

**BOARD OF EDUCATION**

**POLICIES**

**SECTION A**

**FOUNDATIONS AND BASIC COMMITMENTS**

**AA 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 are administered and has established specific types of school districts.

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

NOTE: Senate Bill (SB) 3 (2016) revised several of the requirements made by House Bill 59 (2013), impacting the governance structure of JVSD boards. Members are to be appointed to a JVSD board for a three-year term and no longer are limited to two consecutive terms. SB 3 also removed specific qualifications board members must meet. A member must be appointed by the appointing district in accordance with the JVSD plan and the member may be:

- A current elected board member of a JVSD member school board or
- An individual who has experience or knowledge regarding the labor needs of the state and region with an understanding of the skills, training and education needed for current and future employment opportunities in the state.

Adopted: January 15, 2004

Revised: November 21, 2013; February 22, 2017

## AC NONDISCRIMINATION

The Board is committed to an environment in which all individuals, including students, staff, job applicants, the general public and individuals with whom it does business, are treated with dignity and respect. The Board prohibits discrimination based on race, color, national origin, ancestry, citizenship status, religion, sex, economic status, age, disability, military status or legally acquired genetic information.

### **District Compliance Officer(s)**

The Board designates the following individual(s) to serve as the District's compliance officer:

Title: T. C. Chappellear, Superintendent

Address: 100 Park Drive, Wintersville, Ohio 43953

Phone number: 740-264-3502

Email: TC.CHAPPELEAR@ICLSD.ORG

The name, title, and contact information of this individual is annually published in District handbooks and on the District website.

The compliance officer is responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including, but not limited to, Title II of the Americans with Disabilities Act, Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, Section 504 of the Rehabilitation Act of 1973, and the Age Discrimination in Employment Act of 1975.

The compliance officer is responsible for addressing any inquiries or complaints regarding discrimination or retaliation in a prompt and equitable manner.

### **Reports and Complaints of Unlawful Discrimination/Harassment**

Individuals who feel they have been subjected to unlawful discrimination or retaliation may file a complaint, either orally or in writing, with the compliance officer or an administrator, supervisor or other district-level administrator. Employees are required to promptly report to the compliance officer or an administrator, supervisor or other district-level administrator when they become aware of incidents of unlawful discrimination or retaliation. All other persons associated with the District are encouraged to promptly report when they become aware of such incidents. Any administrator, supervisor or district-level administrator who receives such a complaint must forward it to the compliance officer.

The Board has developed complaint procedures, which are made available to every member of the school community. The complaint procedures are not intended to interfere with the rights of any individual to pursue action through State and/or Federal law, contact law enforcement, or file a complaint with the United States Department of Education, Office of Civil Rights, the Ohio Civil Rights Commission or the Equal Employment Opportunity Commission.

The Board has adopted separate policies and procedures for sexual harassment, including the identification of the Title IX Coordinator. All sexual harassment reports must be managed in accordance with the sexual harassment policy and procedure.

### **Interim Measures and Responsive Action**

Upon receiving a complaint, the compliance officer will consider whether any interim measures should be taken 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 discrimination.

The District shall enforce its prohibitions against unlawful discrimination by taking responsive action reasonably calculated to stop and prevent further misconduct. Employees or students who engage in

unlawful discrimination or retaliation may be subject to disciplinary action. The Board has identified disciplinary penalties, which may be imposed on the offender(s).

### **Confidentiality**

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

### **Retaliation**

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. Any administrator, supervisor or district-level administrator who is aware of such retaliation shall forward it to the compliance officer. Reported acts of retaliation will be promptly investigated and addressed.

### **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, 1965, 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.

Cross References:       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)

Adopted: January 17, 1985

Revised: August 18, 1992, August 1, 1996, Re-Adopted by Revision: January 15, 2004; July 15, 2021

### Legal Reference:

Title IX of the Education Amendments of 1972, 20 U.S.C. §§1681 et seq.

## ACA NONDISCRIMINATION ON THE BASIS OF SEX

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

Title IX state, 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.

All persons associated with the District, including, but not limited to, the Board, administration, staff, students, and third parties are expected to conduct themselves at all times so as to provide an atmosphere free from sex discrimination and sexual harassment. Sex discrimination and sexual harassment, whether verbal or nonverbal, occurring inside or outside of District buildings, on other District-owned property or at school-sponsored social functions/activities, is illegal and unacceptable and will not be tolerated. The District may have an obligation to investigate and/or respond to sexual harassment occurring off school grounds, when the harassment creates a hostile environment within the school setting. Sexual harassment is strictly prohibited by this policy.

The District takes measures to eliminate harassment, prevent its recurrence and remedy its effects, and will implement interim measures as deemed necessary.

**Definition of Sexual Harassment:** Unwelcome sexual advances, requests for sexual favors or other verbal, nonverbal, or physical conduct of a sexual nature may constitute sexual harassment when:

1. Submission to such conduct is made, either explicitly or implicitly, a term or condition of a person’s employment or status in a class, educational program or activity;
2. Submission to, or rejection of, such conduct by an individual is used as the basis for employment or education decisions affecting such individual or
3. Such conduct is sufficiently severe, persistent, or pervasive and has the purpose or effect of unreasonably interfering with an individual’s work or educational performance by creating an intimidating, hostile or abusive environment, or by interfering with one’s ability to participate in or benefit from a class or educational program or activity.

