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SCHOOL DISTRICT LEGAL STATUS

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

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

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

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

[Adoption date: June 14, 1993]

[Re-adoption date: December 14, 1998]

[Re-adoption date: March 10, 2014]

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

CROSS REFS.: BBA, School Board Powers and Duties
BBB, School Board Elections
LBB, Cooperative Educational Programs

COMMUNITY INVOLVEMENT IN DECISION MAKING

Community participation in the affairs of the schools is important if the District and the community are to maintain mutual confidence and respect and work together to improve the quality of education for students. The Board will endeavor to identify the wishes of the community and to be responsive to those wishes.

All citizens will be encouraged to express ideas, concerns and judgments about the schools to the school administration, the staff, any appointed advisory bodies and the Board.

Residents who are specially qualified because of interest, training, experience or personal characteristics will be encouraged to assume an active role in school affairs. From time to time residents may be invited by the Board to act as advisors, individually and in groups, in such areas as:

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

The Board and the staff will give consideration to the advice they receive from individuals and community groups interested in the schools. Final authority for all decisions rests with the Board.

[Adoption date: June 14, 1993]

[Re-adoption date: December 14, 1998]

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

CROSS REF.: BCF, Advisory Committees to the Board

River View Local School District, Warsaw, Ohio

STAFF INVOLVEMENT IN DECISION MAKING

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

There should be an exchange of ideas and pertinent information among all elements of the District. Morale is enhanced when employees are assured that their voices are willingly heard by those in positions of authority.

All employees of the District will have opportunity to bring their ideas or concerns to the Board. It is expected that they will proceed through the recognized administrative channels; however, final authority for all decisions rests with the Board.

[Adoption date: June 14, 1993]

[Re-adoption date: December 14, 1998]

LEGAL REF.: OAC 3301-35-03

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

STUDENT INVOLVEMENT IN DECISION MAKING

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

A student may be elected to serve on the Board as a representative for the student body to better facilitate communication between the Board and the students, to increase awareness of the democratic process within the District and to improve the opportunity for participation in the decision-making process.

The student must be a high school student elected by the student body to serve for a one year term.

[Adoption date: June 14, 1993]

[Re-adoption date: December 14, 1998]

[Re-adoption date: April 18, 2005]

LEGAL REF.: OAC 3301-35-04

CROSS REFS.: BCE, Board Committees
BCF, Advisory Committees to the Board
JF, Student Rights and Responsibilities
JFA, Student Due Process Rights
JFC, Student Conduct (Zero Tolerance)
Student Handbooks

NONDISCRIMINATION

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

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

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

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

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

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

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

Title: Superintendent, Dalton Summers
Address: 26496 State Route 60 N, Warsaw, OH 43844
Phone number: 740-824-3521
Email: Dalton.summers@rvhears.org

The name, title, and contact information of this individual is annually published in District handbooks and on the District website. The Board has adopted separate policies and procedures for sexual harassment, including the identification of a Title IX Coordinator. All sexual harassment reports must be managed in accordance with the sexual harassment policy and procedure.

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

Reports and Complaints of Unlawful Discrimination/Harassment

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

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

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

[Adoption date: June 14, 1993]

[Re-adoption date: December 14, 1998]

[Re-adoption date: August 11, 2003]

[Re-adoption date: February 14, 2005]

[Re-adoption date: June 16, 2008]

[Re-adoption date: April 25, 2011]

[Re-adoption date: December 12, 2016]

[Re-adoption date: August 13, 2020]

LEGAL REFS.: Civil Rights Act, Title VI; 42 USC 2000d et seq.

Civil Rights Act, (Amended 1972), Title VII; 42 USC 2000e et seq.

Education Amendments of 1972, Title IX; 20 USC 1681 et seq.

Executive Order 11246, as amended by Executive Order 11375

Equal Pay Act; 29 USC 206

Genetic Information Nondiscrimination Act of 2008; 42 USC 2000ff et seq.

Rehabilitation Act; 29 USC 794

Individuals with Disabilities Education Act; 20 USC 1400 et seq.

Age Discrimination in Employment Act; 29 USC 623

Immigration Reform and Control Act; 8 USC 1324a et seq.

Americans with Disabilities Act Amendments Act of 2008; 42 USC 12101 et seq.

Ohio Const. Art. I, Section 2

ORC Chapter 3323

Chapter 4112

OAC 3301-35-02

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

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

NONDISCRIMINATION ON THE BASIS OF SEX

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

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

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

[Adoption date: June 14, 1993]
[Re-adoption date: June 19, 1995]
[Re-adoption date: December 14, 1998]
[Re-adoption date: July 12, 2000]
[Re-adoption date: August 14, 2006]
[Re-adoption date: December 12, 2016]
[Re-adoption date: January 9, 2018]
[Re-adoption date: August 13, 2020]

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

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

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

SEXUAL HARASSMENT

The District does not discriminate on the basis of sex in any education program or activity that it operates, including admission and employment. The District is required by Title IX of the Education Amendments of 1972 and the regulations promulgated through the U.S. Department of Education not to discriminate in such a manner. Inquiries about the application of Title IX to the District may be referred to the District's Title IX Coordinator, to the Assistant Secretary for Civil Rights of the Department of Education, or both.

