



MIDDLEBURY ACADEMY

PARENT/STUDENT HANDBOOK 2023-2024

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

Contents

INTRODUCTION	5
GENERAL INFORMATION	5
NON-DISCRIMINATION/TITLE IX/SECTION 504 NOTICE	5
SECTION 504 NOTICE	6
REGISTRATION, ENROLLMENT AND LOTTERY	7
ENROLLMENT	7
MONTHLY REVIEW/ANNUAL VERIFICATION/UPDATE INFORMATION	8
CAPACITY AND LOTTERY	8
HOMELESS STUDENTS.....	9
HEALTH CERTIFICATION AND IMMUNIZATION REQUIREMENTS	9
KINDERGARTEN ENTRANCE AND SCREENING	10
SCHOOL RECORDS.....	10
STUDENT RECORDS	10
TRANSFER OF RECORDS.....	11
CURRENT INFORMATION	11
REQUEST FOR RECORDS	11
NON-CUSTODIAL PARENT RECORD REQUEST.....	11
EMERGENCY MEDICAL AUTHORIZATIONS.....	11
RE-ENROLLMENT	12
WITHDRAWAL	12
ATTENDANCE	12
STUDENT PARTICIPATION IN TESTING.....	13
TRUANCY	14
ILLNESS	14
HEALTH CLINIC.....	14
VISION, HEARING, AND SCOLIOSIS SCREENING.....	14
DISPENSING MEDICATION	15
ASTHMA INHALERS AND OTHER PRESCRIPTION MEDICATION.....	15
HOMEWORK.....	16
ABSENCES/HOMEWORK	17
PROGRESS REPORTS	17
REPORT CARDS	17
PARENT-TEACHER CONFERENCES	17

EARLY SCHOOL DISMISSAL	18
CARS/PARKING/BUSES	18
BEHAVIOR GUIDELINES	18
CODE OF CONDUCT	18
SUSPENSION, EXPULSION, EMERGENCY REMOVAL,	20
PERMANENT REMOVAL,	20
DUE PROCESS RIGHTS	20
SUSPENSION:	20
EXPULSION:	21
PERMANENT EXCLUSION	22
EMERGENCY REMOVAL:	23
RIGHT TO APPEAL TO BOARD:	23
DISCIPLINE FOR STUDENTS WITH DISABILITIES.....	25
CHANGE IN PLACEMENT	25
DRESS CODE	28
BULLYING & AGGRESSIVE BEHAVIORS	28
WEAPONS	30
DRUG-FREE	30
TOBACCO POLICY	31
REPORTING CHILD ABUSE/NEGLECT	32
WELLNESS PROGRAM	32
BREAKFAST/LUNCH	33
MONEY	33
CHILD FIND	33
TELEPHONES	33
CELL PHONES	33
PERSONAL ITEMS BROUGHT TO SCHOOL	34
STOLEN ITEMS	34
TEXTBOOKS	34
RECESS	34
CURRICULUM	34
ASSESSMENT.....	35
INTERVENTION	35
STUDENT PROMOTION AND RETENTION	35
TECHNOLOGY AND INTERNET SAFETY POLICY	35
EMERGENCY SCHOOL CLOSINGS	37
SAFETY	38
GANGS	38

SECURITY	38
VISITORS.....	39
PARENTAL CONCERNS	39
PARENT INVOLVEMENT AND VOLUNTEER PROGRAM	39
STUDENT PHOTOGRAPHS – PICTURE DAY.....	40
YEARBOOKS.....	40
LOST AND FOUND.....	40
FIELD TRIPS	41
CLASSROOM PARTIES	41
SUPPLIES.....	41
DESKS, LOCKERS, AND OTHER PERSONAL STORAGE AREAS	41
PARENTS’ RIGHT TO KNOW TEACHER QUALIFICATIONS.....	42
ATTACHMENT I	ERROR! BOOKMARK NOT DEFINED.
ANTI- HARASSMENT, INTIMIDATION AND BULLYING POLICY.....	43

Introduction

We welcome you to Middlebury Academy! We are pleased that you have made the choice to send your child to Middlebury Academy. Middlebury Academy will work to ensure that our students are prepared to be successful in life after graduation and beyond. In the pursuit to prepare our students for life after graduation, we must create a productive learning environment with high expectations. All children need to feel safe and secure in an environment that is caring, nurturing and stimulating and that develops the whole child emotionally, intellectually, physically, and socially. Teachers will work to build a positive relationship with all students in order to gain trust and respect and, ultimately, to enhance student learning. Teaching provides an opportunity to get all students actively engaged, participating, and contributing to their own educational process. Teachers will guide students in solving problems as the students grow, discover, and experience the world around them. Cooperation, respect for others, and structure are essential to learning. For this reason, the following regulations and guidelines have been set forth in this manual to assist in maintaining a positive learning Academy.

General Information

Parents: Any reference to parent or parents in this handbook refers to parent, guardian, caretaker, or foster caregiver.

Parents and students must also abide by all policies in the Board of Directors Board Policy Manual. All policies are subject to change upon approval of the Board of Directors. If there are any inconsistencies between this handbook and the Board Policy Manual, the Board Policy Manual shall supersede.

Non-Discrimination/Title IX/Section 504 Notice

The School shall not discriminate on the basis of sex, race, color, national origin, disability or age in its programs and activities and will provide equal access to all individuals.

Pursuant to Title IX of the Education Amendment Acts of 1972, no person shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program, activity, or employment on the basis of sex.

Complaints of sexual harassment will be addressed in compliance with Title IX of the Education Amendments of 1972 and the U.S. Department of Education's regulations related thereto.

Sexual harassment is conduct on the basis of sex that satisfies one or more of the following:

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

Title IX Coordinator

The School's Title IX Coordinator shall coordinate the School's efforts to comply with Title IX responsibilities. For any reports or inquiries regarding Title IX concerns, contact the designated Title IX Coordinator as follows:

Jillian Thornton, Vice President of Operations/Compliance, Educational Empowerment Group
1115 S. Main Street, Akron, Ohio 44301
330-956-7203
Jillian@edempowerment.com

Section 504 Notice

Section 504 of the Rehabilitation Act of 1973 ("Section 504") prohibits discrimination against persons with a disability in any program receiving federal financial assistance. The Americans with Disabilities Act ("ADA") prohibits discrimination on the basis of disability in public accommodations and employment. Additional information can be found in the Board Policy Manual Section 504 ADA policy or by contacting the Section 504 Coordinator.

Section 504 Coordinator

Executive Directors Meaghan Bush
Empowerment Group
1115 S. Main Street, Akron, Ohio 44301
330-956-7203
Meaghan@edempowerment.com

Registration, Enrollment and Lottery

The school will provide learning opportunities to a minimum of twenty-five students for a minimum of 920 hours per school year.

Admission to the School is open to any student grades K through 8 who reside in any district in the State of Ohio and who is entitled to attend school per ORC Section 3313.64 or 3313.65. The School will follow the Ohio Department of Education's Model Student Acceleration Policy for Advanced Learners.

Enrollment

To enroll, parents/guardians must submit the following to the Academy:

1. Completed registration form
 2. Student's birth certificate
 3. Photo identification of parent/guardian enrolling the student
 4. Student's current immunization record
 5. **Proof of Residency/Address Verification** - one (1) of the following in the parent/guardian/student name, showing the complete address, and date:
 - A deed, mortgage, lease, current home owner's or renter's insurance declaration page, or current real property tax bill;
 - A utility bill or receipt of utility installation issued within ninety days of enrollment;
 - A paycheck or paystub issued to the parent or student within ninety days of the date of enrollment that includes the address of the parent's or student's primary residence;
 - The most current available bank statement issued to the parent or student that includes the address of the parent's or student's primary residence;
 - Notifications from Social Security and/or Job and Family Services dated within thirty days.
 - Notarized affirmation from parent(s) of current resident address.
- Custody paperwork, if applicable
 - When a student loses permanent housing and becomes a homeless child or youth, as defined in 42 U.S.C. 11434a, or when a child who is such a homeless child or youth changes temporary living arrangements, the district in which the student is entitled to attend school shall be determined in accordance with division (F)(13) of section 3313.64 of the Revised Code and the McKinney-Vento Homeless Assistance Act," 42 U.S.C. 11431 et seq.
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Monthly Review/Annual Verification/Update Information

Upon the enrollment of each student and on an annual basis, the School shall verify to the Ohio Department of Education the school district in which the student is entitled to attend school under section 3313.64 or 3313.65 of the Ohio Revised Code. Monthly the School shall review the residency records of students.

Parents/guardians/students 18 years of age and older are required to provide the School with one of the above-specified documents as Proof of Residency/Address Verification annually, at any time a change of address, residency or custody changes, or at other time upon request of the School.

Capacity and Lottery

The Academy will not exceed the capacity of the Academy's programs, classes, grade levels or facilities. When the number of applicants for admission exceeds the School's capacity, admissions will be determined by a lottery of applicants. Preference will be given to students who attended the School the previous school year; to siblings of returning students; and to students who reside in the district in which the school is located.

The Academy's Open Enrollment period and lottery procedures will take place in the spring of the year of enrollment. All prospective students will be given the opportunity to enroll in the free public charter school, regardless of race, color, national or ethnic origin, religion, gender, social or economic status, or special needs. The lottery will be based on students who submitted complete applications with required documentation

The lottery will be held on the first Wednesday following April 15th at 5 pm in the Academy foyer. The results will be witnessed and parents will be notified of the results. *The Academy commits to making the lottery and enrollment procedures and practices clear and transparent to parents, staff and community.*

Any applications received after April 15th will be dated and time stamped. Children listed on these applications will be added to the list for their grade in the order they are received. If openings are available, the children will be given a spot in the Academy. If there are no openings, they will be added to the waiting list.

As openings occur, families on the waiting list will be contacted regarding the vacancy. They have 48 hours to accept the available opening. If they decline the offer, their name will be removed from the waiting list and they must resubmit an intent form the following spring and participate in the stated admission procedures, including a possible lottery.

Homeless Students

In accordance with the McKinney-Vento Homeless Assistance Act and Ohio law, the School believes all homeless children have a right to equal educational opportunities. The School shall provide services to each homeless child or youth that is comparable to services offered to other students in the School.

