE SUMMARY:
THIS AREA WILL BE COMPLETED BY THE SPONSOR AT THE END OF THE ACADEMIC SCHOOL YEAR

NA.02	NON-ACADEMIC PERFORMANCE STANDARD	Attendance
<p>The Ohio Department of Education historically has ranked schools as proficient with a year ending attendance percentage of 93%.</p> <p>The Attendance rate is measured by “Student Attendance Rate” means the ratio of the number of enrolled students actually in attendance (Aggregate Attendance) for a Full Academic Year to the number of enrolled students (Aggregate Membership) for that school year. (OAC 3301-18-01). This number is expressed as a percentage.</p> <p>Goals set for this standard should address 1.) Increasing student attendance to the proficiency rate of 93% or higher; and 2.) Identify strategies in which the school will work to accomplish this goal. (Strategies may include; increasing family involvement through activities at the school, implement student attendance incentive programs, create a peer mentoring system for students, etc.</p>		

	2016/17	2017/18	2018/19	Contract End Date: 2022
GOAL	We will increase our attendance rate to 92% as reported on the Local Report Card.	We will meet or exceed the state attendance requirement, 93% as reported on the Local Report Card.	We will increase our attendance rate to 92% as reported on the Local Report Card.	We will meet or exceed the state attendance requirement, 93% as reported on the Local Report Card.
ACTUAL	91.9%	91.2%		
RATING (completed by sponsor)				*Goals in this column will only address the Indicators Met numeric value.

DESCRIPTION OF MEASURE AND MONITORING STRATEGY
<p>Our goal is to reach the state attendance requirement by or before the 2021-2022 school year. We will do this by targeting our current chronic absenteeism rate of 35.8%. The following steps will be taken to achieve this:</p> <p>At the start of the year we will:</p> <ul style="list-style-type: none"> • provide education to all students and families regarding the importance of attendance and the connection to overall school success. This research-based finding will be reinforced throughout the year through newsletters, at open house, conferences, family nights, etc. • identify at-risk students to complete family surveys to identify potential inhibitors to school attendance and proactively connect families with community agencies for additional support <p>During the school year:</p> <ul style="list-style-type: none"> • monitor student attendance weekly and monthly • establish and implement a school wide incentive (at least monthly) to promote and acknowledge, and celebrate consistent/improved student attendance • incorporate a variety of interventions for families as needed to facilitate improved student attendance • develop and mediate an attendance plan through collaboration with the family, principal, regional director, and community supports when required for chronically truant students

THIS AREA WILL BE COMPLETED BY THE REGIONAL TECHNICAL ASSISTANCE EDUCATOR.

MONTH	EVIDENCE PRESENTED BY THE SCHOOL	TECHNICAL ASSISTANCE PROVIDED	PROGRESS BEING MADE (YES/NO)

SUMMARY RATING FOR THIS STANDARD:

THIS AREA WILL BE COMPLETED BY THE SPONSOR AT THE END OF ACADEMIC SCHOOL YEAR.

0 points: Significantly Below Goal	1 point: Below Goal	2 points: Progressing Towards Goal	3 points: Meets Goal	4 points: Exceeds Goal

PERFORMANCE SUMMARY:

THIS AREA WILL BE COMPLETED BY THE SPONSOR AT THE END OF THE ACADEMIC SCHOOL YEAR

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NA.03	NON-ACADEMIC PERFORMANCE STANDARD	Parent Satisfaction
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Parent/caregivers are key stakeholders in the success of Community Schools.

The **Parent Satisfaction** increases communication and soliciting feedback from parents is key to making programming changes within the school in order to create an atmosphere where all students are growing academically.

Goals set for this standard should address what form of feedback will the school solicit from parents/caregivers (survey, phone calls, in person meetings, etc.) and identify what the school will do with the feedback received.

	2016/17	2017/18	2018/19	Contract End Date: 2022
GOAL	Given questions on an annual survey, parents will respond favorably at least 95% of times.	Given questions on an annual survey, parents will respond favorably at least 95% of times.	Given questions on an annual survey, parents will respond favorably at least 97% of times.	Given questions on an annual survey, parents will respond favorably at least 98% of times.
ACTUAL	88%	96%		
RATING (completed by sponsor)				*Goals in this column will only address the Indicators Met numeric value.

DESCRIPTION OF MEASURE AND MONITORING STRATEGY

Every year we ask our families to fill out a survey to get feedback on our performance and to help us

understand our families' priorities. Last year we had only 30% of families turn in the survey, so in addition to maintaining a satisfaction level of 95%, we are also setting a goal of at least 40% participation. We will share the feedback with both the school and administration office staff and address any issues that are identified.

THIS AREA WILL BE COMPLETED BY THE REGIONAL TECHNICAL ASSISTANCE EDUCATOR.

MONTH	EVIDENCE PRESENTED BY THE SCHOOL	TECHNICAL ASSISTANCE PROVIDED	PROGRESS BEING MADE (YES/NO)

SUMMARY RATING FOR THIS STANDARD:

THIS AREA WILL BE COMPLETED BY THE SPONSOR AT THE END OF ACADEMIC SCHOOL YEAR.