Sexual violence is a form of sexual harassment and refers to physical sexual acts perpetrated against a person’s will, or where a person is incapable of giving consent. Examples of sexual violence include but are not limited to, rape, sexual assault, sexual battery, sexual abuse, and sexual coercion.

Sexual harassment includes gender-based harassment, which refers to unwelcome conduct based on an individual’s actual or perceived sex, (including harassment based on gender identity and nonconformity with sex stereotypes), and not necessarily involving conduct of a sexual nature.

Examples of sexual harassment-type conduct may include, but are not limited to, unwanted sexual advances; demands for sexual favors in exchange for favorable treatment or continued employment; grooming, repeated sexual jokes, flirtations, advances or propositions, verbal abuse of a sexual nature, graphic verbal commentary relating to an individual’s body, sexual prowess or sexual deficiencies; coerced sexual activities; any unwanted physical contact; sexually suggestive or obscene comments or gestures; or displays in the workplace of sexually suggestive or obscene objects or pictures. Whether any act or comment constitutes sexual harassment-type conduct is often dependent on the individual recipient.

All of these types of harassment are considered forms of sex discrimination prohibited by Title IX.

The Board has developed informal and formal discrimination and harassment complaint procedures. The procedures provide for a prompt and equitable investigation and resolution of complaints of sex discrimination, including sexual misconduct. The Board also has identified disciplinary measures that may be imposed upon the offender. Nothing in this policy or procedure prevents an individual from pursuing action through State and/or Federal law, contacting law enforcement, or from filing a complaint with the United States Department of Education, Office of Civil Rights, the Ohio Civil Rights Commission or the Equal Employment Opportunity Commission.

Legal Reference: 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.

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

Title: Dr.T.C. Chappellear  
Address: 100 Park Drive, Wintersville, Ohio 43953  
Phone number: (740) 264-3502  
Email: TC.Chappellear@iclsd.org

The Title IX Coordinator serves as the grievance officer and coordinates the District's efforts to comply with and carry out responsibilities under Title IX, including any complaint under Title IX. He/She is vested with the authority and responsibility for investigating all sexual harassment complaints in accordance with the procedures set forth in the accompanying regulation and staff and student handbooks. Any investigatory responsibilities of the Title IX Coordinator may be delegated to a designee trained in Title IX compliance and procedures.

Confidentiality/Retaliation

Sexual harassment matters, including the identity of both the reporting party and the responding party, are kept confidential to the extent possible, consistent with the Board's legal obligations to investigate. Although discipline may be imposed against the responding party upon a finding of guilt, the District prohibits retaliation for an individual's participation in, and/or initiation of a sex discrimination/sexual harassment complaint investigation, including instances where the complaint is not substantiated. The District takes reasonable steps to prevent retaliation and takes strong responsive action if retaliation occurs.

Adopted: May 21, 1987  
Revised: January 15, 2004; November 16, 2017  
(Revised from ACAA to ACA - November 17, 2016)

## **ACA-R NONDISCRIMINATION ON THE BASIS OF SEXUAL HARASSMENT GRIEVANCE PROCEDURES - REGULATIONS**

The Board has created informal and formal discrimination and harassment grievance procedures, providing for a prompt and Equitable investigation and resolution of complaints of sex discrimination, including sexual misconduct. All students and District Employees are encouraged to fully cooperate when asked to participate in an investigation.

Members of the school community and third parties are encouraged to promptly report incidents of sex discrimination or sexual harassment. Complaints may be filed with any District employee, or directly with the Title IX Coordinator. District employees are required to report these incidents to the Title IX Coordinator upon becoming aware of an incident, and failure to do so may result in disciplinary action.

Complaints of sex discrimination or sexual harassment must be filed as soon as possible after the alleged incident, as delays in filing complaints can make it difficult to investigate. Both the informal and formal grievance procedures are completed in a timely manner unless extenuating circumstances exist. Periodic updates are provided to the parties as appropriate during the investigation.

The Title IX Coordinator determines whether or not, by “a preponderance of the evidence,” the alleged victim’s allegations are true. “A preponderance of the evidence” means that evidence must show the alleged discrimination/sexual harassment was more likely than not to have occurred.

Pending the final outcome of an informal or formal investigation, the District institutes interim measures to protect the reporting and/or responding parties and informs him/her of available support services. Interim measures may include, but are not limited to: a District-enforced no contact order, Modification of work or class schedules, academic modifications and/or counseling. These measures should ensure that both parties continue to have equal access to all District programs and activities and the safety of all parties is protected.

If the Title IX Coordinator or designee is the responding party or the reporting party, the Board designates an alternate investigator and retains final decision-making authority.

All matters involving sexual harassment complaints remain confidential to the extent possible.