Homeless students should be enrolled immediately. Enrollment shall occur even if the student does not have the enrollment records required by the School. The School shall contact the school last attended by the student to obtain health records and shall immediately refer the homeless child's parent or guardian to the School's homeless liaison so additional documents may be obtained. The School must obtain all records in a timely fashion.

Enrolled homeless students shall be provided services comparable to services offered to other students in the school. Services include, but are not limited to: transportation, programs in vocational and technical education, programs for gifted and talented students, school nutrition programs, and before/after school programs. Additional information can be found in the Board Policy Manual Homeless Student Policy.

Health Certification and Immunization Requirements

The Ohio Department of Education has revised school immunization requirements. Effective with the 2012-2013 school year and progressively thereafter, students must have the following immunizations completed before starting school in August. These immunizations are required under Ohio Law Sections 3313.671 and 3701.13 of the Ohio Revised Code. (Exceptions are provided for under the law. This can be discussed with the school's nurse or health aide.)

According to Section 3313.671, on the 15th day after school entrance it will be necessary to exclude all students from school who do not meet the above requirements.

Medical authorities and school educators urge that every child have a complete medical examination before entering school in order that defects, if present, may be corrected and the child be physically ready to accept all the advantages which education has to offer.



VACCINES	FALL 2023 Immunizations for School Attendance
DTaP/DT Tdap/Td Diphtheria, Tetanus, Pertussis	<p>K-12 Four or more doses of DTaP or DT, or any combination. If all four doses were given <i>before the fourth birthday</i>, a fifth dose is <i>required</i>. If the fourth dose was administered at least six months after the third dose, and on or after the fourth birthday, a fifth dose is not required.*</p> <p>Grade 7-12 One dose of Tdap vaccine must be administered on or after the tenth birthday. **</p>
POLIO	<p>K-12 Three or more doses of IPV. <i>The FINAL dose must be administered on or after the fourth birthday</i>, regardless of the number of previous doses.***</p>
MMR Measles, Mumps, Rubella	<p>K-12 Two doses of MMR. The first dose must be administered on or after the first birthday. The second dose must be administered at least 28 days after the first dose.</p>
HEP B Hepatitis B	<p>K-12 Three doses of hepatitis B. The second dose must be administered at least 28 days after the first dose. The third dose must be given at least 16 weeks after the first dose and at least eight weeks after the second dose. The last dose in the series (third or fourth dose) must not be administered before age 24 weeks.</p>
VARICELLA (Chickenpox)	<p>K-12 Two doses of varicella vaccine must be administered prior to entry. The first dose must be administered on or after the first birthday. The second dose should be administered at least three months after the first dose; however, if the second dose is administered at least 28 days after the first dose, it is considered valid.</p>
MCV4 Meningococcal	<p>Grade 7 One dose of meningococcal (serogroup A, C, W, and Y) vaccine must be administered on or after the tenth birthday.</p> <p>Grade 12 Two doses of MCV4. Second dose on or after age 16 years. If the first dose was given on or after the 16th birthday, only one dose is required. ****</p>

NOTES:

- Vaccine should be administered according to the most recent version of the *Recommended Child and Adolescent Immunization Schedule for ages 18 years or younger* or the *Catch-up immunization schedule for persons aged four months-18 years who start late or who are more than one month behind*, as published by the Centers for Disease Control and Prevention's Advisory Committee on Immunization Practices. Schedules are available for print or download through www.cdc.gov/vaccines/schedules/index.html.
- Vaccine doses administered less than or equal to four days before the minimum interval or age are valid (grace period). Doses administered greater than or equal to five days earlier than the minimum interval or age are not valid doses and should be repeated when age appropriate. If MMR and varicella are **not** given on the same day, the doses must be separated by at least 28 days with no grace period.
- For additional information, please refer to the [Ohio Revised Code 3313.67](#) and [3313.671](#) for school attendance and the [ODH Director's Journal Entry](#) on required vaccines for child care and school. These documents list required and recommended immunizations and indicate exemptions to immunizations.
- **Please contact the Ohio Department of Health Immunization Program at 800-282-0546 or 614-466-4643 with questions or concerns.**

* Recommended DTaP or DT minimum intervals for kindergarten students are four weeks between the first and second doses, and the second and third doses; and six months between the third and fourth doses and the fourth and fifth doses. If a fifth dose is administered prior to the fourth birthday, a sixth dose is recommended but not required.

** Tdap can be given regardless of the interval since the last tetanus or diphtheria-toxoid containing vaccine. Children age seven years or older with an incomplete history of DTaP should be given Tdap as the first dose in the catch-up series. If the series began at age seven to nine years, the fourth dose must be a Tdap given at age 11-12 years. If the third dose of Tdap is given at age 10 years, no additional dose is needed at age 11-12 years.

*** The final polio dose in the IPV series must be administered at age four years or older with at least six months between the final and previous dose. Only trivalent OPV (tOPV) counts toward the U.S. vaccination requirements. Doses of OPV administered before April 1, 2016, should be counted (unless specifically noted as administered during a campaign). Doses of OPV administered on or after April 1, 2016, should not be counted. If any combination of IPV and OPV was received, four doses of either vaccine are required.

**** Recommended MCV4 minimum interval of at least eight weeks between the first and second doses. If the first dose of MCV4 was administered on or after the sixteenth birthday, a second dose is not required. If a pupil is in twelfth grade and is 15-years-old or younger, only one dose is required. Currently, there are no school entry requirements for meningococcal B vaccine.

Kindergarten Entrance and Screening

Children entering the Kindergarten Program must be five years of age on or before September 30th. At the beginning of the school year, all kindergarten children will be academically and developmentally screened. Parents/Guardians will be notified as to the dates and times of the screenings. For additional information on entrance to kindergarten see the Board Policy Manual Early Entrance Policy.

A child who does not meet the age requirements set forth above, but who will be five or six years old, respectively, prior to the first day January of the school year in which admission is requested and who is referred by the child's parent or guardian, an educator employed by the School, a preschool educator who knows the child or a pediatrician or psychologist who knows the child, shall be evaluated for early admittance by the School's Early Entrance Evaluation Committee. The School's Evaluation Committee shall interview the parent or guardian and child and arrange for the necessary testing. The testing will include a nationally normed test in addition to observations of the child. The School's Governing Authority/Board of Directors shall have the final authority on whether to admit or not admit the student based upon recommendations from the Committee.

If a child for whom admission to kindergarten or first grade is requested will not be five or six years of age, respectively, prior to the first day of January of the school year in which admission is requested, the child shall be admitted only in accordance with the School's Acceleration Policy.

School Records

Student Records

Confidential student records contain educational information that has restricted access due to the Family Education Rights and Privacy Act (FERPA). The Academy takes student records and their confidentiality very seriously. The Academy will not disclose student records to anyone outside of the school, except in cases that we must comply with State and Federal laws that authorize the release of such information without consent. The only people that will have access to student records are our Academy, the Academy's Sponsor, and Management.

It is the policy of the Academy not to release any Student Directory Information or any personal information such as names of student's parents or other family members; personal identifiers, such as social security numbers or student identification numbers; a list of personal characteristics or other information which would make the student's identity traceable to outside agencies or requesting parties without the direct written consent of the parent or guardian or as otherwise required by law.

Transfer of Records

Student Records are only released to another school upon receiving a signed and dated release of records from that school, from a signed release by the parent/guardian or as otherwise required by law.

Current Information

When changes in address, telephone, and/or legal custody occur during the school year, parents must notify the Academy office to ensure student records are up-to-date.

Request for Records

Administration will request student records from the student's previous school upon completion of enrollment. Ohio mandates that the requested records must be received within fourteen (14) days.

Non-Custodial Parent Record Request

Access to records will be in accordance with the Family Educational Rights and Privacy Act of 1974, as pertaining to release of records. Upon request, non-custodial parents shall be entitled to exercise all parental rights to the extent that such rights are not restricted by a legally binding instrument or court order. A "non-custodial parent" refers to the parent who does not have custody of the child, but does have the right to information about the child's education.

If there is a court order concerning legal custody of a child, an Information Regarding Legal Custody Form must be completed and on file in the child's cumulative record. This form is part of the Enrollment Packet or it can be obtained through the Academy office.

Emergency Medical Authorizations

Each parent is asked to complete and return to the Academy an Emergency Medical Authorization Form which will be included in the student's cumulative record folder. This authorization will include the necessary information the school must have should an emergency arise. It is extremely important that this authorization be fully completed and updated.

Re-Enrollment

For those students presently attending the Academy, re-enrollment starts at the end of February or during the first week of March. Preference for enrollment is given to current students and then to their siblings. Students are not automatically re-enrolled each school year. Community school students must be re-enrolled each school year.

Withdrawal

Parents/Guardians withdrawing students from the Academy for any reason should notify the Academy office. A signed and dated records release must be sent to the Academy from the receiving school before any records can be sent. Records will be transferred to the new district within 5 days of receipt of the signed authorization. All outstanding fees, academic records or obligations must be met including return of Academy property.

Attendance

Parents are asked to partner with Middlebury Academy by making sure that students are in attendance at School as much as possible. Southwest Educational Development Laboratory states, "When schools, families, and community groups work together to support learning, children tend to do better in school, stay in school longer, and like school more." Middlebury Academy understands that parental involvement makes an enormous impact on student achievement, student's attitudes toward school, and their daily attendance. We realize that the School's strength lies in the hands of its families and the extent to which they become involved in the daily activities of students. There is a very clear and direct correlation between student achievement and student attendance. Regular attendance and punctuality are essential for success in school and necessary for success later in life. Each student at the Academy has the responsibility to attend all classes regularly and to be on time.