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

Title: Superintendent, Dalton Summers
Address: 26496 State Route 60 N, Warsaw, OH 43844
Phone number: 740-824-3521
Email: Dalton.summers@rvhears.org

Any person may report sex discrimination, including sexual harassment, at any time, including during non-business hours. Such a report may be made in person, by mail, by telephone or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

For purposes of this policy and the grievance process, "sexual harassment" means conduct on the basis of sex that satisfies one or more of the following:

1. A District employee conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to the District's education program or activity or
3. "Sexual assault" as defined in 20 USC 1092(f)(6)(A)(v), "dating violence" as defined in 34 USC 12291(a)(10), "domestic violence" as defined in 34 USC 12291(a)(8) or "stalking" as defined in 34 USC 12291(a)(30).

When the harassment or discrimination on the basis of sex does not meet the definition of sexual harassment, the Title IX Coordinator directs the individual to the applicable sex discrimination process for investigation.

Retaliation Prohibited

The District prohibits intimidation, threats, coercion or discrimination against any individual for the purpose of interfering with any right or privilege secured by Title IX or this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation proceeding or hearing, if applicable. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or this part, constitutes retaliation.

Confidentiality

The District must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any individual who has been alleged to be the victim or perpetrator of conduct that could constitute sexual harassment, and any witness, except as may be permitted by Family Educational Rights and Privacy Act (FERPA) or as required by law, or to carry out the purposes of the Title IX regulations, including the conduct of any investigation, hearing or judicial proceeding arising thereunder.

Notice Requirements

The District provides notice to applicants for admission and employment, students, parents or legal guardians of elementary and secondary school students, employees and the union(s) with the name or title, office address, email address and telephone number of the Title IX Coordinator and notice of the District grievance procedures and process, including how to report or file a complaint of sex discrimination, how to file a formal complaint of sexual harassment and how the District will respond. The District also posts the Title IX Coordinator's contact information and Title IX policies and procedures in a prominent location on the District website and in all handbooks made available by the District.

Training Requirements

The District ensures that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, receives training on the definition of sexual harassment, the scope of the District's education program or activity, how to conduct an investigation and grievance process including hearings, appeals and informal resolution processes, when applicable, and how to serve impartially including by avoiding prejudgment of the facts at issue, conflicts of interest and bias. The District also ensures that decision-makers and investigators receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual

behavior are not relevant as set forth in the formal procedures that follow, and training on any technology to be used at a live hearing, if applicable. Investigators also receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence. All materials used to train individuals who receive training under this section must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment and are made publicly available on the District's website.

Conflict of Interest and Bias

The District ensures that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process do not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

Determination of Responsibility

The individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment is presumed not responsible for alleged conduct. A determination regarding responsibility will be made by the decision-maker at the conclusion of the investigation in accordance with the process outlined in the accompanying regulation. No disciplinary sanctions will be imposed unless and until a final determination of responsibility is reached.

[Adoption date: June 14, 1993]
[Re-adoption date: June 19, 1995]
[Re-adoption date: December 14, 1998]
[Re-adoption date: July 12, 2000]
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Education Amendments of 1972, Title IX; 20 USC 1681 et seq.
Executive Order 11246, as amended by Executive Order 11375
Equal Pay Act; 29 USC 206
Ohio Const. Art. I, Section 2
ORC Chapter 4112
34 CFR part 106

CROSS REFS.: AC, Nondiscrimination
GBA, Equal Opportunity Employment
GBD, Board-Staff Communications (Also BG)
GBH, Staff-Student Relations (Also JM)
GCPD, Suspension and Termination of Professional Staff Members
GDPD, Suspension, Demotion and Termination of Support Staff Members
IGDJ, Interscholastic Athletics
JB, Equal Educational Opportunities
JEGA, Permanent Exclusion
JFC, Student Conduct (Zero Tolerance)
JFCF, Hazing and Bullying (Harassment, Intimidation and Dating Violence)
JG, Student Discipline
JGD, Student Suspension
JGE, Student Expulsion
JHG, Reporting Child Abuse
KLD, Public Complaints About District Personnel
Staff Handbooks
Student Handbooks

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

SEXUAL HARASSMENT GRIEVANCE PROCESS

The Board requires the following grievance process to be followed for the prompt and equitable resolution of student and employee complaints alleging any action that would be prohibited as sexual harassment by Title IX. The Board directs the process to be published in accordance with all statutory and regulatory requirements.

Definitions

The following definitions apply for Title IX policies and procedures:

“Actual knowledge:” notice of sexual harassment or allegations of sexual harassment to the District’s Title IX Coordinator or any official of the District who has authority to institute corrective measures on behalf of the District, or to any employee of an elementary or secondary school.

“Education program or activity:” includes locations, events or circumstances over which the District exercised substantial control over both the individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment, and the context in which the sexual harassment occurs.