### Informal Procedure for Addressing Complaints

An informal grievance procedure can be used the Title IX Coordinator deems it appropriate and/or when the parties involved (reporting party and responding party) agree that an informal process is appropriate and sufficient. The informal process is not used when the alleged discrimination or harassment may constitute sexual violence or any other criminal act.

The Title IX Coordinator gathers enough information during the informal process to understand and resolve the complaint. The Title IX Coordinator proposes an informal solution based on this fact-gathering process, which may include, but not be limited to: requiring the responding party to undergo training on harassment/discrimination, requiring all students and staff to undergo such training, and instituting protective mechanisms for the reporting party.

### Formal Procedure for Addressing Complaints

While the formal grievance procedure may serve as the first step toward the resolution of a charge of sex discrimination or sexual harassment, it also is available when the informal procedure fails to resolve the complaint.

Through the formal grievance procedure, the Title IX Coordinator attempts to resolve the complaint in the following way:

1. The Title IX Coordinator promptly communicates with the responding party/alleged victim in order to obtain a clear understanding of that part’s statement of the alleged facts. The statement is put in writing by the Title IX Coordinator and signed by the reporting party where possible, as a testament to the statement’s accuracy.
2. The Title IX Coordinator communicates with the responding party in order to obtain his/her response to the complaint. The response is put in writing by the Title IX Coordinator and signed by the responding party, where possible, as a testament to the statement’s accuracy.

The Title IX Coordinator communicates with the parties and witnesses (if any) as necessary to gather all of the relevant facts. The dates any of meetings and the facts gathered are all put in writing. The investigation is prompt and equitable, and allows both parties an equal opportunity to present witness and other evidence.

3. At the conclusion of the investigation, the Title IX Coordinator prepares a written report summarizing: the evidence gathered during the investigation and whether the allegations were substantiated; whether any Board policies or student or employee codes of conduct were violated; any recommendations for corrective action. The investigation report indicates if any measures must be instituted to protect the reporting party. Such measures may include, but are not limited to extending any interim measures taken during the investigation. The report also informs the reporting party of available support services, which at a minimum includes offering school counseling services if the reporting party is a student.

#### Notice of Outcome

Both the reporting party and the responding party are provided written notice of the outcome of the complaint.

If either party disagrees with the decision of the Title IX Coordinator, he/she may appeal to the Superintendent. After reviewing the record made by the Title IX Coordinator, the Superintendent may attempt to gather further evidence necessary to decide the case and to determine appropriate action to be take. The decision of the Superintendent is final.

#### Disciplinary Action

Any disciplinary action is carried out in accordance with Board policies, student and employee codes of conduct, State and Federal law, and, when applicable, the negotiated agreement. When recommending discipline, the Title IX Coordinator considers the totality of the circumstances involved, including the ages and maturity levels of those involved. The Title IX Coordinator and the Superintendent determine if a recommendation for expulsion for a responding student or discharge for a responding employee should be made. If this recommendation is made and a hearing is required, the hearing shall be held in accordance with Board policy, State law and/or the negotiated agreement. Both of the parties shall have an equal right to attend the hearing, have a representative and parent (if student) present, present evidence, and question witnesses.

Regulations Adopted: August 28, 2008

Revised: From ACAA-R to ACA-R – November 17, 2016

Revised: November 16, 2017

SEXUAL HARASSMENT COMPLAINT FORM

Date of Report \_\_\_\_\_

Reporting Party \_\_\_\_\_

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 \_\_\_\_\_

### ACAA 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: Dr. TC Chappellear, Superintendent  
Office Address: 100 Park Drive, Wintersville, Ohio 43953  
Email: TC.Chappellear@iclsd.org  
Phone Number: 740-264-3502

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. It is not considered retaliation if the District imposes a punishment under a zero-tolerance policy that always imposes the same punishment for conduct regardless of the circumstances.

### 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

### 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.

Adopted: September 19, 2020

Updated: November 18, 2021

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  
 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  
Support Staff Negotiated Agreement

## ACAA-R 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 are offered on a temporary basis and 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 will respect the Complainant's wishes with respect to whether to file a formal complaint unless the Title IX Coordinator determines it is necessary to pursue the complaint in light of a health or safety concern for the District.

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 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. The Title IX Coordinator will respect the Complainant's wishes with respect to whether

### 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 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.

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 credibility 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; the Respondent is no longer enrolled or employed by the District or
2. 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.

At the live hearing, the decision-maker must:

1. Permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including that challenging credibility. Such cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally. If a party does not have an advisor present at the hearing, the District must provide without fee or charge to that party, an advisor of the District's choice, who may be, but is not required to be, an attorney.
2. Provide for the live hearing to occur with the parties located in separate rooms with technology enabling the decision-maker and parties to simultaneously see and hear the party or the witness answering questions, if requested by either party.
3. Limit cross-examination and other questions to those that are relevant. Before a Complainant, Respondent, or witness answers a cross-examination or other question, the parties must pause and allow the decision-maker to determine whether the question is relevant and explain any decision to exclude a question as not relevant.

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.