The required attendance of children shall conform to the minimum standards prescribed by State law. Therefore, absences from school should be only for illness or an emergency. In case of absence from school:

- The parent/guardian must notify the school prior to the beginning of the school day from which his/her child will be absent. Calls are to be made to the Academy office. Parents who do not call the school will be notified within 120 minutes of the start of the school day of their student's absence.
- Any student who needs early dismissal must bring a note signed by the parent/guardian. The note must indicate who would pick up the child. Parents or a designated adult will be required to sign the child out in the Academy

office when they leave and then sign in if they return for the remainder of the school day;

- All students reporting to school after the Academy's school day begins will be considered tardy. Parents or a designated adult will be required to sign the child in when they arrive at school;
- While permission will be given for a dental/doctor appointment during school hours, parents are encouraged to make these appointments for times other than class hours, if at all possible. Every tardy or absence slows the progress of a child's development;
- Both "excused" and "unexcused" absences are counted toward the maximum allowable absences. The distinction is made between "excused" and "unexcused" absences for the purpose of determining whether or not a student may have the opportunity to make-up class work and whether or not disciplinary action is in order; and
- The State of Ohio sets 1/10 of the school year as the allowable absences before a student may be retained in his/her present grade level for absenteeism; thus, translating to about seventeen (17) days of absences.
- As per State Law, a student failing to participate in 72 consecutive hours of learning opportunities without a legitimate excuse must be automatically withdrawn from school.

The term "excused" will refer to any absence from a class based on the following:

- Personal illness;
- Doctor/Dental appointment;
- Death of a relative;
- Family emergency;
- Observance of a religious holiday; and/or
- Other emergencies or circumstances deemed by the building Principal.

The term "unexcused" will refer to any absence not in the categories of excused absences or not deemed excused per the building principal's discretion.

Student Participation in Testing

Federal and state laws require all districts and schools to test all students in specific grades and courses. There is no law that allows a parent or student to opt out of state testing, and there is no state test opt-out procedure form. There may be consequences for the student, the student's teacher, and the school and district if a parent withdraws a child from participation in certain state tests.

The Ohio Department of Education has provided guidance on the possible consequences for students when they do not take state tests. The informational sheet form ODE may be found at the link below:

<http://education.ohio.gov/getattachment/Topics/Testing/Sections/Resources/Student-participation.pdf.aspx>

Truancy

Ohio School law defines truancy as an absence from school without permission and applies to student between ages six (6) and eighteen (18). The school will follow all notification requirements as included in the Attendance, Truancy, and Automatic Withdrawal policy Board Policy Manual, including all intervention strategies. If subsequent unexcused absences occur, the Academy may, and in some circumstances is required to, send documentation to the appropriate reporting agency.

Illness

Children should not attend school if they have a fever, rash, flu, lice or have vomited during the night, to help decrease the spread of illness to others. If your child is ill, please keep him/her at home. Students should not return to school until a 24-hour period has elapsed with a normal temperature. Your cooperation in the communicable disease program will be greatly appreciated. In the event your child becomes ill at school, every attempt will be made to contact persons named on the Emergency Contact form.

All families are required to follow current CDC protocols and school guidelines regarding COVID-19.

Health Clinic

When available, the school nurse or health aide handles all first aid through the Health Clinic, otherwise First Aid issues will be handled by other school personnel. All students are required to have an Emergency Authorization Form on file at the Academy. These forms will be used in case there is a medical emergency or an illness.

Vision, Hearing, and Scoliosis Screening

Screening for the students will be conducted in accordance with state guidelines. The Academy nurse will notify the parent/guardian of the results. Any conditions discovered that may impede the student's health or Academy progress will be brought to the parent's/guardian's attention by the school nurse.

Dispensing Medication

For those who have a physical condition which requires medication, the following applies:

- A medication Authorization Form must be completed and signed by both the parent/guardian and the student's physician.
- The medication must be brought to the Academy by a parent/guardian. Students are not permitted to transport medication on the bus or bring to the Academy on their own.
- For over-the-counter medication, the parent/guardian and physician must sign the permission form;
- The Academy does not provide any type of medication.
- All medication must be brought to the Academy in the original container with the pharmacy label on it which includes the child's name, physician's name, current date, pharmacy name and phone number, name of medication, prescribed dosage, special handling and storage.
- All medication is kept in a locked cabinet in the health clinic.

Asthma Inhalers and Other Prescription Medication

Parents of students with allergies are required to notify the School in writing of any known allergies at the beginning of each school year or upon learning of such allergy if the school year has already begun.

Per Ohio Revised Code Section 3313.716 students are permitted to possess and use a metered dose or dry powder Asthma Inhaler to alleviate or prevent asthmatic symptoms at the School.

Per Ohio Revised Code Section 3313.718(B) and 3314.03(A)(11)(d) students are permitted to carry and use an epinephrine auto-injector to treat anaphylaxis (an intense allergic reaction). In order for a student to properly possess or use an epinephrine auto-injector at the School written approval from the Student's physician and parent must be signed and received by the School.

For medications other than asthma inhalers and epinephrine auto-injectors, written approval by the Student's physician must include all information as detailed herein

below or as indicated on the Food Allergy Action Plan, if applicable. If a student has a serious food allergy, the Parent must complete a Food Allergy Action Plan.

“Written Approval” must include the following information:

1. The name and address of the Student;
2. The name of the School;
3. The name of the medication and the dosage to be administered;
4. The times or intervals at which each dosage of the medication is to be administered;
5. The date the administration of the medication is to begin;
6. The date the administration of the medication is to cease (if applicable);
7. Acknowledgement that the physician has determined that the Student is capable of possessing and using the inhaler or auto injector appropriately and has provided the Student with training in the proper use;
8. Any severe adverse reactions that should be reported to the physician and one or more phone numbers at which the physician can be reached in an emergency;
9. Instructions outlining procedures to follow if the medication does not provide adequate relief;
10. A list of adverse reactions that may occur to an individual for whom the medication was not intended uses the medication;
11. At least one emergency telephone number for contacting the physician and one number for contacting the parent/guardian
12. And any other special instructions.

Trained School staff may administer epinephrine in an emergency situation, in accordance with the Written Approval and/or the student’s Food Allergy Action Plan when emergency medical service providers are not immediately available and the exigency of the circumstance require immediate action. School staff will immediately request assistance from an emergency medical service provider whenever a student is administered epinephrine at the School or at an activity, event, or program sponsored by the School. This request for medical assistance applies whether the student self-administers the medication or a School staff administers it to the student.

For additional information regarding medication dispensing including for those students needing diabetes care, refer to the Medication Policy in the Board Policy Manual.

Homework

Please refer to your child’s teacher(s) for their specific homework policy.

Absences/Homework

When an excused absence occurs, students are responsible for making up the assignments that are missed. The teacher will assign make-up work and set the date for completion, which shall be the same number of days as the corresponding absence. In the event of a planned excused absence, the school must be provided advanced notice in order for teachers will provide class assignments. Students must return completed assignments upon returning to school.

It is strongly suggested that absences not occur during the State Assessment week(s). Please refer to the Academy calendar for testing dates.

Progress Reports

Communication between the school and parents establishes an environment of learning beyond the Academy walls. To keep parents/guardians informed on an on-going basis, the teacher will send home Progress Reports. Parents should anticipate receiving this communication. Please note, the teacher may indicate a desire to have the parent sign and return this form.

Report Cards

Report Cards will be distributed on a quarterly basis. Please refer to the Academy's calendar which outlines the end of each grading period. Report cards will be distributed to parents/guardians at the end of each grading period. Copies of all report cards are retained in the student's cumulative file in a locked storage cabinet.

Parent-Teacher Conferences

We welcome the opportunity to meet and speak with parents/guardians regarding their students' academic progress. Parent-teacher conferences will be conducted at least once a year. Consult the Academy's school year calendar for these dates. Once a date and time has been arranged, please contact your child's teacher if a change is necessary. Upon request, a conference can be held outside the Academy's scheduled conferences at any given time.

Early School Dismissal

Occasionally, weather conditions or other building emergencies may arise that necessitate sending students home earlier than the regular dismissal time. The Academy will make every effort to contact the parents under these conditions.

Cars/Parking/Buses

At the beginning of the school year the Academy personnel will provide arrival and dismissal procedures, proper traffic flow, parking, and busing information.

Behavior Guidelines

Student behavior and discipline has been identified as a problem that must be addressed across the country within schools. Student behavior and discipline within a school can add to a poor culture/ environment ultimately leading to poor student academic achievement. Therefore, Dr. William Glasser's Choice Theory and our Scientific Art of Developing the Whole Child will provide the basis for a positive school culture and climate at Middlebury Academy.

The Choice Theory outlines that almost all human behavior is chosen and that we are driven by our needs for survival, love and belonging, power, freedom and fun. Staff and students will utilize Choice Theory in making daily decisions. Middlebury Academy believes that students must feel a sense of love and belonging to be successful and excel. All stakeholders will learn the Seven Caring Habits of supporting, encouraging, listening, accepting, trusting, respecting and negotiating differences, as opposed to the Seven Deadly Habits of criticizing, blaming, complaining, nagging, threatening, punishing and bribing/rewarding to control. We believe that a student's internal well-being will be inspired once they discover that the only behavior they can control is their own which enhances a love for learning and ultimately good behavior.

Code of Conduct

Middlebury Academy seeks to maintain a positive learning environment where students can flourish and excel. Therefore, when inappropriate student behavior disrupts our Academy students may be denied participation in the educational environment for a period of time. Our expectations will be communicated so students know what is expected at all times.

Corporal punishment is not permitted. No employee shall threaten, inflict, or cause to inflict unreasonable, irrational, or inappropriate force upon a student.

The rules of the Student Code of Conduct apply to any conduct:

- On school grounds at any time whether school is in session or not;
- On or off school grounds at any school activity, function, or event; and
- Traveling to and from school, including actions on any school bus, van, or public conveyance.