“Complainant:” an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

“Respondent:” an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

“Formal complaint:” a document filed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment against a Respondent and requesting that the District investigate the allegation of sexual harassment.

“Supportive measures:” non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available and without fee or charge to the Complainant or Respondent before or after the filing of a formal complaint or where no formal complaint has been filed.

District Requirements

When the District has actual knowledge of sexual harassment in an education program or activity of the District, the District will respond promptly in a manner that is not deliberately indifferent. When the harassment or discrimination on the basis of sex does not meet the definition of sexual harassment, the Title IX Coordinator will direct the individual to the applicable sex discrimination process for investigation.

The District treats individuals who are alleged to be the victim (Complainant) and perpetrator (Respondent) of conduct that could constitute sexual harassment equitably by offering supportive measures. Supportive measures are designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, mutual restrictions on contact between the parties, leaves of absence, increased security and monitoring of certain areas of the District's property, campus escort services, changes in work locations and other similar measures.

The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. Upon the receipt of a complaint, the Title IX Coordinator must promptly contact the Complainant to discuss the availability of supportive measures, consider the Complainant's wishes with respect to supportive measures, inform the Complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the Complainant the process for filing a formal complaint. If the District does not provide the Complainant with supportive measures, then the District must document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

Timelines

The District has established reasonably prompt time frames for the conclusion of the grievance process, including time frames for filing and resolving appeals and informal resolution processes. The grievance process may be temporarily delayed or extended for good cause. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. In the event the grievance process is temporarily delayed for good cause, the District will provide written notice to the Complainant and the Respondent of the delay or extension and the reasons for the action.

Response to a Formal Complaint

At the time of filing a formal complaint, a Complainant must be participating in or attempting to participate in the education program or activity of the District with which the formal complaint is filed. A formal complaint may be filed with the Title IX Coordinator in person, by mail, by electronic mail, or other means designated by the District.

The District must follow the formal complaint process before the imposition of any disciplinary sanctions or other actions that are not supportive measures. However, nothing in this policy precludes the District from removing a Respondent from the District's education program or activity on an emergency basis, provided that the District undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student

or other individual arising from the allegations of sexual harassment justifies removal, and provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal. Nor does it preclude the District from placing a non-student employee Respondent on administrative leave during the pendency of the grievance process. This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

Upon receipt of a formal complaint, the District must provide written notice to the known parties including:

1. Notice of the allegations of sexual harassment, including information about the identities of the parties involved in the incident, the conduct allegedly constituting sexual harassment, the date and location of the alleged incident, and any sufficient details known at the time. Such notice must be provided with sufficient time to prepare a response before any initial interview;
2. An explanation of the District's investigation procedures, including any informal resolution process;
3. A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made by the decision-maker at the conclusion of the investigation;
4. Notice to the parties that they may have an advisor of their choice who may be, but is not required to be, an attorney, and may inspect and review any evidence and
5. Notice to the parties of any provision in the District's code of conduct or policy that prohibits knowingly making false statements or knowingly submitting false information.

If, in the course of an investigation, the District decides to investigate allegations about the Complainant or Respondent that are not included in the notice initially provided, notice of the additional allegations must be provided to known parties.

The District may consolidate formal complaints as to allegations of sexual harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

Investigation of a Formal Complaint

When investigating a formal complaint and throughout the grievance process, the District must:

1. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the District and not the parties’;
2. Provide an equal opportunity for the parties to present witnesses and evidence;
3. Not restrict either party’s ability to discuss the allegations under investigation or to gather and present relevant evidence;
4. Allow the parties to be accompanied with an advisor of the party’s choice who may be, but is not required to be, an attorney. The District may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;
5. Provide written notice of the date, time, location, participants, and purpose of any interview or meeting at which a party is expected to participate, with sufficient time for the party to prepare to participate;
6. Provide the parties equal access to review all the evidence collected which is directly related to the allegations raised in a formal complaint and comply with the review periods outlined in this process;
7. Objectively evaluate all relevant evidence without relying on sex stereotypes;
8. Ensure that Title IX Coordinators, investigators, decision-makers and individuals who facilitate an informal resolution process, do not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent;
9. Not make creditability determinations based on the individual’s status as Complainant, Respondent or witness;
10. Not use questions or evidence that constitute or seek disclosure of privileged information unless waived.

Dismissal of Formal Complaints

If the conduct alleged in the formal complaint would not constitute sexual harassment even if proved, did not occur in the District's education program or activity, or did not occur against a person in the United States, then the District must dismiss the formal complaint with regard to that conduct for purposes of sexual harassment under this policy.

The Title IX Coordinator also may dismiss the formal complaint or any allegations therein at any time during the investigation or hearing, if applicable, when any of the following apply:

1. a Complainant provides written notification to the Title IX Coordinator that the Complainant would like to withdraw the formal complaint or any allegations therein;
2. the Respondent is no longer enrolled or employed by the District or
3. specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon dismissal, the Title IX Coordinator promptly sends written notice of the dismissal and the reasons for dismissal simultaneously to both parties.