If a party or witness does not submit to cross-examination at the live hearing, the decision-maker must not rely on any statement of that party or witness in reaching a determination regarding responsibility. However, the decision-maker cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

The District will create an audio or audiovisual recording or transcript of any live hearing and make it available to the parties for inspection and review.

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

1. Identify the allegations potentially constituting sexual harassment;
2. Describe the procedural steps taken, including any notifications to the parties,
3. interviews with parties and witnesses, site visits, methods used to gather evidence, and hearings held;
4. Include the findings of fact supporting the determination;
5. Draw conclusions regarding the application of any District policies and/or code of conduct rules to the facts;
6. 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
7. 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 there from;
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.

Adopted: September 17, 2020

Revised: November 18, 2021

## ACAB 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, or 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 which violates this policy.

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

Title: Dr.T.C. Chappellear

Address: 100 Park Drive, Wintersville, Ohio 43953

Phone number: (740) 264-3502

Email: TC.Chappellear@iclsd.org

The name, title, and contact information of this individual is annually published in District handbooks and on the District website.

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.

Adopted: July 25, 2008

Revised: April 21, 2011; November 17, 2016

**ACB NONDISCRIMINATION ON THE BASIS OF DISABILITY**

The Indian Creek Local School District does not discriminate on the basis of disability in the educational programs or activities of the District. The Board of Education hereby designates the Superintendent or his/her designee as the District Section 504/ADA Coordinator. The designee shall, once each academic year, notify all students and employees of the District of the name, office, address and telephone number of the Section 504/ADA compliance officer. Notification shall be by posting and/or other means sufficient to reasonably advise all students and employees. The Coordinator's duties shall include coordinating the School District's effort to comply with and carry out its responsibilities under Section 504 and/or the ADA and the investigation of any complaints communicated to the School District alleging noncompliance with Section 504 and/or the ADA. Any alleged discriminatory practices within the scope of Section 504, or the Americans with Disabilities Act should be addressed through the grievance procedure which follows:

**Step 1:**

The person who believes he/she has a valid basis for grievance under Section 504, or the Americans with Disabilities Act shall informally discuss the complaint with the District 504/ADA Coordinator.

The District 504/ADA Coordinator will investigate and document the complaint (including dates of meetings, disposition and dates of disposition), and give a written reply to the complainant within five (5) working days of meeting with the complainant.

**Step 2:**

If the complaint is not satisfactorily resolved through Step 1, the alleged grievance may be filed in writing by the complainant. To be considered, the written complaint must fully set out the circumstances giving rise to the alleged grievance and must be filed with the District 504/ADA Coordinator within five (5) working days of disposition at Step 1.

The District 504/ADA Coordinator will appoint a hearing officer within five (5) working days of receipt of the written complaint.

The hearing officer will conduct a hearing regarding the alleged grievance within fifteen (15) working days of appointment. The hearing officer shall give the parent, student, or employee full and fair opportunity to present evidence relevant to the issues raised under the grievance. The parent, student, or employee may, at their own expense, be assisted or represented by individuals of their choice, including legal counsel. The hearing officer will present his/her written decision to the District 504/ADA Coordinator and complainant within ten (10) working days of the hearing.

**Step 3:**

If the complaint is not satisfactorily resolved through Step 2, the complainant may file a written appeal to the Board of Education. To be considered, the written complaint must fully set out the circumstances giving rise to the alleged grievance and must be filed with the District Superintendent's Office within five (5) working days of disposition at Step 2.

The Board of Education will address the complaint at its next regularly scheduled meeting provided the written complaint is received in the Superintendent's Office at least one (1) week prior to the next scheduled meeting of the Board of Education.

Within ten (10) working days of addressing the complaint, the Board of Education will issue a written disposition of the alleged grievance through the Superintendent's Office.

**Step 4:**

If the complaint is not satisfactorily resolved following Step 3, further appeal may be made to the U.S. Department of Education - Office for Civil Rights, Bank One Center, Room 750, 600 Superior Avenue East, Cleveland, Ohio 44114-7650.

**Dissemination of Policy**

The Superintendent shall notify applicants for admission, students, parents of elementary and secondary school students, sources of referral of applicants for admission, employees and applicants for employment that it does not discriminate on the basis of disability in the educational programs or

activities which it operates and that it is required by Section 504/ADA and its administrative regulations not to discriminate in such a manner. The notification shall be made in the form and manner required by law or regulation.

The Board maintains discrimination against a qualified person with a disability solely on the basis of disability is unfair. To the extent possible, a qualified person with a disability should be in the mainstream of life in a school community. In addition, the District is the recipient of federal funds and therefore must be in compliance with all laws and regulations that deal with disabled individuals.

Accordingly, employees of the District comply with the law and Board policy to ensure nondiscrimination on the basis of disability. The following is expected.

1. No one discriminates against qualified persons with a disability in any aspect of school employment solely on the basis of disability.
2. Facilities, programs and activities are made available to qualified persons with a disability.
3. Free appropriate public education at elementary and secondary levels, including nonacademic and extracurricular services and activities, are provided to qualified persons with a disability.
4. No one excludes any qualified person with a disability, solely on the basis of disability, from participation in any preschool education, day care, adult education or career-technical education program.
5. Each qualified person with a disability is provided with the same health, welfare and other social services that are provided to others.