If a Violation of the Code of Conduct occurs appropriate interventions and/or discipline measures may be imposed up to and including suspensions and/or expulsion from the Academy for offenses that include but are not limited to the following:

- 1) Use, Possession, Sale or Distribution of a knife capable of inflicting bodily harm, including but not limited to pocket knives or folding knives.
- 2) Fighting/Violence
- 3) Use, Possession, Sale or Distribution of Tobacco Products
- 4) Use, Possession, Sale or Distribution of Alcoholic Beverages or Intoxicants
- 5) Use, Possession, Sale or Distribution of a Firearm
- 6) Use, Possession, Sale or Distribution of Drugs Other Than Tobacco or Alcohol
- 7) False Alarms/Bomb Threat
- 8) Use, Possession, Sale or Distribution of a Dangerous Weapon Other Than a Firearm or Explosive, Incendiary or Poison Gas
- 9) Use, Possession, Sale or Distribution of a knife capable of inflicting bodily harm, including but not limited to pocket knives or folding knives.
- 10) Disobedient/Disruptive Behavior
- 11) Vandalism/Damage to School or Personal Property
- 12) Truancy, Tardiness or Class Cutting*
- 13) Theft/Stealing Personal or School Property
- 14) Harassment/Bullying/Intimidation
- 15) Firearm Look-a-Likes
- 16) Unwelcome Sexual Conduct
- 17) Serious Bodily Injury
- 18) Actions deemed to be unsafe or containing the potential to disrupt the educational setting
- 19) Any action in violation of classroom or school rules and procedures
- 20) Any action in violation of the rules and procedures in the Parent Student Handbook or Board of Directors Board Policy Manual.

*Students may not be suspended or expelled for truancy.

Suspension, Expulsion, Emergency Removal, Permanent Removal, Due Process Rights

The Academy recognizes that exclusion from the educational program is a serious sanction and that suspension and expulsion must follow due process mandates. Additionally, the Academy will comply with all state and federal law pertaining to students with disabilities.

A student may be disciplined for any violation of the student code of conduct, even if the violation occurs on property not owned or controlled by the school if the violation took place during activities connected with the school or if the behavior is directed at a school official.

Any student suspended or expelled under this policy will not be permitted to participate in any extracurricular activities.

Suspension:

The principal or Designee may suspend a student from the Academy for not more than ten school days. If at the time a suspension is imposed there are fewer than ten school days remaining in the school year in which the incident that gives rise to the suspension takes place, the principal may apply any remaining part or all of the period of the suspension to the following school year.

Except in the case of a student given an in-school suspension, no student shall be suspended unless prior to the suspension the principal does both of the following:

- (1) The principal shall give the student written notice of the intention to suspend the student and the reasons for the intended suspension and notice of the student's right to appear at an informal hearing before the principal to challenge the reason for the intended suspension or otherwise to explain the student's actions.
- (2) Provide the student an opportunity to appear at an informal hearing before the principal and challenge the reason for the intended suspension or otherwise to explain the student's actions.

The School shall provide students an opportunity to complete any classroom assignments missed because of an in-school or out-of-school suspension. Students shall be entitled to receive at least partial credit for a completed assignment; however, reasonable grade reduction may be made on account of a student's suspension. The School shall not assess a failing grade for a completed assignment solely on account of the student's suspension.

Expulsion:

The superintendent may expel a student from the School for a period not to exceed the greater of eighty school days or the number of school days remaining in the semester or term in which the incident that gives rise to the expulsion takes place. If at the time an expulsion is imposed, there are fewer than eighty school days remaining in the school year in which the incident that gives rise to the expulsion takes place, the superintendent may apply any remaining part or all of the period of the expulsion to the following school year. No student shall be expelled under this policy unless, prior to the student's expulsion, the superintendent does both of the following:

- (1) Gives the student and the student's parent, guardian, or custodian written notice of the intention to expel the student;
- (2) Provides the student and the student's parent, guardian, custodian, or representative an opportunity to appear in person before the superintendent or superintendent's designee to challenge the reasons for the intended expulsion or otherwise to explain the student's actions. The notice required under this section shall include the reasons for the intended expulsion, notification of the opportunity of the student and the student's parent, guardian, custodian, or representative to appear before the superintendent or superintendent's designee to challenge the reasons for the intended expulsion or otherwise to explain the student's action, and notification of the time and place to appear. The time to appear shall not be earlier than three nor later than five school days after the notice is given, unless the superintendent grants an extension of time at the request of the student or the student's parent, guardian, custodian, or representative. If an extension is granted after giving the original notice, the superintendent shall notify the student and the student's parent, guardian, custodian, or representative of the new time and place to appear.

Unless a student is permanently excluded, the Superintendent shall expel a pupil for a period of one year for bringing a firearm to the School, to an extracurricular event, or onto any other property controlled by the Governing Authority Board of Directors of the School or an extracurricular event. "Firearm" has the same meaning provided in the "Gun-Free Schools Act," a "firearm means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projective by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device, which includes a bomb grenade, a rocket having a propellant charge of more than four ounces, a missile having an explosive or incendiary charge of more than one-quarter ounce, a mine, or similar device. This definition would also include any weapon that will, or that may be readily converted to, expel a projectile by the action of an explosive or other propellant, and that has a barrel with a bore of more than one half in diameter. The term does not include an antique firearm. The Superintendent may reduce the

expulsion time on a case by case basis based upon the student's overall record at the School.

Permanent Exclusion

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

- Illegal conveyance or possession of deadly weapon or dangerous ordnance or of object indistinguishable from firearm in school safety zone in violation of R.C. 2923.11.
- Carrying a concealed weapon, trafficking in drugs or possession of controlled substances, if the violation was committed on property owned or controlled by the school or at a school activity in violation of R.C. 2923.12, R.C. 2925.03, and/or R.C. 2925.11.
- Aggravated murder, murder, voluntary manslaughter, involuntary manslaughter, felonious assault, aggravated assault, rape, gross sexual imposition, or felonious sexual penetration in violation of R.C. 2903.01, R.C. 2923.02, R.C. 2903.03, R.C. 2903.04, R.C. 2903.11, R.C. 2903.12, R.C. 2907.02, R.C. 2907.05, and/or the former section R.C. 2907.12 if the violation was committed on property owned or controlled by the school or a school activity if the victim at the time of the commission of the act was an employed at the school.
- Complicity in any of the above violations regardless of whether the act of complicity was committed on property owned or controlled by, or at an activity held under the auspices of, the school.

If the superintendent of the school obtains or receives proof that a student has been convicted of committing or adjudicated a delinquent child for the commission when the student was sixteen years of age or older of one or more of the above, the superintendent may issue to the school's governing authority a request that the student be permanently excluded from public school attendance in Ohio, if both of the following apply:

- (1) After obtaining or receiving proof of the conviction or adjudication, the superintendent or the superintendent's designee determines that the student's continued attendance in school may endanger the health and safety of other students or school employees and gives the student and the student's parent, guardian, or custodian written notice that the superintendent intends to recommend that the governing authority adopt a resolution requesting the superintendent of public instruction to permanently exclude the student from public school attendance.

(2) The superintendent or the superintendent's designee forwards to the governing authority the superintendent's written recommendation that includes the determinations the superintendent or designee made pursuant to this policy and a copy of the proof the superintendent received showing that the student has been convicted of or adjudicated a delinquent child for a violation listed in this section that was committed when the student was sixteen years of age or older.

The School shall follow all requirements for permanent exclusion as described by ORC 3313.66, including providing notice of the possibility of permanent exclusion with each suspension and expulsion notice.

Emergency Removal:

If a student's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process taking place either within a classroom or elsewhere on the School premises, the superintendent or principal may remove a student from curricular activities or from the School premises without the notice and hearing requirements of this policy. A teacher may remove a student from curricular activities under the teacher's supervision, without the notice and hearing requirements. As soon as practicable after making such a removal, the teacher shall submit in writing to the principal the reasons for such removal

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

Right to Appeal to Board:

Within one school day after the time of a student's expulsion or suspension, the superintendent or principal shall notify in writing the parent, guardian, or custodian of the student of the expulsion or suspension. In the case of an expulsion, the superintendent or principal, within one school day after the time of a pupil's expulsion, also shall notify in writing the school's Board of Directors.

Each notice shall include the following:

- (1) reasons for the expulsion or suspension and notification;

- (2) the right of the student or the student's parent, guardian, or custodian to appeal the expulsion or suspension to the Board of Directors of the School or to its designee;
- (3) the right to be represented in all appeal proceedings;
- (4) the right to be granted a hearing before the Board of Directors of the School or its designee in order to be heard against the suspension or expulsion;
- (5) the right to request that the hearing be held in executive session;
- (6) Permanent exclusion notice, if applicable;
- (7) the manner and date by which the student or the student's parent, guardian, or custodian shall notify the board of the intent to appeal the expulsion or suspension to the board or its designee.

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

If the student or the student's parent, guardian, or custodian intends to appeal the expulsion or suspension to the Board of Directors of the School or its designee, the student or the student's parent, guardian, or custodian shall notify the Board of Directors of the School in the manner and by the date specified in the notice. The student or the student's parent, guardian, or custodian may be represented in all appeal proceedings and shall be granted a hearing before the Board of Directors of the School or its designee in order to be heard against the suspension or expulsion. At the request of the student or of the student's parent, guardian, custodian, or attorney, the Board of Directors of the School or its designee may hold the hearing in executive session but shall act upon the suspension or expulsion only at a public meeting. The Board of Directors of the School, by a majority vote of its full membership or by the action of its designee, may affirm the order of suspension or expulsion, reinstate the student, or otherwise reverse, vacate, or modify the order of suspension or expulsion.

The Board of Directors of the School or its designee shall make a verbatim record of hearings held under this division. The decisions of the Board of Directors of the School or its designee may be appealed under Chapter 2506 of the Ohio Revised Code.

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

For purposes of this policy, the Board of Directors of the School appoints the Operator as its designee.

Discipline for Students with Disabilities

Consistent with this policy, to the extent the principal may order removal of a student without disabilities, the principal may remove a student with a disability, but not for more than ten (10) school days.

After a child with a disability has been removed from the child's current placement for ten school days in the same school year, during any subsequent days of removal, the school district must provide services.

If a child is removed for a period of time exceeding ten school days and the behavior was not determined to be a manifestation of the disability, the student must continue to receive educational services and receive a functional behavioral assessment and behavioral intervention services.

Change in Placement

The School will notify the parent of the removal decision that constitutes a change in placement for a student with a disability and provide the parent with a copy of the notice of procedural safeguards on the same day as the date of the removal decision.

A change in placement will occur when

- a removal is for more than ten (10) consecutive school days; or
- a series of removals constitute a pattern because;
 - the removals cumulate to more than ten (10) school days in a school year,
 - the behavior of the student is substantially similar to prior incidents, and
 - other factors such as the length of each removal, the total amount of time the student is removed, and the proximity of the removals to one another.