Evidence Review

The District provides both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation. The evidence provided by the District must include evidence that is directly related to the allegations in the formal complaint, evidence upon which the District does not intend to rely in reaching a determination regarding responsibility, and any inculpatory or exculpatory evidence whether obtained from a party or other source. Prior to completion of the investigative report, the Title IX Coordinator must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The parties have 10 calendar days to submit a written response to the Title IX Coordinator, which the investigator will consider prior to completion of the investigative report.

Investigative Report

The investigator must prepare an investigative report that fairly summarizes relevant evidence and send the report to the Title IX Coordinator. The Title IX Coordinator must send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response. The parties have 10 calendar days to submit a written response to the Title IX Coordinator.

Decision-Maker's Determination

The investigative report is submitted to the decision-maker. The decision-maker cannot be the same person(s) as the Title IX Coordinator or the investigator. The decision-maker cannot hold a hearing or make a determination regarding responsibility until 10 calendar days from the date the Complainant and Respondent receive the investigator's report.

Prior to reaching a determination regarding responsibility, the decision-maker must afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent. Questions must be submitted to the Title IX Coordinator within three calendar days from the date the Complainant and Respondent receive the investigator's report.

The decision-maker must issue a written determination regarding responsibility based on a preponderance of the evidence standard. The decision-maker's written determination must:

1. Identify the allegations potentially constituting sexual harassment;
2. Describe the procedural steps taken, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather evidence, and hearings held;
3. Include the findings of fact supporting the determination;
4. Draw conclusions regarding the application of any District policies and/or code of conduct rules to the facts;
5. Address each allegation and a resolution of the complaint including a determination regarding responsibility, the rationale therefor, any recommended disciplinary sanction(s) imposed on the Respondent, and whether remedies designed to restore or preserve access to the educational program or activity will be provided by the District to the Complainant and
6. The procedures and permissible bases for the Complainant and/or Respondent to appeal the determination.

A copy of the written determination must be provided to both parties simultaneously, and generally will be provided within 60 calendar days from the District's receipt of a formal complaint.

The determination regarding responsibility becomes final either on the date that the District provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

Where a determination of responsibility for sexual harassment has been made against the Respondent, the District will provide remedies to the Complainant that are designed to restore or preserve equal access to the District's education program or activity. Such remedies may include supportive measures; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent. The Title IX Coordinator is responsible for effective implementation of any remedies. Following any determination of responsibility, the District may implement disciplinary sanctions in accordance with State or Federal law and or/the negotiated agreement. For students, the sanctions may include disciplinary action, up to and including permanent exclusion. For employees, the sanctions may include any form of responsive discipline, up to and including termination.

Appeals

Either the Complainant or Respondent may appeal the decision-maker's determination regarding responsibility or a dismissal of a formal complaint, on the following bases:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time that could affect the outcome and
3. The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent that affected the outcome.

The request to appeal must be made in writing to the Title IX Coordinator within seven calendar days after the date of the written determination. The appeal decision-maker must not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent and cannot be the Title IX Coordinator, the investigator, or the decision-maker from the original determination.

The appeal decision-maker must notify the other party in writing when an appeal is filed and give both parties a reasonable equal opportunity to submit a written statement in support of, or challenging, the outcome. After reviewing the evidence, the appeal decision-maker must issue a written decision describing the result of the appeal and the rationale for the result. The decision must be provided to both parties simultaneously, and generally will be provided within 10 calendar days from the date the appeal is filed.

Informal Resolution Process

Except when concerning allegations that an employee sexually harassed a student, at any time during the formal complaint process and prior to reaching a determination regarding responsibility, the District may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and determination of responsibility, provided that the District:

1. Provides to the parties a written notice disclosing:
 - A. The allegations;
 - B. The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the Title IX formal complaint process with respect to the formal complaint and
 - C. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process.

The informal resolution process generally will be completed within 30 calendar days, unless the parties and the Title IX Coordinator mutually agree to temporarily delay or extend the process. The formal grievance process timelines are stayed during the parties' participation in the informal resolution process. If the parties do not reach resolution through the informal resolution process, the parties will resume the formal complaint grievance process, including timelines for resolution, at the point they left off.

Recordkeeping

The District must maintain for a period of seven years records of:

1. Each sexual harassment investigation, including any determination regarding responsibility, any disciplinary sanctions imposed on the Respondent, and any remedies provided to the Complainant designed to restore or preserve equal access to the District's education program or activity;
2. Any appeal and the result therefrom;
3. Any informal resolution and the result therefrom and
4. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The District must make these training materials publicly available on its website.

The District must create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the District must document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the District's education program or activity.