Adopted July 17, 1986; Adopted by Revision January 15, 2004  
Revised: November 20, 2008

## **AD EDUCATIONAL PHILOSOPHY AND INSTRUCTIONAL GOALS**

It is the belief and policy of this Board that the learning process must accomplish the goals and general program objectives listed below in a manner that makes learning interesting, relevant, exciting, and enjoyable. The Board believes these goals and objectives can only be accomplished by dedicated teachers and staff who believe in the worth of youth, are committed to the goals and objectives, and are given the encouragement, means, freedom, and guidance to accomplish them. The Board further adheres to a policy of equivalence in staffing of teachers, administrators, and support personnel among our schools to insure achieving the goals listed below.

These are the District's instructional goals:

1. To help meet the physical, intellectual, and emotional needs of children and youth, particularly the need to inquire, learn, think, and create.
2. To help students establish aesthetic, moral, and ethical values.
3. To help students relate satisfactorily to others in situations involving their family, work, government, and recreation.
4. To give students a mastery of the basic skills of reading, oral and written communication and problem solving.
5. To teach students to use the various media of self-expression.
6. To instill in students a knowledge of the social and natural sciences.
7. To acquaint students with the richness of our heritage.
8. To stimulate students to work productively in the various areas of human behavior.
9. To acknowledge the importance of, and to aid the school's supplementary role to, the home and other social agencies in developing the habits and attitudes which make for effective personal living, the maintenance of optimum physical and mental health.

The goals of the instructional program are to be considered guides rather than limits, capable of wide interpretation; flexible enough to meet changing needs of both students and society; and pervasive throughout the entire School District, for all levels and subject areas.

These guides include the following objectives:

1. Acknowledging the importance of self-discipline, defined as the strength to do what we believe we should do, even when we would rather not do it.
2. Being trustworthy, so that when we say we will or will not do something, we can be believed.
3. Telling the truth, especially when it hurts us to do so.
4. Being honest in all aspects of life, including our business practices and in our relations with the government.
5. Having the courage to resist group pressures to do what we would refuse to do if we were alone.
6. Being ourselves, but being our best selves.
7. Using honorable means, those that respect the rights of others, in seeking our individual and collective ends.
8. Conducting ourselves, where significant moral behavior is concerned, in a manner that does not fear exposure.
9. Having the courage to say, "I'm sorry. I was wrong."
10. Practicing good sportsmanship. Recognizing that although the will to win is important, winning is not all-important.
11. Maintaining courtesy in human relations, including the courtesy of really listening to others.
12. Treating others as we would wish to be treated, recognizing that this principle applies to persons of every class, race, nationality, and religion.

13. Recognizing that no person is an island, and behavior that may seem to be of purely private concern often affects those around us and society itself.
14. Bearing in mind that how we conduct ourselves in times of adversity is the best test of our maturity and our mettle.
15. Doing work well, whatever that work may be.
16. Showing respect for the property of others - school property, business property, government property, everyone's property.
17. Giving obedience to law, except where religious convictions or deeply held moral principles forbid it. Civil disobedience should be non-violent and should accept the penalties prescribed by law.
18. Respecting the democratic values of free speech, a free press, freedom of assembly, freedom of religion, and due process of law. Recognizing that this principle applies to speech we abhor, groups we dislike, persons we despise.
19. Developing habits that promote physical and emotional health and refraining from activities destructive of those ends.
20. Abstaining from premature sexual experience and developing sexual attitudes compatible with the values of family life.
21. Recognizing that the most important thing in life is the kind of person we are becoming, the qualities of character and moral behavior we are developing.

Adopted: May 21, 1987

Revised: December 21, 1989; January 15, 2004

Legal Reference:

O.A.C. 3301-35-02(A), 3301-35-02(C).

## AFAA EVALUATION PROCEDURES SUPERINTENDENT AND CENTRAL OFFICE PERSONNEL

The Board will evaluate the Superintendent and the Superintendent will evaluate all other administrative personnel.

The evaluation instrument to be used will assess the performance of the central office administrators in each of five categories.

- A. Technical Skills
- B. Professional Characteristics
- C. Personal Characteristics
- D. Community/Human Relations Skills
- E. Professional Growth

and consists of three parts:

- rating scale
- comments
- job targets

### RATING SCALE:

1. A check ( ) is placed under the condition (*commendable/acceptable/needs improvement*) which best describes the person's performance in a particular area.
2. Unlike all other central office personnel, the check ( ) for the Superintendent must reflect the composite evaluation of each Board member's individual opinion.
  - a. Trending will be used - if the person has three of one rating and two of another, *the trend is toward the rating with the three checks ( )*.
  - b. If the person has two of one rating and two of another, *the trend is toward "acceptable."*
  - c. The President of the Board shall compile the composite rating for each section of each category.