Manifestation Determination

Within ten school days of any decision to change the placement of a child with a disability due to a violation of the code of student conduct, the School, parent, and relevant members of the IEP team must review all relevant information in the student's file to determine:

1. If the conduct in question was caused by, or had a direct and substantial relationship to the child's disability or

2. If the conduct was a direct result of the School's failure to implement the IEP.

If either of these two conditions are found to exist, the conduct must be determined to be a manifestation of the disability.

If the IEP team and other qualified personnel determine that the student's behavior was not related to the disability, the relevant disciplinary procedures applicable to students without disabilities may be applied to the student in the same manner in which they would be applied to students without disabilities.

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

1. Conduct a functional behavioral assessment or,
2. If the behavioral plan has already been developed, review the behavioral intervention plan and the implementation plan and modify them if necessary.
 - a. The child must return to the placement from which the child was removed, unless the parent and the School agree to a change of placement as part of the modification of the behavioral intervention plan.

school personnel may remove a student to an interim alternative educational setting for not more than forty-five school days without regard to whether the behavior is a manifestation of the disability if the student:

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

Students removed under this section must continue to receive services and receive a functional behavioral assessment and behavioral intervention services.

Appeals

If a parent disagrees with any decision regarding placement or the manifestation determination decision made by the IEP team, the parent may request a hearing. Whenever a hearing is requested, the School will comply with the procedures for an expedited due process hearing.

Student in Grades Pre-Kindergarten through Third

The School may issue an out-of-school suspension or expulsion to a student in grades pre-kindergarten through three only if the student has engaged in the following behaviors:

- 1) bringing a firearm to a property operated, owned, or controlled by the School
- 2) bringing a firearm to an interscholastic competition, an extracurricular event, or any other school program or activity that is not located in a school or on property that is owned or controlled by the School
- 3) bringing a knife capable of causing serious bodily injury to a property operated, owned, or controlled by the School
- 4) bringing a knife capable of causing serious bodily injury to an interscholastic competition, an extracurricular event, or any other program or activity sponsored by the school or in which the school is a participant, or for possessing a firearm or knife capable of serious bodily injury, at a school, on any other property owned or controlled by the board, or at an interscholastic competition, an extracurricular event, or any other school program or activity, which firearm or knife was initially brought onto school property by another person
- 5) committing an act that is a criminal offense when committed by an adult and that results in serious physical harm to persons as defined in division (A)(5) of section 2901.01 of the Revised Code or serious physical harm to property as defined in division (A)(6) of section 2901.01 of the Revised Code while the pupil is at school, on any other property owned or controlled by the School, or at an interscholastic competition, an extracurricular event, or any other school program or activity
- 6) making a bomb threat to a school building or to any premises at which a school activity is occurring at the time of the threat

The School may issue an out-of-school suspension not to exceed ten days or an expulsion to a student in any of grades pre-kindergarten through three who has not engaged in any of the behaviors described above only as necessary to protect the immediate health and safety of the student, the student's fellow classmates, the classroom staff and teachers, or other school employees.

Whenever possible, the principal shall consult with a mental health professional under contract with the school prior to suspending or expelling a student in any of grades pre-kindergarten through three. If the events leading up to suspension or expulsion indicate a need for additional mental health services, the student's principal or the School's mental health professional shall, in any manner that does not result in a financial burden to the School, assist the student's parent or

guardian with locating providers or obtaining those services, including referral to an independent mental health professional.

A student in any of grades pre-kindergarten through three who is suspended or expelled shall be afforded the same notice and hearing, procedural, and educational opportunities as prescribed for a suspension or expulsion pursuant to this policy.

Nothing in this section shall be construed to limit the authority of the School to issue an in-school suspension to a student in grades pre-kindergarten through three.

Dress Code

Our students must be prepared to enter a competitive society therefore; Student dress code is an important part of the Academy's program and philosophy. In making the choice to attend Middlebury Academy, the student (with parent support) agrees to follow all dress code requirements. The dress code is not an option for the student.

The Principal, at their discretion, may have "dress-down" day when students and Staff may dress down (in reasonable fashion). The School administration reserves the right to determine dress code standards.

The student dress code is as follows:

- Dress pants that are khaki (tan), black, or navy
- Shorts or skirts that are knee-length and khaki (tan), black, or navy
- Academy uniform shirts or solid polo shirt that is tucked in
- Belts – if pants, shorts, or skirts were designed for belts, then belts should be worn
- Tennis Shoes or Dress Shoes- No platform shoes, sandals, or open-toed shoes. Students should bring tennis shoes for physical education.

Bullying & Aggressive Behaviors

Middlebury Academy is committed to providing a safe, positive, productive, and nurturing educational environment for all of its students. The Board of Directors and the Academy encourage the promotion of positive interpersonal relations between members of the school community. Aggressive behavior toward a student, whether by other students, staff, or third parties is strictly prohibited and will not be tolerated. This prohibition includes physical, verbal, and psychological abuse. The Board of Directors and Academy will not tolerate any gestures, comments, threats, or actions which cause or threaten to cause bodily harm or personal degradation. This policy applies to all activities in the Academy, including activities on school property and those occurring off school property if the student or employee is at any school-sponsored, school-approved or school-related activity or function, such as field trips

or athletic events where students are under the school's control, or where an employee is engaged in school business.

Aggressive behavior is defined as inappropriate conduct that is repeated enough, or serious enough, to negatively impact a student's educational, physical, or emotional well-being. This type of behavior is a form of intimidation and harassment, although it need not be based on any of the legally protected characteristics, such as sex, race, color, national origin, marital status, or disability. It would include, but not be limited to, such behaviors as stalking, bullying/cyberbullying, intimidating, menacing, coercion, name-calling, taunting, making threats, and hazing.

Any student who believes s/he has been or is the victim of aggressive behavior should immediately report the situation to the Principal. The student may also report concerns to a teacher or counselor who will be responsible for notifying the Principal or Board of Director's official. Complaints against the Principal should be filed with the Board of Director's President.

Every student is encouraged, and every staff member is required, to report any situation that they believe to be aggressive behavior directed toward a student. Reports may be made to those identified above.

All complaints about aggressive behavior that may violate this policy shall be promptly investigated. If the investigation finds an instance of aggressive behavior has occurred, it will result in prompt and appropriate remedial and/or disciplinary action. This may include up to expulsion for students, up to discharge for employees, exclusion for parents, guests, volunteers, and contractors, and removal from any official position and/or a request to resign for Board of Directors members. Individuals may also be referred to law enforcement officials.

The complainant shall be notified of the findings of the investigation, and as appropriate, that remedial action has been taken.

Retaliation against any person who reports, it thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry concerning allegations of aggressive behavior is prohibited and will not be tolerated. Such retaliation shall be considered a serious violation of Board policy and will be dealt with appropriately. Suspected retaliation should be reported in the same manner as aggressive behavior as outlined above.

This guideline includes all incidences of bullying, whether physical, verbal or psychological. Additionally, any form of harassment or bullying includes the use of information and communication technologies such as email, cell phone, pagers, text or instant messaging, or defamatory web sites, also known as "Cyberbullying" falls under the auspices of this guideline.

For additional information regarding bullying or aggressive behavior, refer to the Board of Directors Anti-Harassment, Intimidation, and Bullying Policy in the Board Policy Manual and in this Handbook.

Weapons

Middlebury Academy prohibits students from possessing, storing, making, or using a weapon, including a concealed weapon. This policy applies to all activities in the Academy, including activities on school property and those occurring off school property if the student or employee is at any school-sponsored, school-approved or school-related activity or function, such as field trips or athletic events where students are under the school's control, or where an employee is engaged in school business.

A weapon is defined as “any instrument capable or appearing to be capable of causing serious bodily injury to a person” and which is intended to be used, or is represented, as capable of inflicting serious bodily harm or property damage as well as endangering the health and safety of others. Weapons include and are not limited to, firearms, guns of any type whatsoever, including air and gas-powered guns (whether loaded or unloaded), pellet guns, bb guns, inoperable replica firearms, and other “look alike” weapons, knives, razors, clubs, electric weapons, metallic knuckles, martial arts weapons, ammunition, and explosives.

No student or person working or volunteering at the Academy at any time, for any reason shall possess, handle, transmit, or use any object, which can be reasonably considered a weapon or considered a “look alike” weapon in or on property of the school, school bus, or any school-sponsored activity held away from the School property, except an authorized school security officer.

The Principal will refer any student who violates this policy to the student's parents or guardians and to the criminal justice or juvenile delinquency system. The student may also be subject to disciplinary action, up to and including expulsion

Drug-Free

In accordance with federal law, the Academy prohibits the use, possession, concealment, or distribution of drugs by students on the School grounds, in the school building, on school buses, or at any School related event. Drugs include any alcoholic beverage, anabolic steroid, and dangerous controlled substance as defined by state or federal statute, or any substance that could be considered a “look alike” controlled substance. Compliance with this Academy policy is mandatory for all students. Any student who violates this policy will be subject to disciplinary action, in accordance with due process and as specified in the Student Code of Conduct, up to and including

expulsion from the Academy. When required by state law, the Academy will also notify law enforcement officials.

Tobacco Policy

Definitions:

"Smoke" means to burn any substance containing tobacco, including a lighted cigarette, cigar, or pipe, or to burn a clove cigarette.

"Use tobacco" means to chew or maintain any substance containing tobacco, including smokeless tobacco, in the mouth to derive the effects of tobacco.

"Tobacco products" includes e-cigarettes, electronic nicotine delivery systems (ENDS), and other electronic smoking or vaping devices (including JUUL's, myBlu, Mojo, etc.).

This policy does not apply to any cessation product approved by the United States Food and Drug Administration for use as a medical treatment to reduce and eliminate nicotine or tobacco dependence.

Prohibition:

No student shall smoke or use tobacco or tobacco products or possess any substance containing tobacco in any area under the control of the School or at any activity supervised by the School.

No student shall use or possess any substance containing betel nut in any area under the control of the School or at any activity supervised by the School.

Enforcement/Disciplinary Measures:

1. The first violation of this policy shall result in confiscation of tobacco products, notification to parents and/or guardians if the student is under 18 years of age, and at least one the following:
 - a. A student meeting and individual student assessment with a chemical health educator or designated staff to discuss commercial tobacco use and school policy.
 - b. Student participation in tobacco education program.
 - c. Offering student information about available cessation programs and resources.