(Approval date: June 14, 1993)
(Re-approval date: December 14, 1998)
(Re-approval date: August 14, 2006)
(Re-approval date: December 12, 2016)
(Re-approval date: January 9, 2018)
(Re-approval date: August 13, 2020)

SEXUAL HARASSMENT COMPLAINT FORM

Date of Report _____

Reporting Party Name _____

Position or Grade _____ Building _____

Date and Time of Alleged Harassment _____

Location of Alleged Harassment _____

Name of Accused (Responding Party) _____

Position or Grade _____ Building _____

Description of the Incident(s) _____

Name of Witnesses, if any, and Involvement _____

Your Reaction _____

Signature of Reporting Party _____

NONDISCRIMINATION ON THE BASIS OF DISABILITY

The River View School District is the recipient of Federal funds and, therefore, must be in compliance with all laws and regulations, which deal with disabled individuals. Furthermore, the Board maintains that discrimination against a qualified disabled person solely on the basis of handicap is unfair. To the extent possible, qualified disabled persons should be in the mainstream of life in a school community.

Accordingly, employees of this District will comply with, to the extent possible, requirements of the law and policy statements of this Board to ensure nondiscrimination on the basis of disability. The following will be expected:

1. No one will discriminate against qualified disabled persons in any aspect of school employment solely on the basis of disability .
2. Facilities, programs and activities will be made available to qualified disabled persons.
3. Free, appropriate education at elementary and secondary levels, including nonacademic and extracurricular services and activities will be provided to qualified disabled persons.
4. No one will exclude any qualified disabled person, solely on the basis of disability, from participation in any preschool education, day care, adult education or vocational education program.
5. Each qualified disabled person will be provided with the same health, welfare and other social services, which are provided to others.

[Adoption date: June 14, 1993]

[Re-adoption date: June 19, 1995]

[Re-adoption date: December 14, 1998]

LEGAL REFS.: Individuals With Disabilities Education Act; 20 USC 1401 et seq.
Rehabilitation Act of 1973; 29 USC 794
Americans With Disabilities Act; 42 USC 12112 et seq.
ORC 3323.01 et seq.
Chapter 4112

CROSS REFS.: AC, Nondiscrimination/Harassment
ACA, Nondiscrimination on the Basis of Sex
AE, School District Goals and Objectives
GBA, Equal Opportunity Employment
IGBA, Programs for Disabled Students
JB, Equal Educational Opportunities

DEVELOPMENT OF PHILOSOPHY OF EDUCATION

The Board's philosophy of education will give direction to the educational program and daily operations of the District. The philosophy will allow for that flexibility necessary in an ever-changing society. The philosophy will provide general criteria by which to assess the District's program and operations.

Annually, the policy committee of the Board and the Superintendent will evaluate the District's philosophy of education. Suggestions from both staff and community will be considered.

The committee will revise or confirm the existing philosophy or write a new statement of philosophy. The committee will then present its recommendation regarding a District philosophy of education to the Board for adoption or re-adoption.

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

[Adoption date: June 14, 1993]

[Re-adoption date: December 14, 1998]

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

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

EDUCATIONAL PHILOSOPHY

1. It is the expressed purpose of the River View School District to provide an educational program that will enable the youth of the District to develop their potential capacities to the fullest.

We believe that a stimulating and invigorating atmosphere of learning is necessary for an effective program.

2. The Board of Education recognizes that educational ideals rest a great deal upon continued public support, financially and otherwise.
3. The Board believes that the school is but one of several institutions in our society and community responsible for the educational development of our students and that the primary responsibility of the District should be the achievement of those educational goals which are uniquely those of the school and for which the other institutions of our society and community do not assume major responsibility.
4. Consistent with the above statements of priorities, the District shall assume primary responsibility for and instruct each student toward his/her maximum achievement of the following educational goals:
 - A. an inquiring mind, with a continuing desire for knowledge and maximum effort, including the development of effective study skills and habits;
 - B. the ability to think clearly and accurately, draw conclusions, make decisions and take action based upon evidence;
 - C. proficiency in the use of the basic tools of learning in functional problem solving and in the acquisition of information, facts and knowledge about the world and its people;
 - D. proficiency in the skills of communication including his/her ability to express himself/herself clearly and accurately, both in writing and speech, and the ability to listen effectively and critically;
 - E. knowledge of man, his/her nature, his/her environment and his/her relationship to the society in which he/she lives, with emphasis on his/her responsibilities and rights as a citizen, including the study of history, geography, civics, economics and the arts;
 - F. knowledge of science and proficiency in the use of the scientific method of problem solving;

- G. knowledge of mathematics and proficiency in the use of the fundamental process of quantitative reasoning and expression;
- H. wise use of leisure time and
- I. provide opportunities to instruct our youth in vocational training to better equip them for the world of work.

[Adoption date: June 14, 1993]

[Re-adoption date: December 14, 1998]

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

CROSS REFS.: AE, School District Goals and Objectives
IA, Instructional Goals

SCHOOL DISTRICT GOALS AND OBJECTIVES

The Board of Education recognizes that it has responsibility for educating all students in the District who are capable of learning, regardless of their abilities, race, color, national origin or creed.

It recognizes that the school cannot ignore the health, character and total personality development of the student.

However, it also recognizes that the school cannot assume complete responsibility for the total development of the student. This responsibility must be shared by the home, the church, and the total community with its various organizations and environmental conditions.

The Board believes that the most important educational task assigned to the school is that of maximum intellectual development of students, including the development of their abilities to apply their intellect to the solution of the problems of citizenship in a democratic society.