### COMMENTS:

1. Comments are encouraged in all categories for any reason.
2. All "needs improvement" conditions identified require comments referenced to the specific area of concern, *i.e., E-2, Attendance at workshops*.

### JOB TARGETS:

1. In some cases, goals in particular categories will be identified by the Superintendent.
2. More often than not, the satisfactory completion of the identified goal will require that many factors in the particular category, *i.e., Ability to assign and delegate, ability to act decisively, etc.*, be addressed.

Adopted: November 22, 1982

Revised: September 20, 1990; January 15, 2004

### Legal Reference:

O.R.C. §§3319.01, 3319.02.

## **AFB EVALUATION OF THE SUPERINTENDENT**

The Superintendent of Schools shall be evaluated by the Board of Education in accordance with evaluative procedures developed by the Board of Education.

The Board shall use the adopted evaluation instrument to assess the performance of the Superintendent.

A written composite of the evaluations completed by each Board member and compiled by the Board President, must be given to the Superintendent prior to December 1.

This evaluation must be considered by the Board when deciding to renew the Superintendent's contract; however, the establishment of this evaluation procedure does not create an expectancy of continued employment. Nothing contained herein shall prevent the Board of Education from making the final determination regarding the renewal or nonrenewal of the Superintendent's contract.

Adopted: January 19, 1984

Revised: January 15, 2004



C. PERSONAL CHARACTERISTICS      COMMENDABLE      ACCEPTABLE      NEEDS IMPROVEMENT

(Impressions the individual makes on others by their actions, judgments, decisions or dealings with people. Visible characteristics.)

- 1. Enthusiasm \_\_\_\_\_
- 2. Integrity \_\_\_\_\_
- 3. Appearance \_\_\_\_\_
- 4. Self Control \_\_\_\_\_
- 5. Judgment \_\_\_\_\_
- 6. Other, specify: \_\_\_\_\_
- 7. Comments: \_\_\_\_\_
- 8. Job Targets: 1. \_\_\_\_\_  
2. \_\_\_\_\_

D. COMMUNITY/HUMAN RELATIONS SKILLS:  
(How effectively and harmoniously the individual deals or gets along with the public, staff and board. Composure)

- 1. Communications \_\_\_\_\_
- 2. Ability \_\_\_\_\_
- 3. Flexibility \_\_\_\_\_
- 4. Human Interaction \_\_\_\_\_
- 5. Promotes and encourages cooperation \_\_\_\_\_
- 6. Other, specify: \_\_\_\_\_
- 7. Comments: \_\_\_\_\_
- 8. Job Targets: 1. \_\_\_\_\_  
2. \_\_\_\_\_

E. PROFESSIONAL GROWTH

(How does the individual view the job? Do they aggressively seek knowledge and better understanding of the job and their role in the District?)

- 1. Participation and involvement in local and state organizations \_\_\_\_\_
- 2. Attendance at workshops. \_\_\_\_\_
- 3. In-service training \_\_\_\_\_

	COMMENDABLE	ACCEPTABLE	NEEDS IMPROVEMENT
4. Personal skill development	_____	_____	_____
5. Sets and Strives to achieve goals	_____	_____	_____
6. Other, specify: _____	_____	_____	_____
7. Comments: _____	_____		
8. Job Targets: 1. _____	_____		
2. _____	_____		

Additional Comments

Superintendent: \_\_\_\_\_

President, Board of Education: \_\_\_\_\_

Date: \_\_\_\_\_

Adopted: October 19, 1982

Revised: January 15, 2004

## AFC EVALUATION OF ADMINISTRATORS

Each administrator and supervisor shall be evaluated annually through a Board adopted written evaluation and in accordance with O.R.C. §3319.02.

### Philosophy of Performance Evaluation

The Board of Education has a responsibility to create a favorable climate for all administrators in which to perform their duties and meet their responsibilities to the children and community. The school system uses its evaluation procedures to facilitate this goal.

The insight and growth of each administrator resulting from participating in the evaluation process are more significant than the process itself. Evaluation should be continuous and should be a constructive, cooperative enterprise between the administrator and the evaluator.

The evaluative process is tailored to the individual's needs and minimizes the comparison of one person's performance with that of another. Each administrator has the opportunity to use initiative and leadership in defining specific goals and working cooperatively with his/her evaluator in accomplishing them.

Evaluation in the Indian Creek Local Schools is constructed to promote improved performance, professional growth, and professional integrity.

### Objectives of a Performance Evaluation

- A. To facilitate and improve communication and understanding among administration and staff.
- B. To improve instructional performance and provide means for professional growth through establishment of long and/or short range goals.
- C. To stimulate, through accountability, a search for a better understanding of the scope of one's duties and responsibilities.
- D. To provide an opportunity for each administrator to periodically assess his/her performance.
- E. To provide assistance which the administrator may need for self-improvement and growth.
- F. To provide documentation in questions of dismissal or promotion.