Additional disciplinary measures may be implemented at the discretion of the school leader in accordance with the Student Code of Conduct.

2. The second violation of this policy shall result in confiscation of tobacco products, notification to parents and/or guardians if the student is under 18

years of age, and offering the student information about available cessation programs, as well as at least one of the following:

- a. A student meeting and individual student assessment with a chemical health educator or designated staff with parents and/or guardians to discuss commercial tobacco use and school policy.
- b. Student participation in a tobacco education program.

Additional disciplinary measures may be implemented at the discretion of the school leader in accordance with the Student Code of Conduct.

3. The third and any subsequent violation of this policy shall result in confiscation of tobacco products, notification of parents and/or guardians if the student is under 18 years of age, offering student information about available cessation programs, and student participation in a tobacco education program as well as at least one of the following:
 - a. A student meeting and individual student assessment with a chemical health educator or designated staff with parents and/or guardians to discuss commercial tobacco use and school policy.
 - b. Other disciplinary measure.

Resources:

For educational materials and local tobacco cessation programs, visit <https://odh.ohio.gov/know-our-programs/tobacco-use-prevention-and-cessation/welcome-to>

Reporting Child Abuse/Neglect

The school will follow Ohio Revised Code 2151.421 and 3319.073 and the Child Abuse or Neglect Reporting Policy in the Board Policy Manual in reporting child abuse and neglect.

Wellness Program

Healthy eating patterns are essential for students to achieve their full academic potential, build physical and mental growth and lifelong health and well-being. With the passing of the Child Nutrition and Women, Infants, and Children (WIC) Reauthorization Act of 2004 by Congress, the Middlebury Academy recognizes the role it can play in building nutrition knowledge and skills in children to promote healthy eating and physical activity choices. The Academy's objectives are to improve the school nutrition environment, promote student health, and reduce childhood obesity.

Breakfast/Lunch

Families needing assistance may apply for free or reduced lunch fees through the Academy office. Information for the free and reduced breakfast/lunch program is sent home early in the school year or the forms are available in the Academy office. Menus for both breakfast and lunch are sent home monthly. Breakfast and lunch are available daily for students who wish to purchase them. Students may bring their lunch if they wish. No carbonated beverages and candy are permitted.

Money

All money turned into the Academy should be in an envelope marked with the student's name, grade, amount, and purpose. Students are not to bring unnecessary money to school. The Academy is not liable for lost or stolen money brought to school by the student.

Child Find

The school is participating in an effort to assist the State of Ohio in identifying, locating, and evaluating all children from birth through 21 years of age who may have disabilities. If you have or know of a child who may have a disability, contact the school for more information and help. The Academy will ask for information about the nature of the child's disability, specific steps taken to address the disability, and what background or testing information is available regarding the child's disability. If you or someone you know has a child who needs assistance specifically related to a disability, you may contact the Academy's Principal.

Telephones

Parents are requested not to call the Academy for the delivery of messages to children, except in cases of emergency.

Cell Phones

It is understood that some parents choose to send students to school with a cell phone for security reasons. Students are NOT permitted to possess cell phones during instructional hours. Cell phones are to be turned in to the front office upon arrival to school. At that time, the phone will be labeled and locked in the school office. Cell phones will be returned to students before they leave at the end of each day. If a student is found with a cell phone during the school day, it will be taken and returned only to the parent if deemed prudent to do so by the building administrator.

Please Note: The Academy is not responsible for the cost or replacement of lost, damaged or stolen cell phones that are brought to the school whether under the control of school personnel or in the student's possession.

Personal Items Brought to School

Students are not allowed to bring personal items to school to avoid disruption of the educational process. Such articles will be taken and returned only to the parent/guardian. Except for approved fundraisers, students are not permitted to sell or trade anything among themselves at school, on the school grounds or on the bus.

Please Note: The Academy is not responsible for replacement of lost, damaged or stolen items brought to school.

Stolen Items

The Academy will attempt to retrieve stolen items for students and be prudent in helping to prevent theft among the students. The Academy is not responsible for stolen personal items, including cell phones.

Textbooks

Students are expected to take care of and are responsible for the textbooks assigned during the school year. A replacement fee will be charged for lost or damaged books. The student's academic records will not be released until payment of the replacement fee is settled.

Recess

When scheduled, students are expected to participate in outdoor recess activities during the school day - weather permitting. Generally, if a student is too sick to go outside for recess, the student should not be in school.

Typically, all students will remain inside if the temperature is 20 degrees or less (actual or wind chill).

Curriculum

The knowledge and skills defined in the Common Core Standards are within reach of all of our students. The Academy's educational program and curriculum will directly correlate with Ohio's New Learning Standards. The standards, benchmarks, and learning level indicators will reflect what students know and are able to demonstrate

as a result of the Middlebury Academy's academic program. Students, however, develop at different rates. All students learn and experience success given time, a nurturing environment, and high expectations, but the degree to which the standards are met and the time it takes to reach the standards will vary from student to student. Middlebury Academy will use Ohio's New Learning Standards as a rubric for daily instruction. Learning Standards will provide the base of a student centered curriculum that is designed to meet the needs of each student every day. The student's academic and social skills development will be facilitated through a variety of programs.

Assessment

Student assessment and data-driven decision making are core values of Middlebury Academy. Assessment is the avenue by which staff can identify, measure, and ensure students are mastering the Standards and making academic progress. At the beginning of the school year and throughout, a battery of assessment instruments will be administered to students.

Intervention

Intervention is supplemental instruction based on student needs, designed to provide remediation, reinforcement, enrichment, or support for pupil learning relative to specified pupil performance objectives.

Student Promotion and Retention

Student shall be promoted to the next grade level when he or she completes the required course work/credit hours pursuant to the school's curriculum and any State-mandated requirements at the current grade.

A student is prohibited from being promoted to the next grade level if the student has been absent without excuse for more than 10% of the required attendance days for the current school year and has failed two or more required curriculum subject areas in the current grade. A student may only be promoted under these circumstances if the Principal and student's teachers of any failed subject areas agree that the student is academically prepared to be promoted.

Technology and Internet Safety Policy

The use of technology is a privilege and an important part of the Academy's overall curriculum. The Academy will, from time to time, make determinations on whether specific uses of technology are consistent with School policies for students and employees of the School but does not warrant that the technology resources will meet any specific requirements of the student or other users, or that it will be error free or uninterrupted. The Academy always reserves the right to monitor and log technology use, to monitor file server space utilization by users, and examine specific network

usage (as may be deemed necessary) for maintenance, safety or security of the technology resources or the safety of the user.

By signing the Parent/Student Contract Page at the end of the Parent/Student Handbook, the parent and student agree:

- To abide by all School policies relating to the use of technology;
- To release all School employees from any and all claims of any nature arising from the use or inability to use the technology;
- That the use of technology is a privilege; and
- That use of the technology will be monitored and there is no expectation of privacy whatsoever in any use of the technology.

The parent/student further agrees and understands that the user may have his/her privileges revoked or other disciplinary actions taken against them for actions and/or misuse such as, but not limited to, the following:

- Altering system technology, including but not limited to, software or hardware;
- Placing unauthorized information, computer viruses or harmful programs on or through the computer system in either public or private files or messages;
- Obtaining, viewing, downloading, transmitting, disseminating or otherwise gaining access to or disclosing materials the Academy believes may be unlawful, obscene, pornographic, abusive, or otherwise objectionable.
- Using technology resources for commercial, political, or other unauthorized purposes. The Academy technology resources are intended only for educational use;
- Intentionally seeking information on, obtaining copies of, or modifying files, other data, or passwords belonging to other users;
- Disrupting technology through abuse of the technology, including but not limited to, hardware or software;
- Malicious uses of technology through hate mail, harassment, profanity, vulgar statements, or discriminating remarks;
- Interfering with others' use of technology;
- Installation of software without consent of the Academy;
- Allowing anyone else to use an account other than the account holder; and
- Other unlawful or inappropriate behavior;

The user also acknowledges and agrees that he/she is solely responsible for the use of his/her accounts, passwords, and/or access privileges, and that misuse of such may result in appropriate disciplinary actions (including but not limited to suspension or expulsion), loss of access privileges, and/or appropriate legal action.

The user must also know and further agrees that:

- Should the user transfer a file, shareware, or software that infects the technology resources with a virus and causes damage, the user will be liable for any and all repair costs;
- The user will be liable to pay the cost or fee of any file, shareware, or software transferred or downloaded, whether intentional or accidental;
- Should the user intentionally destroy information or equipment that causes damage to technology resources, the user(s) will be liable for any and all costs; and
- Violation of this Internet Safety Policy is also a violation of the School Code of Conduct and may result in any in other scholastic disciplinary action, other than those specifically set forth above, including but not limited to suspension or expulsion.

Definitions

Children’s Internet Protection Act (CIPA) defines the above referenced terms as follows: A minor is anyone under the age of 17.

“Technology Protection Measure” means a specific technology that blocks or filters Internet access to visual depictions that are:

1. Obscene, as that term is defined in section 1460 of title 18, United States Code;
2. Child Pornography, as that term is defined in section 1226 of title 18, United States Code; or
3. “Harmful to minors” means any picture, image, graphic image file or other visual depiction that:
 - a) Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex or excretion;
 - b) Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
 - c) Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

“Sexual act” and “sexual contact” have the meanings given such terms in section 2246 of title 18, United States Code.

Emergency School Closings

Should it be necessary to close the Academy for weather or other emergency situations, information will be communicated over radio and television stations. Typically, if the city school district is closed in which the Academy is located, the Academy will also close, however, this is not always the case. Consequently, parents are asked to monitor their television or radio to be certain.

Safety

The Academy will conduct safety, severe weather and evacuation drills that comply with all Federal, State and Local laws, statutes and ordinances concerning safety. Each student is responsible for conducting himself/herself with safety in mind whether it is within the school building, on the playground, and/or on a school bus. Discussion of safety standards will be reviewed within each classroom throughout the year.

Gangs

The school prohibits students from engaging in gang activities while at school, on school property, to or from school, or at school-related functions and events.

