



OFFICE OF
GENERAL COUNSEL



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PREPARING STUDENTS
FOR LIFE

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OFFICE OF GENERAL COUNSEL

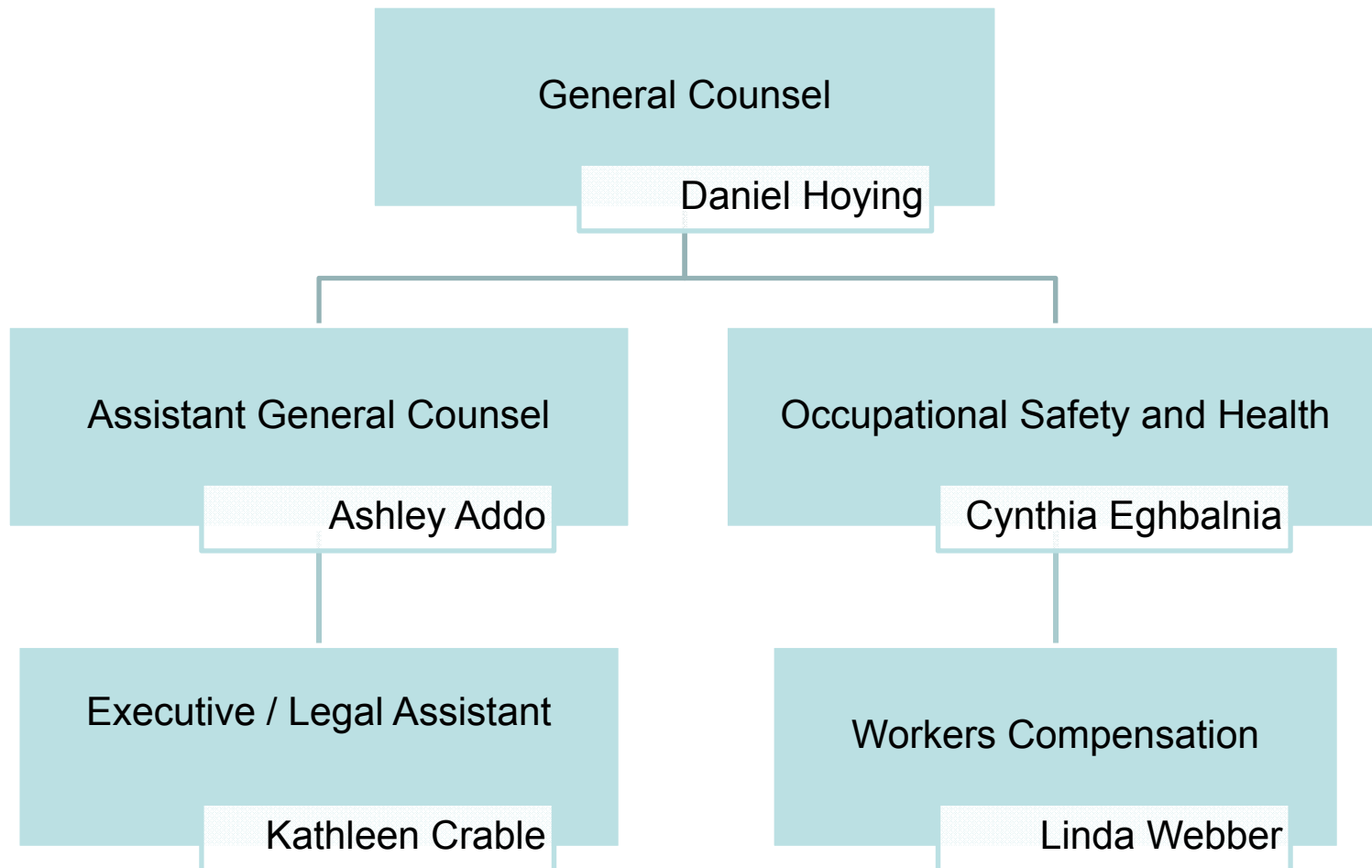


Department Organizational Chart



PREPARING STUDENTS
FOR LIFE

Office of General Counsel





OFFICE OF
GENERAL COUNSEL



Department Core Services



PREPARING STUDENTS
FOR LIFE



Department Name: General Counsel

<p>Core Service: Legal Counseling</p> <ul style="list-style-type: none"> • Responding and providing legal guidance to the leadership team, principals and department heads. • While school is in session, responding to legal questions is the core function of our department – and generally takes up nearly all of our time. 	<p>Core Service: Litigation</p> <ul style="list-style-type: none"> • Advocating on the District’s behalf in administrative hearings, arbitrations, and trial matters. • In arbitrations, civil service matters, and some litigation, we are solely responsible for the litigation. • In complex matters, we manage and support the District’s outside counsel
<p>Core Service: Public Records Requests / Subpoenas</p> <ul style="list-style-type: none"> • Responding to the 150+ public records requests and subpoenas that the District receives each year. • Complying with the Public Records Act and ensuring timely records are produced. 	<p>Core Services: Professional Development / Education</p> <ul style="list-style-type: none"> • Providing professional development on school legal matters • Monitoring legal developments and advising appropriate departments or leaders who may be affected
<p>Core Service: Workers Compensation Administration</p> <ul style="list-style-type: none"> • With the assistance of our Third Party Administrator (TPA) and outside legal counsel, administering the workers compensation program for the District 	<p>Core Service: Environmental Health and Safety</p> <ul style="list-style-type: none"> • Ensuring compliance with Environmental Health and Safety standards • Promoting and providing professional development safe workplace practices Investigating accidents and recommending safer alternatives • Monthly meetings with the Safety Committee



OFFICE OF
GENERAL COUNSEL



Procedures and Forms



PREPARING STUDENTS
FOR LIFE



INTER-OFFICE CORRESPONDENCE

Daniel J. Hoying, General Counsel
Office of General Counsel * hoyingd@cps-k12.org
Phone: (513) 363-0114 * Fax: (513) 363-0110

TO: All Employees
FROM: Daniel J. Hoying, General Counsel
Ashley Addo, Assistant General Counsel
RE: **COAST Injunction Guidelines (2019)**

As a part of the Cincinnati Public Schools' agreement with COAST, the Office of General Counsel sends a reminder to all employees that political advocacy in support of or against any ballot issue or candidate for public office is prohibited during the work day and on District or school property. This prohibition includes political advocacy for or against the Cincinnati Public Schools renewal levy.

The following guidelines must be followed:

1. Political Signs – Political signs or advertisements may not be posted on District or school property. Any political signs found on District or school property should be removed immediately.