0 points: Significantly Below Goal	1 point: Below Goal	2 points: Progressing Towards Goal	3 points: Meets Goal	4 points: Exceeds Goal

PERFORMANCE SUMMARY:

THIS AREA WILL BE COMPLETED BY THE SPONSOR AT THE END OF THE ACADEMIC SCHOOL YEAR

NA.04	NON-ACADEMIC PERFORMANCE STANDARD	Governing Board Performance
<p>All community schools are required to comply with all rules and regulations regarding a Governing Board.</p> <p>The Governing Board Performance is the expectation that the Governing Board will take on roles and responsibilities in order to complete the work efficiently and effectively.</p> <p>Goals set for this standard should address the ability of the individual members and/or combined entity increasing the efficiency and/or effectiveness of the board. This could include; professional development, attendance rates at meetings, attendance rate at school functions as well as interaction with key stakeholders of the community school.</p>		

	2016/17	2017/18	2018/19	Contract End Date: 2022
GOAL			82%	6/30/2022 95%
ACTUAL				
RATING (completed by sponsor)				*Goals in this column will only address the Indicators Met numeric value.

DESCRIPTION OF MEASURE AND MONITORING STRATEGY
The Board meeting attendance rate at meetings will be 80% at 6 meetings. Monitoring tool used will be the approved board minutes.

THIS AREA WILL BE COMPLETED BY THE REGIONAL TECHNICAL ASSISTANCE EDUCATOR.			
MONTH	EVIDENCE PRESENTED BY THE SCHOOL	TECHNICAL ASSISTANCE PROVIDED	PROGRESS BEING MADE (YES/NO)

SUMMARY RATING FOR THIS STANDARD:				
THIS AREA WILL BE COMPLETED BY THE SPONSOR AT THE END OF ACADEMIC SCHOOL YEAR.				
0 points: Significantly Below Goal	1 point: Below Goal	2 points: Progressing Towards Goal	3 points: Meets Goal	4 points: Exceeds Goal

PERFORMANCE SUMMARY:
THIS AREA WILL BE COMPLETED BY THE SPONSOR AT THE END OF THE ACADEMIC SCHOOL YEAR

NA.05	NON-ACADEMIC PERFORMANCE STANDARD	Organizational/Operational
<p>All community schools are required to submit a variety of documents in Epicenter yearly.</p> <p>The Organizational /Operational contract must include a performance framework that defines your schools expected organizational/operational outcomes with clear, measurable and inclusive targets.</p> <p>Goals set for this standard should address the on-time and accuracy of compliance submissions within Epicenter.</p>		

	2016/17	2017/18	2018/19	Contract End Date: 2022
GOAL			82%	6/30/22 95%
ACTUAL				
RATING (completed by sponsor)				*Goals in this column will only address the Indicators Met numeric value.

DESCRIPTION OF MEASURE AND MONITORING STRATEGY
The submissions into Epicenter will be 5% additional each year and 95% by the end of the contract

THIS AREA WILL BE COMPLETED BY THE REGIONAL TECHNICAL ASSISTANCE EDUCATOR.			
MONTH	EVIDENCE PRESENTED BY THE SCHOOL	TECHNICAL ASSISTANCE PROVIDED	PROGRESS BEING MADE (YES/NO)

SUMMARY RATING FOR THIS STANDARD: THIS AREA WILL BE COMPLETED BY THE SPONSOR AT THE END OF ACADEMIC SCHOOL YEAR.				
0 points: Significantly Below Goal	1 point: Below Goal	2 points: Progressing Towards Goal	3 points: Meets Goal	4 points: Exceeds Goal

PERFORMANCE SUMMARY: THIS AREA WILL BE COMPLETED BY THE SPONSOR AT THE END OF THE ACADEMIC SCHOOL YEAR

NA.06	NON-ACADEMIC PERFORMANCE STANDARD	Financial Performance and Sustainability
<p>All community schools are required to submit evidence of the financial performance and sustainability of the school to the sponsor.</p> <p>The Financial Performance and Sustainability framework that defines your schools expected financial outcomes with clear, measurable and inclusive targets.</p> <p>Goals set for this standard should address the financial performance and sustainability with specific annual and over-the-contract-term metrics and targets. (audits, debt, building ownership, enrollment, or cash balance)</p>		

	2016/17	2017/18	2018/19	Contract End Date: 2022
GOAL	Clean audits will be issued by the Auditor of State	Clean audits will be issued by the Auditor of State	Clean audits will be issued by the Auditor of State	Clean audits will be issued by the Auditor of State 6/30/2022
ACTUAL	Audit was released with no FFR's.	Audit was released with no FFR's.		
RATING (completed by sponsor)				*Goals in this column will only address the Indicators Met numeric value.

DESCRIPTION OF MEASURE AND MONITORING STRATEGY
The school will receive a clean yearly audit by the Auditor of State.

THIS AREA WILL BE COMPLETED BY THE REGIONAL TECHNICAL ASSISTANCE EDUCATOR.			
MONTH	EVIDENCE PRESENTED BY THE SCHOOL	TECHNICAL ASSISTANCE PROVIDED	PROGRESS BEING MADE (YES/NO)

SUMMARY RATING FOR THIS STANDARD: THIS AREA WILL BE COMPLETED BY THE SPONSOR AT THE END OF ACADEMIC SCHOOL YEAR.				
0 points: Significantly Below Goal	1 point: Below Goal	2 points: Progressing Towards Goal	3 points: Meets Goal	4 points: Exceeds Goal

PERFORMANCE SUMMARY: THIS AREA WILL BE COMPLETED BY THE SPONSOR AT THE END OF THE ACADEMIC SCHOOL YEAR