Therefore, the District will concentrate its resources and develop an educational program to discharge this most important responsibility.

Finally, the Superintendent will present evidence of achievement, or lack of achievement, of our students in the light of our schools' goals. It is the Board of Education's belief that factual evidence of the productivity of our schools is the Board's best device for evaluating our educational system, for guiding improvement efforts and for fostering approval of schools.

In order to achieve the educational goals for children adopted by the Board of Education, the Superintendent will strive to provide the following:

1. instruction which bears a meaningful relationship to the present and future needs and/or interests of students;
2. significant opportunities, consistent with the age of the student, for helping to determine the nature of the educational experiences of the student;
3. specialized and individualized kinds of educational experiences to meet the needs of each student;
4. opportunities for teaching staff members and students to make recommendations concerning the operation of the schools;
5. comprehensive guidance facilities and services for each student;

6. an environment in which any competition among students is positive;
7. resources for education, used with maximum efficiency;
8. teaching staff members of high quality and
9. diverse forms of constructive cooperation with parents and community groups.

[Adoption date: June 14, 1993]

[Re-adoption date: December 14, 1998]

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

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

COMMITMENT TO ACCOMPLISHMENT

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

The evaluation program may include, but is not limited to:

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

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

In appraising, the Board needs to evaluate its own actions as well as the efforts and accomplishments of the Superintendent and Treasurer.

The Board will make evaluation of its operations a continuing process so that it will remain informed of accomplishments and needs.

The Board will annually:

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

[Adoption date: June 14, 1993]

[Re-adoption date: December 14, 1998]

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

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

EVALUATION OF SCHOOL BOARD OPERATIONAL PROCEDURES

Annually, the Board will plan and carry through an appraisal of its functioning as a Board. This appraisal will consider the broad realm of relationships and activities inherent in Board responsibilities.

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

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

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

[Adoption date: June 14, 1993]

[Re-adoption date: December 14, 1998]

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

EVALUATION OF THE SUPERINTENDENT

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

Through evaluation of the Superintendent, the Board will strive to accomplish the following:

1. clarify the role of the Superintendent as seen by the Board,
2. develop harmonious working relationships between the Board and Superintendent,
3. provide administrative leadership for the school system and
4. identify strengths and weaknesses of the Superintendent's performance.

The Board of Education will evaluate the abilities and services of the Superintendent at least once a year.

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

Board consensus on the Superintendent's abilities and performance will be written and made available to and discussed with the Superintendent in conference. The Board must consider the evaluation of the Superintendent in acting to renew or nonrenew his/her contract.

[Adoption date: June 14, 1993]

[Re-adoption date: December 14, 1998]

LEGAL REF.: ORC 3319.01

CROSS REF.: CBA, Qualifications and Duties of Superintendent

EVALUATION OF TREASURER

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

The objectives of the Board's evaluation are to:

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

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

The evaluation of the Treasurer's abilities and performance is written and made available to and discussed with the Treasurer in conference. The Board may consider the evaluation of the Treasurer in acting to renew or nonrenew his/her contract.

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

[Adoption date: June 14, 1993]

[Re-adoption date: December 14, 1998]

[Re-adoption date: March 8, 2004]

LEGAL REFS.: ORC 3301.074
3313.22
OAC Chapter 3301-5

CROSS REFS.: AF, Commitment to Accomplishment
BCC, Qualifications and Duties of the Treasurer
BCCA, Incapacity of the Treasurer

EVALUATION OF PROFESSIONAL STAFF (Ohio Teacher Evaluation System)

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

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

The Board directs the Superintendent/designee to implement this policy in accordance with State law. This policy has been developed in consultation with teachers employed by the Board. This policy becomes effective at the expiration of any collective bargaining agreement covering teachers employed by the Board that was in effect on November 2, 2018 and must be included in any renewal or extension.

The District will follow policies and procedures in place during the 2019-2020 school year for the 2020-2021 school year and will implement this policy beginning with the 2021-2022 school year.

Credentialed Evaluators

Evaluations carried out under this policy are conducted by persons holding evaluator credentials established by the Ohio Department of Education (ODE).

Final Holistic Rating and Evaluation Cycle

Teachers are assigned a final holistic rating of Accomplished, Skilled, Developing or Ineffective. This rating will be based on a combination of informal and formal observations and supporting evidence using the Teacher Evaluation Rubric.

Annually, the Board submits to the ODE the number of teachers assigned a final holistic rating, aggregated by the teacher preparation programs from which, and the years in which, the teachers graduated. The name of, or any personally identifiable information about, any teacher reported in compliance with this provision cannot be required.

The full evaluation cycle includes:

- Professional Growth/Improvement Plan;
- One formal holistic observation, followed by a conference;
- At least two classroom walkthroughs – with an emphasis on identified focus area(s) when applicable;
- One formal focused observation – with an emphasis on identified focus area(s) and
- One final summative conference.