The term “gang” is defined as any non-school sponsored group of students with secret and/or exclusive membership, whose purposes or practices include unlawful or anti-social behavior as well as actions that threaten the welfare of others.

The term “gang activity” is defined as any conduct engaged in by a student:

- On behalf of a gang;
- To perpetrate the existence of a gang;
- To effect or promote the common purpose and design of any gang, including the wearing of apparel, jewelry, or symbols;
- To recruit for membership in a gang;
- To threaten or intimidate by use of gang affiliation; or
- To represent a gang affiliation, loyalty or membership in any way while on school grounds or while attending a school function.

Any student who violates this policy will be subject to disciplinary action, up to and including expulsion from school and may further be subject to criminal prosecution.

Security

Our Academies have and do provide a safe and clean environment. However, due to increasing violence throughout the nation, the Academy is taking precautions to protect students, teachers, and staff. The building doors are locked during the school day. Entrance to the building is by office permission only. Closed circuit cameras cover all entrances and are placed at strategic locations throughout the building. A police/security guard may also enhance Academy security.

Visitors

Visitors are required to report to the Academy office prior to their visit to a classroom or to other parts of the building. All visitors must sign in upon arrival, sign out before leaving the building, and wear a visitor's identification badge while in the building. Visitors are not to approach students and should be escorted by a staff member at all times while in the building. Visitors are asked not to attempt a parent-teacher conference while students are in the classroom.

Parental Concerns

Parents/Guardians who wish to express concerns should contact the Principal. Classroom issues should be initially addressed with the classroom teacher through a scheduled appointment. If a meeting is scheduled to discuss the concern, persons in attendance must conduct themselves civilly. It is expected that concerns will be expressed in a professional manner. Disruptive or threatening behavior may result in an action to protect school personnel, such as reporting the incident to the police and/or prohibiting the parent or guardian from entering school property at any time.

For additional information refer to the Complaint Policy in the Board Policy Manual.

Parent Involvement and Volunteer Program

We involve parents/guardians and families in their children's education. Research indicates that parent involvement makes an impact on students' attitudes, attendance, and academic achievement. Parents/guardians and members of the community are encouraged to volunteer within the Academy. Parent involvement and involved families are essential to a child's success.

Please note: To be considered as a volunteer, you may be required to obtain a BCI/FBI check with no disqualifying offenses and TB test prior to working with students or attending field trips. If there is no background check on file, then each volunteer will be supervised by a staff member at all times.

The Title I program is a means to foster and enhance parent-involvement in the school. The goal is to involve parents in their children's learning and to form an open line of communication between school and home. This will be accomplished through the following policies:

1. Information - Parents are informed about school activities and events through interim progress reports, report cards, notes sent home, parent newsletters, parent/teacher conferences and informal personal and telephone conferences.
2. Annual Title I Meeting - Parents have an opportunity to review Title I programs and provide input into the planning process during the annual Title I meeting held at the school during flexible dates and times. Additionally, parents' rights and Title I requirements will be discussed.
3. Open Door Policy - Parents are invited to come to the school to observe the education of their children on any day.
4. Volunteer Program - All parents are invited to volunteer in the school on any given day of the week.
5. Curriculum - We provide a high quality curriculum to enable our students to meet high standards, and prepare for the state graduation exam. We share these results with parents and provide an explanation of the results with parents during the course of the school year.

Student Photographs – Picture Day

School pictures will be taken in the fall of each school year. Parents/Guardians will be offered a package of individual and class photographs through the photography company. All students will be photographed whether or not a package is purchased. Information will be sent home prior to the actual picture day.

Yearbooks

Yearbooks are offered through the Academy on a yearly basis. The Academy will attempt to keep the cost at a minimum. Advance payment is required. These will be available for distribution near the end of the school year.

Lost and Found

In line with teaching students responsibility, articles brought to school by the students are the student's responsibility. Many items of clothing find their way into the lost and found containers. If your child is missing any article of clothing, have your child check the lost and found area. At the end of the school year all unclaimed articles will be taken to a local charitable organization.

Field Trips

Students will actively explore real world problems and challenges through Project Based Learning. Middlebury Academy believes that by entrenching instruction into real world, project-based experiences, students will be able to learn more efficiently than with a typical instructional approach which divides students' days by core content. Field trips may be conducted throughout the school year and correlated with their project based learning. Parental permission slips are required for a student to participate. Without a signed and dated permission slip, the student will not be able to participate in the field trip. Also, an Emergency Medical Authorization Form must be on file at the Academy before a student may participate. Teachers may request parents/guardians to assist in organizing and chaperoning field trips.

Please note: To be considered as a volunteer, you may be required to obtain a BCI/FBI check with no disqualifying offenses and TB test prior to working with students or attending field trips. If there is no background check on file, then each volunteer will be supervised by a staff member at all times.

Classroom Parties

Parties may be scheduled for special holidays and/or special occasions. The classroom teacher will coordinate and communicate dates, times and procedures for such events. Each classroom teacher will establish a party policy for their individual classroom. Parental request for parties will be approved or denied by the classroom teacher. Any request for a child not to participate in any/all such parties or activities should be in writing and forwarded to the teacher ahead of time. All such requests will be honored.

Supplies

A tentative list of needed supplies is available at the time of registration or at the beginning of the school year. An updated list for each grade will be sent or given to the parent/guardian at the parent orientation meeting prior to the opening of the school.

Desks, Lockers, and Other Personal Storage Areas

All lockers, desks, and other storage areas provided to the student for use remain the property of the Academy. Students should not expect privacy regarding any items on Academy property. Periodic general inspections of Academy property may be conducted by School authorities for any reason at any time without notice, without student consent and without a search warrant. A student's person and/or personal effects (e.g., purse, book bag, etc.) may be searched whenever an Academy official has reasonable suspicion to believe that the student is in possession of illegal

or unauthorized materials. If a search yields illegal or contraband materials, such findings may be turned over to proper legal authorities for ultimate disposition. For additional information regarding searches, refer to the Search Policy in the Board Policy Manual.

Parents' Right to Know Teacher Qualifications

Parents/guardians with a student attending a school that receives Title I funds, have the right to know the qualifications of the student's classroom teacher. Parent who ask about the professional qualifications of their child's classroom teacher are entitled to the following information:

- Whether the teacher has met the Ohio teacher licensing criteria for the grade level and subject areas in which the teacher provides the student instruction.
- Whether the teacher is teaching under an emergency or temporary status that waives state licensing requirements.
- The undergraduate degree major of the teacher and any other graduate degree or certification (such as National Board Certification) held by the teacher and the field of discipline of certification or degree.
- Whether the student is provided services by instructional paraprofessionals and, if so, their qualifications.

All requests must be sent to the school in writing and should include the following information: student's full name, legal parent/guardian's full name, address, city, state, zip code and teacher's name.

In addition to the information parents may request as listed above, the school shall provide:

- Information on the level of achievement and academic growth of the student, if applicable and available, on each of the state assessments required; and
- Timely notice that the student has been assigned, or has been taught for four or more consecutive weeks by, a teacher who does not meet applicable State certification or licensure requirements at the grade level and subject area in which the teacher has been assigned.

Anti- Harassment, Intimidation and Bullying Policy

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

A safe and civil environment is necessary for students to learn and achieve high academic standards. Harassment, Intimidation, and Bullying are strictly prohibited, and students who are determined to have engaged in such behavior are subject to disciplinary action, which may include suspension or expulsion. This policy details the School's prohibition of Harassment, Intimidation, and Bullying (including Cyber-Bullying).

I. Definitions:

- A. "Harassment, Intimidation, Bullying" means:
1. An intentional written, verbal, graphic, electronic, or physical act that a student or group of students has exhibited toward another student or school personnel (including volunteers or others serving the school), more than once, and the behavior:
 - a. Causes mental or physical harm to the victim; and
 - b. Is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or abusive educational environment
 2. Violence within a dating relationship
- B. By Electronic Means/Cyber-Bullying: Harassment, Intimidation, Bullying includes electronic acts, which mean an act committed through the use of phones, PDAs, computers, electronic notebooks, game systems, or any other electronic or communication devices. (Harassment, Intimidation, Bullying conducted through electronic devices is sometimes referred to as "Cyber-Bullying".)
- C. Location: Acts constituting Harassment, Intimidation, or Bullying subject to this policy must occur to and from school, on school grounds, at school-sponsored or sanctioned activities, or in school transportation in order for the School to be reasonably able to monitor and discern the conduct pursuant to this policy. Cyber-Bullying, subject to this policy, may occur beyond those locations but is covered by this Policy and is strictly forbidden under this Policy.

II. Types of Conduct

Harassment, Intimidation or Bullying can include many different behaviors including overt intent to ridicule, humiliate or intimidate another student or school personnel. Examples of conduct that could constitute prohibited conduct may include, but is not limited to:

1. Physical violence and/or attacks;
2. Threats, taunts and Intimidation through words and/or gestures;
3. Extortion, damage or stealing of money, property or possessions;
4. Exclusion from the peer group or spreading rumors;
5. Repeated remarks of a demeaning nature that have the purpose or effect of causing injury, discomfort, fear or suffering to the victim;

6. Repetitive and hostile behavior with the intent to harm others through the use of information and communication technologies and other web-based/online sites (also known as “cyber Bullying”), such as the following:
 - a. Posting slurs on websites or any form of social media;
 - b. Sending or posting abusive or threatening instant messages, emails, texts or communications via social media;
 - c. Using cameras or cameras on any devices to take private or embarrassing photographs of students and sending or posting them online or on any form of social media;
 - d. Using websites or other electronic communication to circulate gossip and rumors to other students;
 - e. Excluding others from an online group by falsely reporting them for inappropriate language to internet service providers.