2. Political Campaigning – CPS employees may not engage in any political campaigning on District or school property. CPS personnel cannot engage in any campaigning efforts during working hours, including campaigning efforts directed to colleagues, students, parents or other community members. The prohibition also applies to school field trips. Non-partisan voter registration efforts are not prohibited. An individual exercise of constitutional rights is not prohibited, provided that CPS property and personnel are not used to advocate for the election or defeat of a candidate or ballot issue.
3. Email – CPS employees may not use the CPS email system for political purposes. CPS email may not be used to advocate for the election or defeat of candidates for public office or ballot issues. Employees may not use CPS email for fundraising, soliciting volunteers, or other organizational efforts related to political campaigns. CPS conducts regular audits of its email system to ensure that email is not used for political purposes.
4. Political Distributions – Political distributions are generally not permitted on CPS property. There is an exception, however, that allows the Cincinnati Federation of Teachers (CFT) to use its bulletin boards and teachers' physical mailboxes for political distributions to their members. We have asked CFT to provide General Counsel with copies of any notices distributed through the mailboxes or bulletin boards.
5. Political Meetings - CFT, and other unions, may meet on District or school grounds in chapter meetings for union business, which may include political discussions. These on-site political activities must be directed only to the union's own membership, not to the general public or to CPS students or parents.

Thank you for your cooperation.

Should you have any questions, please contact the Office of General Counsel at (513) 363-0111.



TO: All CPS Field Administrators
FROM: Daniel J. Hoying
Ashley K. Addo
RE: **Emergency Removals – Important Changes**
DATE: September 12, 2018

**INTER-OFFICE
CORRESPONDENCE**

Daniel J. Hoying, General Counsel
Office of General Counsel * hoyingd@cps-k12.org
Phone: (513) 363-0114 – Fax: (513) 363-0110

This memo is to advise principals and assistant principals of the upcoming changes to state law and specifically the **elimination of three-day emergency removals of students**. In previous discussions at principal leadership conferences, we have discussed the potential changes in House Bill 318. HB 318 received quick support in the General Assembly and was recently passed into law. **The changes in the bill are effective November 2, 2018** – much sooner than our office anticipated.

The major change to this law relates to emergency removals of students in grades PreK-3. Effective November 2, 2018, **emergency removals of students in grades PreK-3 may last only for the remainder of the day that the student was removed**, instead of three days as previously allowed. If a student in grades PreK-3 is emergency removed, the student **must return to curricular and extracurricular activities the following school day**. Even a student who is emergency removed in the afternoon, must be allowed to return to school the next school day if the student is in grade PreK-3. The law eliminates the requirement to have a hearing for students in grades PreK-3 about the removal.