### Procedures for Administrative Evaluation

- A. The evaluation shall be conducted by the Superintendent or designee.
- B. The evaluation shall measure each administrator's effectiveness in performing the duties outlined in the job description.
- C. In order to provide time to show progress in correcting deficiencies identified in the evaluation process, the evaluation process shall be completed as follows:
  1. In any school year that the administrator's contract is not due to expire, at least one (1) evaluation shall be completed. A written copy of the evaluation shall be provided to the administrator no later than the end of his/her contract year as defined by the annual salary notice.
  2. In any school year that the administrator's contract is due to expire, at least a preliminary evaluation and at least a final evaluation shall be completed. A written copy of the preliminary evaluation shall be provided to the administrator at least sixty (60) days prior to any action by the Board of Education on the administrator's contract. A written copy of the final evaluation, indicating the Superintendent's intended recommendation to the Board of Education regarding a contract for the administrator, shall be provided to the administrator at least five (5) days prior to the Board's action to renew or not renew the contract.
- D. Before taking action on the administrator's contract, the Board of Education will send written notice to the employee of the pending action and advise him/her of the date the contract expires and of his/her right to request a meeting in executive session at which the Board shall discuss its reasons for

considering renewal or non-renewal of the contract. The administrator shall be permitted to have a representative present at this meeting.

- E. The evaluation and recommendation shall be considered by the Board when acting on an administrator's contract.
- F. If the Board takes action to non-renew the contract of an administrator, the administrator shall be provided with written notice of the Board's action on or before the last day of March of the year in which his/her contract expires.
- G. This evaluation procedure does not create an expectancy of continued employment. Nothing contained herein shall prevent the Board of Education from making the final determination regarding the renewal or non-renewal of the contract of any administrator. However, if the Board fails to evaluate the administrator pursuant to paragraph C. of this policy, or fails to provide a meeting to the administrator at his/her request, pursuant to paragraph D. of this policy, the administrator shall be automatically reemployed for the period of one (1) year at the same salary plus any increments authorized by the Board, except that, if the administrator has been employed by the District for three (3) years or more, the period of reemployment shall be for two (2) years.

Adopted: December 18, 1980

Revised: May 21, 1987; August 17, 2000; January 15, 2004



8. Job Targets: 1. \_\_\_\_\_  
 2. \_\_\_\_\_

**D. COMMUNITY/HUMAN RELATIONS SKILLS:**

(How effectively and harmoniously the individual deals or gets along with the public, staff and board. Composure)

- |  |       |       |       |
|--|-------|-------|-------|
| 1. Communication                       | _____ | _____ | _____ |
| 2. Ability                             | _____ | _____ | _____ |
| 3. Flexibility                         | _____ | _____ | _____ |
| 4. Human Interaction                   | _____ | _____ | _____ |
| 5. Promotes and encourages cooperation | _____ | _____ | _____ |
| 6. Other, specify: _____               | _____ | _____ | _____ |

7. Comments: \_\_\_\_\_

8. Job Targets: 1. \_\_\_\_\_  
 2. \_\_\_\_\_

**E. PROFESSIONAL GROWTH**

(How does the individual view the job? Do they aggressively seek knowledge and better understanding of the job and their role in the District?)

- |  |       |       |       |
|--|-------|-------|-------|
| 1. Participation and involvement in local and state organizations. | _____ | _____ | _____ |
| 2. Attendance at workshops   | _____ | _____ | _____ |
| 3. In-service training   | _____ | _____ | _____ |
| 4. Personal skill development (technical and human relations)      | _____ | _____ | _____ |

- |                                      |             |            |                      |
|--------------------------------------|-------------|------------|----------------------|
|                                      | COMMENDABLE | ACCEPTABLE | NEEDS<br>IMPROVEMENT |
| 5. Sets and strives to achieve goals | _____       | _____      | _____                |
| 6. Other, specify: _____             | _____       | _____      | _____                |

7. Comments: \_\_\_\_\_

8. Job Targets: 1. \_\_\_\_\_  
 2. \_\_\_\_\_

Additional Comments

Superintendent: \_\_\_\_\_

Evaluatee: \_\_\_\_\_

Date: \_\_\_\_\_

Adopted: October 19, 1982  
 Revised: January 15, 2004

ADMINISTRATIVE ASSISTANT  
**AFCB CURRICULUM, INSTRUCTION, AND CERTIFICATED PERSONNEL**  
 EVALUATION INSTRUMENT

	COMMENDABLE	ACCEPTABLE	NEEDS IMPROVEMENT
A. TECHNICAL SKILLS: Consider the technical and professional knowledge of the administrative assistant in the understanding and implementation of the following as it relates to his/her job.			
1. I.C.E.A. Agreement	_____	_____	_____
2. O.D.E. Standards	_____	_____	_____
3. Board Policies/Rules & Regulations	_____	_____	_____
4. Management (Curriculum/Instruction) Coordination of efforts in service of areas for optimal efficiency.	_____	_____	_____
5. Other, specify: _____	_____	_____	_____
6. Comments: _____			
7. Job Targets: 1. _____			
2. _____			