The teacher performance measure of the evaluation cycle is aligned with the following Ohio Standards for the Teaching Profession:

- Understand student learning and development, respect student diversity and hold high expectations for all students to achieve and progress at high levels;
- Understand the content areas for which they have instructional responsibility;
- Understand and use varied assessments to inform instruction and evaluate and ensure student learning;
- Plan and deliver effective instruction that advances the learning of each student;
- Create learning environments that promote high levels of learning and achievement for all students;
- Collaborate and communicate with students, parents, other teachers, administrators and the community to support student learning and
- Assume responsibility for professional growth and performance as an individual and as a member of a learning community.

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

Teachers, who are on limited or extended limited contracts pursuant to State law and under consideration for nonrenewal, receive at least three formal observations during the evaluation cycle.

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

The Board evaluates teachers receiving effectiveness ratings of Accomplished on those teachers' most recent evaluations every three years, provided the teacher submits a self-directed Professional Growth Plan and the evaluator determines the teacher is making progress on that plan. Such evaluations are completed by May 1 of the evaluation year. Teachers evaluated on this basis are provided a written copy of their evaluation results by May 10 of the evaluation year. In years when an evaluation will not take place, one observation is carried out and at least one conference with the teacher is held.

The Board evaluates teachers receiving effectiveness ratings of Skilled on those teachers' most recent evaluations every two years, provided the teacher and evaluator jointly develop a Professional Growth Plan and the evaluator determines the teacher is making progress on that plan. Biennial evaluations conducted under this policy are completed by May 1 of the evaluation year. Teachers evaluated on a biennial basis are provided a written copy of their evaluation results by May 10 of the evaluation year. In years when an evaluation will not take place, one observation is carried out and at least one conference with the teacher is held.

High-Quality Student Data

High-quality student data (HQSD) is used to guide instructional decisions and meet student learning needs. HQSD used must be rigorously reviewed by locally determined experts in the field of education to meet all of the following criteria:

- Align to learning standards;
- Measure what is intended to be measured;
- Be attributable to a specific teacher for course(s) and grade level(s) taught;
- Demonstrate evidence of student learning (achievement and/or growth);
- Follow protocols for administration and scoring;
- Provide trustworthy results and
- Not offend or be driven by bias.

AND the teachers must use the data generated from the HQSD data instrument by:

- Critically reflecting upon and analyzing available data, using the information as part of an ongoing cycle of support for student learning;
- Considering student learning needs and styles, identifying the strengths and weaknesses of an entire class, as well as individual students;
- Informing instruction and adapting instruction to meet student need based upon the information gained from the data analysis and
- Measuring student learning (achievement and/or growth) and progress towards achieving state and local standards.

Evaluations use at least two measures of HQSD to provide evidence of student learning attributable to the teacher being evaluated when required.

When applicable to the grade level or subject area taught by a teacher, HQSD includes the value-added progress dimension established under RC 3302.021, except when otherwise prohibited by law.

HQSD may be used as evidence in any component of the evaluation where applicable.

Data from ODE vendor approved assessments may be considered HQSD.

The use of shared attribution measures or student learning objectives is prohibited.

Professional Growth and Improvement Plans

Each teacher must develop a Professional Growth or Improvement Plan based on the results of their most recent evaluation. These plans are to be developed annually and must be based on the results of the evaluation and aligned to any existing district or building improvement plan.

Teachers with a final holistic rating of Accomplished must develop a self-directed Professional Growth Plan.

Teachers with a final holistic rating of Skilled must develop a Professional Growth Plan working jointly with the credentialed evaluator.

Teachers with a final holistic rating of Developing must develop a Professional Growth Plan that is guided by their assigned credentialed evaluators.

Teachers with a final summative rating of Ineffective will be placed on an Improvement Plan developed by the assigned credentialed evaluators.

Retention and Promotion

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

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

Poorly Performing Teachers

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

Professional Development

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

[Adoption date: June 14, 1993]
[Re-adoption date: December 14, 1998]
[Re-adoption date: March 11, 2013]
[Re-adoption date: May 28, 2013]
[Re-adoption date: March 10, 2014]
[Re-adoption date: October 13, 2014]
[Re-adoption date: April 13, 2015]
[Re-adoption date: October 27, 2015]
[Re-adoption date: March 14, 2016]
[Re-adoption date: August 9, 2018]
[Re-adoption date: August 13, 2020]

LEGAL REFS.: The Elementary and Secondary Education Act; 20 USC 1221 et seq.
ORC 3319.11; 3319.111; 3319.112; 3319.16; 3319.61
Chapter 4117
OAC 3301-35-05

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

CONTRACT REF.: Teachers' Negotiated Agreement

EVALUATION OF PROFESSIONAL STAFF
(Administrators Both Professional and Classified)

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

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

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

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

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

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

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

Ohio Principal Evaluation System (OPES)

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

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

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

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

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

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

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

[Adoption date: June 14, 1993]
[Re-adoption date: December 14, 1998]
[Re-adoption date: August 14, 2000]
[Re-adoption date: September 19, 2005]
[Re-adoption date: May 28, 2013]
[Re-adoption date: March 10, 2014]
[Re-adoption date: April 13, 2015]
[Re-adoption date: October 27, 2015]
[Re-adoption date: March 14, 2016]
[Re-adoption date: August 9, 2018]

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

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

EVALUATION OF PROFESSIONAL AND CLASSIFIED STAFF
(Administrators Both Professional and Classified)

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

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

7. All evaluation criteria, procedures and written job descriptions are reviewed annually by the Superintendent/designee and revised as necessary.