The new law also significantly limits the ability of Ohio school districts to suspend or expel students in grades PreK-3. These new provisions do not affect CPS, however, because the District prohibits the suspension or expulsion of students in grades PreK-3. (See CPS Board Policy 5610 “It is the policy of the Board of Education that students in grades pre-kindergarten to third grade shall not be suspended out-of-school or expelled, except when required by law.”).

The new law also makes changes to emergency removals of students in **grades 4-12**. For emergency removals of students in grades 4-12, a hearing must be scheduled as soon as practicable and **no later than the next school day after the date of the initial removal**. Unless the student is referred for suspension or expulsion, the student who was emergency removed must be allowed to return to school after one full day following the initial removal, **even if a conference has not occurred**.

Students in grades 4-12 may still be suspended or assigned to the Alternative to Suspension / Alternative to Expulsion (A2S / A2E) program in accordance with the Code of Conduct. For students who are suspended out-of-school, the principal must provide (1) written notice of the intention to suspend the student and the reason for the intended suspension, and (2) an opportunity for an informal hearing before the principal. Students who are referred to A2S/A2E should follow the process established by Dr. Futch.

The standard for emergency removals has not changed. A student may be emergency removed when:

*[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.*

For students in grades PreK-3, the emergency removal can last only to the end of the school day. For students in grades 4-12, the emergency removal can run until there is a conference with the parent or guardian, which must occur not later than the following school day.

Please do not hesitate to contact Daniel Hoying (ext. 30114) or Ashley Addo (ext. 30113) should you have questions about any of these changes.

Pre HB 318 – Removals

Before Nov. 2	0-3 Days	4 days	5-10 days	11-80 days
PreK-3rd grade	Emergency removal (meeting required)	No out-of school removals		
4th-12th grade	Emergency removal (meeting required)	No out-of school removals	A2S – meeting required with principal	A2E – Hearing with Superintendent’s designee – W. Lane

After HB 318 – Removals

After Nov. 2	Remainder of day of incident	2-4 days	5-10 days	11-80 days
PreK-3rd grade	Emergency removal (no meeting required)	No out-of school removals. ISS can be used if the student is in a “supervised learning environment” and can make up classwork.		
After Nov. 2	0-1 Day	2-4 days	5-10 days	11-80 days
4th-12th grade	Emergency removal (meeting required)	No out-of school removals. ISS may be used.	A2S – meeting required with principal	A2E – Hearing with Superintendent’s designee – W. Lane

PERSONAL PROPERTY DAMAGE REIMBURSEMENT CLAIM FORM

The Property Damage Reimbursement Fund has been established in accordance with the Collective Bargaining Agreements of the Cincinnati Federation of Teachers (CFT) Section 700(4)(u), the Cincinnati Federation of Office Professionals (CFOP) Article XXVI (Damage to Personal Property), and American Federation of State, County and Municipal Employees (AFSCME) Article XXIII Health and Safety (C).

The Board shall provide reimbursement for damage to an employee's personal property, excluding cash, resulting from an assault, which occurred in the course of employment. CFT and CFOP employees may also receive reimbursement for vandalism or theft at the school site, or at another location while on school business. The Board shall establish an annual fund of \$10,000 for CFT and \$1,000 for CFOP. AFSCME employees will be reimbursed up to \$450 for personal property damage only when the loss is due to an assault. When the fund is exhausted, the Board shall have no further obligation to pay such claims. Employees are eligible for reimbursement under this provision only to the extent that the employee does not have personal insurance (auto, home, cell phone, or other) protecting against such damage. The Board, CFT and CFOP will agree on guidelines concerning the payment of expenses from this fund. The plan shall have a \$100 deductible after private insurance coverage (auto, home, cell phone, or other) has been exhausted. Employee pays first \$100 of loss, except when the loss is due to an assault by a student.

Employee name: _____

Home address: _____ Zip: _____

Work location: _____ Extension /Cell: _____

ATTACH:

1. All related correspondence from your insurance company, including insurance company check draft.
2. Proof of payment of deductible amount.
3. Original receipts for replacement of damaged items.

(Above information must be attached when submitting your claim for reimbursement.)