B. PROFESSIONAL CHARACTERISTICS: Factors such as being able to analyze a situation and reach a workable conclusion; being an effective leader without being dictatorial; and the ability to contribute new ideas should be considered in this area.			
1. Decision Making (Ability to act decisively and effectively)	_____	_____	_____
2. Leadership (Ability to assign and delegate work, to guide, to lead)	_____	_____	_____
3. Initiative (Evidence of resourceful- ness in dealing with complex as well as routine situations)	_____	_____	_____
4. Understanding role of administrative assistant	_____	_____	_____
5. Other, specify: _____	_____	_____	_____
6. Comments: _____			
7. Job Targets: 1. _____			
2. _____			

NEEDS

C. PERSONAL CHARACTERISTICS: COMMENDABLE ACCEPTABLE IMPROVEMENT  
 (Impressions the individual makes on others by their actions, judgments, decisions or dealings with people. Visible characteristics.)

- 1. Enthusiasm \_\_\_\_\_
- 2. Integrity \_\_\_\_\_
- 3. Appearance \_\_\_\_\_
- 4. Self Control \_\_\_\_\_
- 5. Judgment \_\_\_\_\_
- 6. Other - Specify \_\_\_\_\_

7. Comments: \_\_\_\_\_

8. Job Targets: 1. \_\_\_\_\_  
 2. \_\_\_\_\_

D. COMMUNITY/HUMAN RELATIONS SKILLS:  
 (How effectively and harmoniously the individual deals or gets along with the public, staff and board. Composure)

- 1. Communication \_\_\_\_\_
- 2. Ability \_\_\_\_\_
- 3. Flexibility \_\_\_\_\_
- 4. Human Interaction \_\_\_\_\_
- 5. Promotes and encourages cooperation \_\_\_\_\_
- 6. Other, specify: \_\_\_\_\_

7. Comments: \_\_\_\_\_

8. Job Targets: 1. \_\_\_\_\_  
 2. \_\_\_\_\_

E. PROFESSIONAL GROWTH  
 (How does the individual view the job? Do they aggressively seek knowledge and better understanding? of the job and their role in the District?)

- 1. Participation and involvement in local and state organizations \_\_\_\_\_
- 2. Attendance at workshops \_\_\_\_\_
- 3. In-service training \_\_\_\_\_
- 4. Personal skill development \_\_\_\_\_
- 5. Sets and strives to achieve goals \_\_\_\_\_
- 6. Other, specify: \_\_\_\_\_

7. Comments: \_\_\_\_\_

8. Job Targets: 1. \_\_\_\_\_  
2. \_\_\_\_\_

Additional Comments

Superintendent: \_\_\_\_\_

Evaluatee: \_\_\_\_\_

Date: \_\_\_\_\_

Adopted: October 19, 1982

Revised: January 15, 2004

**AFI EVALUATION OF EDUCATIONAL PROGRAM AND RESOURCES**

The Superintendent will on a continuing basis, evaluate the effectiveness of the instructional program and the educational resources used in achieving the District's educational goals and objectives. On or before the beginning of each calendar year, the Superintendent will submit a written and comprehensive report of his evaluative findings to the Board for its consideration and action. The specific purposes of this report will be to provide the Board with data for planning and budgeting for instructional improvements. The report will include facts about:

1. Relation of student growth and development to the objectives of the School District.
2. Attitude of community toward the instructional program.
3. The number of students who matriculate in a program of higher education and the percentage of these who successfully graduate.
4. Extent of and trends in admissions to colleges and universities.
5. Employment data of graduates not going to college.
6. All other relevant data that the Superintendent deems necessary.

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

Adopted: May 21, 1987

Revised: December 21, 1989; January 15, 2004

Legal Reference:

O.A.C. 3301-35-02(A)(3).

**AGA RECOGNITION FOR ACCOMPLISHMENT**

The Board appreciates the diligent effort made by its members, staff, student body, and citizen volunteers in achieving the School District's goals and objectives. The Board is mindful also that, frequently, there are exceptional achievements and contributions made by persons representing our schools, which favorably reflect on the whole character of our District. These are the people who accept demanding challenges and set new and higher standards of dedication for the rest to follow.

It is the Board's intent to grant official recognition for such outstanding accomplishments on behalf of the School District that qualifies the individual for District-wide recognition.

Recommendations for official recognition by the Board may be submitted in writing by the officers and or executive boards of the District's PTA or PTO groups, official student support groups, O.A.P.S.E. Chapter 0460, I.C.E.A., A.F.T., by the Administrative Council or by individual members of the Board of Education.

Notification of meritorious deeds that qualify for District-wide recognition will be made to the Board through the Superintendent's Report. Other noteworthy achievements that bring attention to an individual school will be handled by the school in accordance with its own policy.

A letter of recognition will be sent to deserving staff members, students, and citizens, signed by the Superintendent, Treasurer, and the Board President. When the occasion warrants a public presentation, certificates will be awarded at Board meetings.

The Indian Creek Board of Education authorizes payment for plaques, awards, and/or other forms of appreciation for recognition of prior services, and for expenses of meals and refreshments, during Board approved in-service programs and meetings.

Adopted: January 19, 1984

Revised: January 15, 2004