(Approval date: June 14, 1993)

(Re-approval date: December 14, 1998)

(Re-approval date: August 14, 2000)

(Re-approval date: May 28, 2013)

EVALUATION OF SCHOOL COUNSELORS

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

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

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

Effectiveness Rating

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

Evaluation Time Line

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

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

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

Professional Growth and Improvement Plans

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

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

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

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

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

Retention and Promotion

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

Poorly Performing Counselors

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

Professional Development

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

[Adoption date: August 8, 2016]

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

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

CONTRACT REF.: Teachers' Negotiated Agreement

EVALUATION OF CLASSIFIED STAFF

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

The Superintendent will establish a continuing program of performance evaluation for the classified staff. The program will include written evaluations and a means of making the results of such evaluations known to the employees.

New employees will be evaluated during the first year of service. The services of all other employees will be formally evaluated at least once each year.

[Adoption date: June 14, 1993]

[Re-adoption date: December 14, 1998]

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

EVALUATION OF CLASSIFIED STAFF

1. All regular classified staff members will be evaluated at least annually by their immediate supervisors.
2. Written evaluations will be completed at the end of the probationary period of employment for new employees and by the end of each year for all other classified personnel. This may be the second evaluation of the year for first-year employees. The evaluation program for nonprobationary employees will include a mid-year conference and a conference before the end of March.
3. The supervisor will assess the employee on the basis of work performance and abilities. Evaluation forms will be completed in triplicate. An additional narrative report will be written if necessary. The supervisor will also submit his/her recommendation regarding continued employment of the employee.
4. After completing the evaluation form, the supervisor will conduct a conference with the employee to discuss:
 - A. the reasons for the performance evaluation and
 - B. the areas in which work performance should be improved.
5. The supervisor and the employee will sign the evaluation form at the close of the conference.
6. One copy of the complete evaluation form will be included in the employee's personnel file; one copy will be given to the employee. The employee will have access to the evaluation reports in his/her personnel file.

(Approval date: June 14, 1993)

(Re-approval date: December 14, 1998)

EVALUATION OF INSTRUCTIONAL PROGRAMS

The Board of Education directs the Superintendent to develop and implement a systematic plan for the continuous evaluation of the educational program relative to the educational goals established by this Board. To this end, he/she shall employ such tests and methods as may be indicated by sound professional judgment. Wherever possible, the assessment program shall follow evaluation procedures set forth in the curriculum guides.

The Superintendent shall maintain a calendar of assessment activities and shall make periodic evaluation reports to the Board during the school year. Findings of the assessment program may be used to evaluate the progress of students and the effectiveness of staff members. The Board will annually make available to the public a report of the progress of the student body toward the goals of this District.

The Board will annually, prior to the end of the school year and in conjunction with appropriate members of the administrative staff, conduct a review of the educational progress of the District, assess District and student needs and establish long-range and short-range objectives for the educational program.

The Superintendent shall annually recommend improvements in the educational program based on the Board's evaluation of the District's program. The Board reserves the right to employ experts from outside the District to serve in the evaluation process.

[Adoption date: June 14, 1993]

[Re-adoption date: December 14, 1998]

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

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

EVALUATION OF EDUCATIONAL RESOURCES

The Superintendent will develop and implement an assessment procedure to evaluate the effectiveness of the educational resources used by the District to achieve the District's educational goals and objectives.

The individual resource areas will be assessed annually while the overall program shall be assessed every five years according to professionally recognized criteria and procedures.

Following are the educational resources listed in the OAC 3301-35-03:

1. Professional and classified staff will be recruited, employed, assigned, evaluated and provided in-service education without discrimination on the basis of age, color, national origin, race or sex.
2. Instructional materials, textbooks and equipment will be available for teacher and student use at each grade level.
3. Facilities will accommodate the enrollment and the philosophy of education and educational goals of the school.
4. Student health and safety will be safeguarded by an organized program of school health services designed to identify student health problems and to coordinate school and community health resources for students.
5. Student cumulative records will be maintained.
6. Student admission, placement and withdrawal will be processed according to established procedures.
7. Student attendance and conduct will be administered according to established objectives and procedures.
8. School guidance services will be provided for students in accordance with a written plan adopted by the Board.
9. Student activity programs will be operated in accordance with the philosophy of education and educational goals and will safeguard the interest of the school, participants and spectators.
10. A planned community relations program will be implemented to encourage citizen participation in, and support for, the educational program.

The Superintendent is instructed to keep current relative to research and successful practices and to employ the best and most reliable methods and measures in the evaluative process.

[Adoption date: June 14, 1993]

[Re-adoption date: December 14, 1998]

LEGAL REF.: OAC 3301-35-03

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