Date and location of loss: _____

Were the Police called: _____ District: _____ CPS Security Office notified: _____

Building Administrator notified: _____

Brief description of incident: _____

Name of Insurance Company: _____

Agent: _____ Phone: _____

Address and Zip: _____

List of item(s) and value of each:

_____ \$ _____

_____ \$ _____

_____ \$ _____

_____ \$ _____

Total Loss \$ _____

Amount insurance paid: Minus \$ _____

Amount of deductible you paid: Minus \$ _____

Fund deductible: Minus \$ \$100.00 _____

Amount of reimbursement: \$ _____

Signature of Employee

Date

SUBMIT THIS FORM AND ALL OTHER NECESSARY INFORMATION VIA EMAIL OR PONY/REGULAR MAIL: crablek@cps-k12.org

Cincinnati Public Schools
Office of General Counsel
P. O. Box 5381
Cincinnati, Ohio 45201-5381

.....
FOR OFFICE USE ONLY

Amount Approved \$ _____ Account code: _____

Approval Signature

Additional comments: _____

PERSONAL PROPERTY DAMAGE REIMBURSEMENT FUND

Guidelines

1. Loss of personal property must have resulted from:
 - A. Assault, which occurred in the course of employment. (AFSCME employees only will be reimbursed up to \$450 for personal property damage loss due to an assault.)
 - B. Vandalism or theft at the school site or at another location while on school business.
2. The fund consists of \$10,000 annually for Cincinnati Federation of Teachers (CFT) and \$1,000 annually for Association of Cincinnati Public School Office Personnel (ACPSOP).
3. When the fund is exhausted, the Board shall have no further obligation to pay such claims.
4. After personal insurance coverage has been exhausted, the fund has a \$100 deductible, except in cases of loss due to an assault by a student.
5. The fund does not cover loss of cash.
6. Claims will be processed in the order they are received.
7. If the claim exceeds \$500, \$500 will be paid at the time of approval. The remainder will be paid at the end of the calendar year in the order claims are received, providing funds are available.
8. If approval is disputed, an appeal may be made to the representatives of CFT/ACPSOP serving on the Employee Benefits Committee, by contacting the CFT Office in writing. Decisions of the committee are final.

Procedures

If you experience a loss due to personal property damage, follow these steps:

1. Complete all forms and attach required documentation:
 - A. Personal Property Damage Reimbursement Claim Form.
 - B. Related correspondence from insurance company, including a copy of the insurance company check draft.
 - C. Proof of payment of deductible amount.
 - D. Original receipts for replacement of damaged items.
2. Forward completed forms via email to crablek@cps-k12.org or pony mail / regular mail to:

Cincinnati Public Schools
Office of General Counsel
P. O. Box 5381
Cincinnati, Ohio 45201-5381

DATE

SENT VIA FAX (513-946-5885)
Jury Commissioner Office
Hamilton County Courthouse
1000 Main Street Room 455
Cincinnati, Ohio 45202

Re: Request for Exemption from Jury Summons
NAME
Date of Jury Duty: _____ (Grand / Petit)
Group ____

Dear Jury Commissioner:

This letter responds to the attached Jury Summons for NAME – scheduled to begin DATE. NAME is the POSITION of the Cincinnati City School District. She previously requested a deferral and had every intention of serving as a juror this summer. However, several matters at the School District require her immediate attention and continued presence at the School District. Specifically, _____

On behalf of Cincinnati City School District, I respectfully request that NAME be exempted or deferred from jury duty. I understand that if this request is granted, the Jury Commissioner will send me a postcard confirming my exemption or deferral.

Many thanks for your assistance.

Very truly yours,



OFFICE OF
GENERAL COUNSEL



Department-related Board Policies and Procedures



PREPARING STUDENTS
FOR LIFE



Book	Cincinnati City School District Policies
Section	1000 Administration
Title	Whistleblower Protection
Code	1411
Status	Active
Legal	R.C. 4113.52
Adopted	August 24, 2009
Last Revised	July 19, 2018

Cincinnati City School District Policies

Employees must be honest and ethical in their conduct, and comply with applicable State and Federal law, Board policies and administrative guidelines. The Board of Education encourages staff to report possible violations to their immediate supervisors.

It is the responsibility of an employee who is aware of conduct on the part of any Board member or employee that may violate Federal or State law, or Board policy, to report this conduct to the attention of his/her immediate supervisor. If the employee reasonably believes that the violation is a criminal offense that is likely to cause an imminent risk of physical harm to persons or a hazard to public health or safety, or an improper solicitation for a contribution, the employee shall verbally notify the employee's supervisor or other responsible officer of the Board of the violation and subsequently shall file with that supervisor or officer a written report that provides sufficient detail to identify and describe the violation. If the employee's immediate supervisor is not responsive or is the employee whose behavior is in question, the employee may report to the Superintendent. If the reported conduct relates to the Superintendent, the report may be filed directly with the Board President.