III. Complaint Process – Reporting Prohibited Incidents

- A. Students, Parents/Guardians, or other individuals may report suspected Harassment, Intimidation, Bullying to any School personnel. The Chief Administrative Officer or his/her designee is responsible for receiving complaints alleging violations of this Policy. School personnel who receive a complaint will promptly report or forward it to the Chief Administrative Officer or his/her designee for review and action.
- B. Oral reports of suspected prohibited behavior are considered official complaints in the same manner as a written complaint. School personnel who receive an oral complaint will promptly document the complaint in writing, and will promptly forward it to the Chief Administrative Officer for review and action.
- C. Both written and oral complaints shall be reasonably specific as to the actions giving rise to the suspicion of Harassment, Intimidation, and/or Bullying, including person(s) involved, number of times and places of the alleged conduct, the target of the prohibited behavior, and the names of any potential witness.
- D. Anonymous Complaints: Individuals who make complaints as set forth above may request that their name be maintained in confidence by the School. The anonymous complaints will be reviewed and reasonable action will be taken to address the situation, to the extent such action may be taken that (1) does not disclose the source of the complaint; and (2) is consistent with the due process rights of the student(s) alleged to have committed acts of Harassment, Intimidation and/or Bullying.
- E. False Complaints: It is a violation of this policy to knowingly report false allegations of Harassment, Intimidation, and/or Bullying. Persons found to knowingly report or corroborate false allegations will be subject to appropriate discipline.
- F. School personnel, volunteers, and students shall be individually immune from liability in a civil action for damages arising from reporting an incident in accordance with this

policy if that person reports an incident in good faith and in compliance with the procedures set forth herein.

IV. School Personnel Responsibilities

A. Teachers and Other School Personnel Responsibilities

1. Teachers and other school personnel, who witness acts of Harassment, Intimidation or Bullying, as defined above, will promptly notify the Chief Administrative Officer or his/her designee of the event observed by filing a written incident report concerning the events witnessed.
2. In addition to addressing both informal and formal complaints, school personnel are encouraged to address the issue of Harassment, Intimidation or Bullying in other interactions with students. School personnel may find opportunities to educate students about Harassment, Intimidation and Bullying and help eliminate such prohibited behaviors through class discussions, counseling, and reinforcement of socially appropriate behavior.
3. School personnel should intervene promptly where they observe student conduct that has the purpose or effect of ridiculing, humiliating, or intimidating another student/school personnel, even if such conduct does not meet the formal definition of "Harassment, Intimidation, or Bullying."

B. Administrator Responsibilities - Investigation and Documentation

1. The Chief Administrative Officer or his/her designee shall conduct a prompt and thorough investigation of all complaints of suspected Harassment, Intimidation, or Bullying. The Chief Administrative Officer or his/her designee shall prepare a written report of the investigation when the investigation is complete. Such report will include findings of fact and a determination of whether acts of Harassment, Intimidation, or Bullying were verified. When prohibited acts are verified, the Chief Administrative Officer or his/her designee shall also prepare a recommendation for intervention, including disciplinary action. Where appropriate, written witness statements will be attached to the report. It is imperative that Harassment, Intimidation, and Bullying be identified only when the specific elements of the definition are met because the designation of such prohibited incidents carry special statutory obligations. However, a determination that misconduct does not constitute Harassment, Intimidation or Bullying under this Policy, does not restrict the right of the Chief Administrative Officer to impose appropriate disciplinary consequences for student misconduct.
2. When an individual reporting a complaint has requested anonymity, the investigation of such complaint will be limited as is appropriate in view of the anonymity of the complaint. Such limitation of investigation may include restricting action to a simple review of the complaint (with or without discussing it

with the alleged perpetrator), subject to receipt of further information and/or the withdrawal by the complaining individual of the condition that his/her report be anonymous.

V. Notification to Parents/Guardians

- A. Perpetrator: If after investigation, acts of Harassment, Intimidation and Bullying by a specific student are verified, the Chief Administrative Officer or his/her designee will notify, in writing, the parent or guardian of the perpetrator of that finding. If disciplinary consequences are imposed against such student, a description of such discipline will be included in such notification to the extent permitted by law.
- B. Victim: If after investigation, acts of Bullying against a specific student are verified, the Chief Administrative Officer or his/her designee will notify the parent or guardian of the victim of such findings. In providing such notification, care must be taken to respect the statutory privacy right, including those set forth in the R.C. § 3319.321 and the Family Educational Rights and Privacy Act of 1974, 88 Stat. 571, 20 U.S.C. 1232q of the perpetrator of such Harassment, Intimidation and Bullying.
- C. To the extent permitted by State and Federal privacy laws, parents or guardians of any student involved in a prohibited incident may have access to any written reports pertaining to the prohibited incident.

VI. Remedial Actions

- A. Verified acts of Harassment, Intimidation or Bullying will result in action by the Chief Administrative Officer or his/her designee that is intended to ensure that the prohibition against Harassment, Intimidation or Bullying behavior is enforced, with the goal that any such prohibited behavior will cease.
- B. The School recognizes that acts of Harassment, Intimidation, or Bullying can take many forms and can vary dramatically in seriousness and impact on the targeted individual and school community. Accordingly, there is no one prescribed response to verified acts of Harassment, Intimidation, and Bullying. Disciplinary and appropriate remedial actions for an individual who commits an act of Harassment, Intimidation or Bullying may range from positive behavioral interventions up to, and including, suspension or expulsion.
- C. In determining appropriate action for each individual who commits an act of Harassment, Intimidation or Bullying (including a determination to engage in either non-disciplinary or disciplinary action, as described below), the Chief Administrative Officer will give the following factors full consideration:
 1. The degree of harm caused by the incident(s);
 2. The surrounding circumstances;
 3. The nature and severity of the behavior;

4. The relationship between the parties involved; and
 5. Past incidences or continuing patterns of behavior.
- D. When verified acts of Harassment, Intimidation or Bullying are identified early and/or when such verified acts of such behavior do not reasonably require a disciplinary response, students may be counseled regarding the definition of Harassment, Intimidation, Bullying, its prohibition, and their duty to avoid any conduct that could be considered Harassment, Intimidation or Bullying. Peer mediation may also be used, when appropriate.
- E. When acts of Harassment, Intimidation and Bullying are verified and a disciplinary response is warranted, students are subject to the full range of disciplinary consequences. Anonymous complaints that are not otherwise verified, however, will not be the basis for disciplinary action.
- F. Suspension or Expulsion may be imposed, but only after the appropriate procedures have been conducted pursuant to the School's Suspension and Expulsion policy and applicable law. No disciplinary procedure will infringe on any student's rights under the first amendment to the Constitution of the United States.
- G. The determination that conduct does not constitute Harassment, Intimidation or Bullying under this Policy, however, does not restrict the right of the Chief Administrative Officer or the Board or both to impose appropriate disciplinary consequences for student misconduct.

VII. Prevention and Intervention Strategies

In addition to the prompt investigation of complaints of Harassment, Intimidation, or Bullying, and direct intervention when such acts are verified, the School will consider potential strategies to protect victims from additional Harassment, Intimidation, or Bullying, and from retaliation following a report and to generally ameliorate the effects of Harassment, Intimidation, Bullying. The following potential strategies, as well as other strategies, may be considered:

1. Supervising and disciplining offending students fairly and consistently;
2. Providing adult supervision during breaks, lunch time, bathroom breaks and in the hallways during times of transition;
3. Maintaining contact with parents and guardians of all involved parties;
4. Providing counseling for the victim if assessed that it is needed;
5. Informing school personnel of the incident and instructing them to monitor the victim and the offending party for indications of harassing, intimidating, and Bullying behavior; instructing personnel to intervene when prohibited behaviors are witnessed;

6. Checking with the victim regularly to ensure that there have been no incidents of Harassment/Intimidation/Bullying or retaliation from the offender(s).
7. Responding respectfully to complaints of suspected prohibited conduct.
8. Promoting open communication regarding Harassment, Intimidation, Bullying.
9. Providing professional development and community opportunities to educate and collaborate with school personnel, parents, and community members about addressing Harassment, Intimidation, Bullying.
10. Educating students regarding Harassment, Intimidation, Bullying.
11. Creating a school atmosphere of team spirit and collaboration that promotes appropriate social behavior.
12. Avoiding sex-role stereotypes. Modeling and promoting strategies that instruct student how to work together in a collaborative and supportive atmosphere. Use of peers to help ameliorate the effects of Harassment, Intimidation, Bullying.

VIII. Semi-Annual Reporting Obligations

The Chief Administrative Officer will semi-annually provide the president of the School's Board of Directors a written summary of all reported incidents and post the summary on the School's Website, if one exists. The list will be limited to the number of verified acts of Harassment, Intimidation and Bullying, whether in the classroom, on school property, to and from school, or at school-sponsored events.

IX. Publication & Dissemination of Policy

- A. This policy shall be included in the student handbook and in the publication which sets forth the comprehensive rules, standards, and procedures regarding school conduct. The School will annually disseminate this Policy to School personnel, students, and parents.
- B. To ensure school personnel are prepared to prevent and effectively intervene with incidents of Harassment, Intimidation or Bullying, the School has incorporated the information about this Policy into its employee training materials.
- C. Students will be provided with age-appropriate information on the recognition and prevention of Harassment, Intimidation or Bullying, and their rights and responsibilities under this and other School policies, procedures and rules.

Middlebury Academy
Parent-Student Manual Agreement
2023-2024

Your signature in the appropriate space below will indicate your commitment to helping fulfill the school's primary mission – rigorous academic learning.

As the **parent/guardian** of _____ I pledge:

- To maintain high expectation for my child and the school
- To demonstrate consistent interest in my child's progress
- To support my child's best efforts
- To model the expectations described in the Code of Conduct
- To support and with Academy staff to promote learning
- To support the anti-bully policy
- To abide by the technology and internet safety policy
- To abide by all policies listed in this handbook and the Board Policy Manual

I have read/listened to this handbook and acknowledge all notices herein. I have read/listened to the Code of Conduct and support the rules and expectations outlined herein.

Parent's/Guardian's Name: _____ Date: _____

Signed

As a **student** at Middlebury Academy, I pledge:

- To come to school prepared to learn, in uniform, and on time every day
- To be attentive and engaged in the Academy's learning environment
- To work hard and give my best in all classes
- To be respectful towards everyone in my Academy
- To abide by the technology and internet safety policy
- To abide by all policies listed in this handbook and the Board Policy Manual
- To return all textbooks and other supplies provided by the school when use is complete

Student's Signature: _____ Date: _____

Signed

Please return signed form to Academy Office. This agreement will be placed into the student's file.