An employee submitting a report shall be protected from discipline, retaliation, or reprisal for making such report as long as the employee made a reasonable and good faith effort to determine the accuracy of any information reported. Employees are subject to disciplinary action, up to and including termination, for purposely, knowingly, or recklessly making a false report under this policy. Conversely, employees are subject to disciplinary action, up to and including termination, if they are aware of a violation of Federal State, or local law that the Board has the authority to correct and they do not make a report confirmed in writing to their immediate supervisor or the Superintendent.

If an employee makes a report, the Board, within twenty-four (24) hours after the verbal notification was made or the report was received or by the close of business on the next regular business day following the day on which the verbal notification was made or the report was received, whichever is later, shall notify the employee, in writing, of any effort of the Board to correct the alleged violation or hazard or of the absence of the alleged violation or hazard.

If an employee becomes aware in the course of the employee's employment of a violation of chapter 3704 (Air Pollution control), 3734 (Solid and Hazardous Waste), 6109 (Safe Drinking Water), or 6111 (Water Pollution Control) of the Ohio Revised Code that is a criminal offense, the employee directly may notify, either verbally or in writing, any appropriate public official or agency that has regulatory authority over the employer and the industry, trade, or business in which the employer is engaged.

The Superintendent shall develop administrative guidelines necessary for implementation of this policy, including the development of forms upon which such reports may be made.

**Cincinnati CITY SCHOOL DISTRICT
ADMINISTRATIVE PROCEDURES**

<i>Whistleblower Protection</i>	
Procedure No. 1411-00-01	Eff. Date: 7-18-18
Implements Board Policy 1411	Last Reviewed: 7-18-18

1. Background

Pursuant to Board Policy 1411 and Ohio Rev. Code 4113.52, employees should report to their supervisor any conduct that they reasonably believe is a violation of state or federal law or CPS Board Policy.

2. Responsibilities

Title: Principals, Supervisors, Managers	
Address:	
Phone:	Cell phone:
<i>Review any whistleblower reports and respond within 24 hours of any effort to correct the alleged violation or hazard.</i>	

3. Action Steps

(1) REPORTING PHASE:
Any employee who becomes aware of any action that the employee reasonably believes to be a violation of state or federal law or of Board policy shall report to the employee's immediate supervisor. Such report should be made verbally and shall be followed with a written report that provides sufficient detail to identify and describe the alleged violation.

If the reported conduct relates to the employee's supervisor, the employee should report the alleged conduct to the Superintendent.

If the reported conduct relates to the Superintendent, the employee should report the alleged conduct to the Board President.

(2) INVESTIGATION PHASE:
The principal, supervisor, or manager who receives the report should take prompt action to ensure that the matter is investigated, and if necessary, corrected. Within 24 hours, the employee who made the report should be advised of any actions taken to correct the alleged violation.

4. Equity Considerations

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5. Related Documents / Forms

Document Title	Description	Last Reviewed
<i>Whistleblower Reporting Form</i>	<i>A form that may be used to report alleged violation of federal or state law, or of Board Policy</i>	<i>7/18/18</i>

6. Additional Information

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WHISTLEBLOWER REPORTING FORM

This form may be used by employees of the Cincinnati City School District (“CPS”) to report possible violations of state or federal law, or of CPS Board Policies. Such report should be made to an employee’s immediate supervisor. If the reported misconduct relates to the employee’s immediate supervisor, the report should be made to the Superintendent. If the reported misconduct relates to the Superintendent, the report should be made to the Board President.

Note: Employees submitting a report shall be protected from discipline, retaliation, or reprisal for making such a report as long as the employee made a reasonable and good faith effort to determine the accuracy of the information reported. Employees who purposely, knowingly, or recklessly make a false report shall be subject to discipline, up to and including termination.

Name: _____ School or Dep't: _____

Reported violation (if needed, attach separately): _____

Date: _____

FOR OFFICE USE ONLY:

Supervisors shall describe the outcome of the investigation and, if necessary, any effort made to correct the alleged violation.

Outcome of Investigation (if needed, attach separately): _____

Response of School or District Personnel (if needed, attach separately): _____



Book	Cincinnati City School District Policies
Section	2000 Programs
Title	Prohibition Against Harassment Of Students And Staff
Code	2260.02
Status	Active
Legal	R.C. 4112.02 42 U.S.C. 2000d et seq. 42 U.S.C. 2000e et seq. 29 U.S.C. 621 et seq. 29 U.S.C. 794 42 U.S.C. 12101 et seq. 20 U.S.C. 1681 et seq. 42 U.S.C. 1983
Adopted	March 21, 2018
Last Revised	December 20, 2018

Cincinnati City School District Policies

Prohibited Conduct

The District's policy against harassment is applicable to harassment on all bases protected by law, including age (forty (40) and over), gender, gender identity or expression, race, color, religion, national origin, sex, sexual orientation, disability, or veteran status.

The District prohibits harassment of its employees, contractors, visitors, and students. It is a violation of this District's policy for employees, visitors, contractors, or students of the District to harass an employee or a student or to condone such conduct. This policy applies to all claims of harassment, including but not limited to student-to-student, staff-to-student, and staff-to-staff conduct. A violation of this policy may result in disciplinary action up to and including dismissal or other action as appropriate.

No person cited in the previous paragraph shall threaten or insinuate, either explicitly or implicitly, that an employee's refusal to submit to sexual advances will adversely affect the employee with regard to employment conditions such as hiring, termination, promotion, wages, or a significant change in benefits. No employee shall threaten or insinuate, either explicitly or implicitly, that a student's refusal to submit to sexual advances will adversely affect the student with regard to material, academic decisions, or opportunities. No supervisor or employee shall insinuate that an employee's or student's acceptance of sexual advances will positively affect an employee or student with respect to such conditions. This policy confirms that submission to unwanted advances will never constitute an actual condition of employment or academic or extra-curricular opportunity. Any representation to the contrary is not to be relied upon. Immediate reporting of such unwanted advances is mandatory.

Any unwelcome verbal or physical conduct may be viewed as harassment if such speech or conduct is because of protected characteristics such as race or gender and has the purpose or effect of unreasonably interfering with an individual's job or academic performance or creating an intimidating, hostile, or abusive work or academic environment. Therefore, such speech or conduct is prohibited. Inappropriate or unprofessional remarks or conduct may be reason for intervention and discipline whether or not they are actually harassing. All possible examples of poor judgment or unprofessional conduct cannot be listed here. However, the following examples will serve to illustrate the kind of speech or behavior not wanted in the District:

- A. verbal abuse of a sexual, racial, or ethnic nature;
- B. sexual gestures;
- C. commenting about an individual's body or clothing in a sexually offensive manner;
- D. the unwelcome touching of another person;

- E. degrading words used to describe an individual's race, age, sex, sexual orientation, gender, gender identity or expression, religion, ancestry, or disability;
- F. similarly degrading objects, pictures, cartoons, magazines, e-mails, or computer images.

The District's educational mission should advance in an environment of professionalism and trust. Actions of members of the community that detract from such an environment are to be guarded against. Relationships between faculty and student, supervisor and employee, Board members and others, should be built on professionalism and trust, should be consistent with the District's mission and should avoid even the appearance of a conflict of interest, exploitation, personal favoritism, or bias.

Accordingly, no member of the Board, faculty, staff, or administration shall:

- A. engage in sexual/romantic/amorous relationships (whether or not consensual) with students, including electronic communications;
- B. engage in sexual/romantic/amorous relationships (whether or not consensual) with subordinate employees or other persons over whom they have instructional, supervisory, monetary, or other authority, including electronic communications;
- C. engage in social or personal relationships with persons over whom they have authority or influence when or to the degree such relationship may be a conflict of interest, impair objectivity, create the appearance of impropriety, bias, or favoritism, including electronic communications.

When an individual is unclear about whether a relationship may violate the District's policy in this regard, s/he should notify the Office of General Counsel of the issue so that appropriate review and resolution may occur.

Reporting Harassment

It is everyone's responsibility to maintain a discrimination and harassment-free work and educational atmosphere. This includes freedom from harassment not only by employees and students, but also by other persons whom the District employs and students encounter in the course of their employment and education. School staff who have reason to believe that harassment has occurred must immediately report the conduct to their principal or supervisor (or their designee) or to the General Counsel. Principals and supervisors (or their designees) must report any reports they receive to the General Counsel. A harassment report form is available on the District's website. Complaints may be forwarded directly to:

Office of General Counsel
 Education Center
 2651 Burnet Avenue
 Cincinnati, Ohio 45219
 (513) 363-0111
 fax (513) 363-0110

Employees who have a complaint or concern about possible harassment of any employee or student in connection with incidents they have experienced or of which they are aware are required to report such complaint or concern immediately to the Office of General Counsel or the Director of the Human Resources Department, if the complaint is against the Office of General Counsel. Although an employee may choose to discuss the complaint or concern with their supervisor, a report to a supervisor or peer does not fulfill this reporting requirement. Supervisors should not conduct investigations. The Office of General Counsel and/or the Director of Human Resources is prepared to receive complaints about behavior that is perceived as unprofessional or inappropriate regardless of whether the behavior constitutes unlawful harassment.

Students and parents who have a complaint or concern about possible sexual harassment of any student in connection with incidents they have experienced or of which they are aware are required to report such complaint or concern immediately to the Office of General Counsel. For this policy the District's hot-line number is 363-0111. To discuss the concern or complaint with a teacher, administrator, or peer, or to report to a teacher, school administrator or peer does not fulfill this reporting requirement, nor should those people conduct investigations.

The Office of General Counsel and the Director of the Human Resources Department will receive and document complaints about behavior that is perceived as unprofessional or inappropriate regardless of whether the behavior constitutes unlawful harassment. For each complaint, they will complete an investigatory report that will include, at a minimum: (1) the name or a description/identifying information available and protected class of the alleged victim and, if different, the name or a description/identifying information available and protected class of the person reporting the allegation; (2) the nature of the allegation, a description of the incident, and the date and time (if known) of the alleged incident; (3) the name(s) and protected classes of all persons alleged to have committed the alleged harassment, if known, or a description/identifying information available if the name is not known; (4) the name(s) or description/identifying information and protected classes of all known witnesses to the alleged incident; (5) any written statements of the reporter, the victim (if different from the reporter), the accused, and any known witnesses; (6) the outcome of the investigation, which will be communicated to all parties in conference or in writing no later than 20 calendar days from the date of the initial complaint, unless circumstances require a longer investigation; and (7) the response of school personnel and, if applicable, District-level officials, including the date any incident was reported to the police, with the exception of reports of child abuse or neglect. The Office of General Counsel will maintain all reports made either to it or the Director of the Human Resources Department under this policy.

If a complainant requests confidentiality, the District will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality. The District must evaluate the request for confidentiality in the context of its responsibility to provide a safe and nondiscriminatory environment for students and staff.

The District will use available means to stop, remedy, and prevent the recurrence of any conduct found to be in violation of this policy. Such means may include taking steps to remedy the effects of harassment on victims and establishing measures to ensure the safety of all staff and students.

Retaliation against an employee or student because of a report of harassment or because of participation in an investigation of alleged harassment is prohibited and will not be tolerated. Employees and students are required under this policy to timely report allegations of suspected retaliation to the Office of General Counsel or the Director of the Human Resources Department. Complaints of retaliation will be investigated and, where appropriate, may lead to disciplinary action up to and including potential dismissal. Regardless of who is involved or the status of the accused, retaliation as set forth above is not permitted.

**Cincinnati CITY SCHOOL DISTRICT
ADMINISTRATIVE PROCEDURES**

<i>Workplace Harassment Reporting</i>	
Procedure No. 2260	Eff. Date: 6/30/18
Implements Board Policy(ies): 2260 Nondiscrimination and Access to Equal Educational Opportunity 2260.01 Section 504 / ADA Prohibition Against Discrimination Based on Disability 2260.02 Prohibition Against Harassment of Students and Staff	Last Reviewed: 6/30/18

1. Background

Provides the procedure for reporting and investigation of workplace harassment and discrimination.

2. Responsibilities

Title: General Counsel	
Address: Education Center	
Phone: (513) 363-0114	
<i>The General Counsel shall have the responsibility of publishing a form by which employees may report alleged instances of discrimination and/or workplace harassment. After receiving any such form, the General Counsel shall have the responsibility to investigate and respond in writing to any reports of alleged harassment and discrimination.</i>	

3. Action Steps

Provide regular training to employees regarding the District's prohibition against workplace harassment and reporting procedures.

Investigate any reported allegations of workplace discrimination or harassment.

Respond in writing to reports of alleged harassment.

4. Equity Considerations

The Board's prohibition against discrimination and workplace harassment are intended to promote equity throughout the District.

5. Related Documents / Forms

Document Title	Description	Last Reviewed
1. Harassment Reporting Form	Form available for reporting allegations of harassment.	6/30/18

6. Additional Information

HARASSMENT REPORTING FORM

This form may be used by employees, parents, or students of the Cincinnati City School District to report any instances of harassment including staff-to-staff, staff-to-student, or student-to-student harassment. This form may also be used to report instances of harassment by third parties (e.g., a visiting athlete, guest speaker, etc.). The report should include the name of the person reporting the harassment, the names of the persons alleged to have been harassed, the names of the persons who engaged in the allegedly harassing conduct, and the names of any witnesses. Any witness statements of the reporter, the victim (if different from the reporter), the accused, and any other witnesses should be attached.

Name: _____ School or Dep't: _____

Statement or Complaint: _____

Once completed, this form should be forwarded promptly to:

Office of General Counsel
Education Center
2651 Burnet Avenue
Cincinnati, Ohio 45219
(513) 363-0111

If the complaint is against the Office of General Counsel, the form should be forwarded to the Director of Human Resources at the Education Center.

FOR OFFICE USE ONLY:

Outcome of Investigation (if needed, attach separately): _____

Response of School or District Personnel (if needed, attach separately): _____



Book	Cincinnati City School District Policies
Section	2000 Programs
Title	Field And Other District Sponsored Trips
Code	2340
Status	Active
Legal	R.C. 3327.15 A.C. 3301-83-12 A.C. 3301-83-16(A)(B)(E) Auditor of State Bulletin 2000-006
Last Revised	December 20, 2018

Cincinnati City School District Policies

The Board of Education recognizes that field trips, when used for teaching and learning integral to the curriculum, are an educationally sound and important ingredient in the instructional program of the schools. Properly planned and executed field trips should:

- A. supplement and enrich classroom procedures by providing learning experiences in an environment outside the schools;
- B. arouse new interests among students;
- C. help students relate school experiences to the reality of the world outside of school;
- D. bring the resources of the community - natural, artistic, industrial, commercial, governmental, educational - within the student's learning experience; and
- E. afford students the opportunity to study real things and real processes in their actual environment.

For purposes of this policy, a field trip shall be defined as any planned journey with one or more students away from District premises, which is an integral part of a course of study and is under the direct supervision and control of a professional staff member or any advisor as designated by the Superintendent.

Other District sponsored trips shall be defined as any planned, student travel activity which is approved as part of the District's total educational program and is under the direct supervision and control of a professional staff member or any advisor as designated by the Superintendent.

School personnel shall not accept any form of compensation from vendors that might influence their recommendation on the eventual selection of a location for, or a vendor that will provide transportation to, a field or other District sponsored trip. Furthermore, school personnel shall not accept any compensation from a vendor after a decision has been made regarding the location for, or a vendor that will provide transportation to, a field or other District sponsored trip. In addition, school personnel who recommended the location for, or a vendor that will provide transportation to, a field or other District sponsored trip shall not enter into a contractual arrangement whereby an individual staff member receives compensation in any form from the vendor that operates the venue for, or provides the transportation to, a field or other District sponsored trip for services rendered.

Such compensation includes, but is not limited to, cash, checks, stocks, or any other form of securities, and gifts such as televisions, microwave ovens, computers, discount certificates, travel vouchers, tickets, passes, and other items of value. In the event that a school staff member receives such compensation, albeit unsolicited, from a vendor, the staff member shall notify the Treasurer, in writing, that they received such compensation and shall thereafter promptly transmit said compensation to the Treasurer at their earliest opportunity.

The Superintendent or the Superintendent's designee shall review and determine approval of all trips. Students may be charged fees for District sponsored trips, including, but not limited to, admission fees and/or transportation, but no student shall be denied participation for financial inability, nor shall nonparticipation be penalized academically. Students on all District-sponsored trips remain under the supervision of the Board and are subject to the District's administrative procedures.

The Board does not endorse, support, or assume liability in any way for any staff member, volunteer, or parent of the District who takes students on trips not approved by the Board or Superintendent or the Superintendent's designee. No staff member may solicit students of this District for such trips within the facilities or on the school grounds of the District without permission from the Superintendent or the Superintendent's designee. Permission to solicit neither grants nor implies approval of the trip. Such approval must be obtained in accordance with the District's administrative procedures for extended trips. School administrators and employees may not accept any compensation or benefit, from any source other than the District, for recommending or selecting a tour company to plan and schedule a trip.

The Superintendent of the Superintendent's designee shall prepare administrative procedures for the operation of both field and other District-sponsored trips, including athletic trips, which shall address:

- A. the safety and well-being of students;
- B. parental permission is sought and obtained before any student leaves on a trip;
- C. each trip is properly monitored;
- D. student behavior while on all field trips complies with the Student Support Guide Code of Conduct and school discipline policies and on all other trips complies with an approved code of conduct for the trip;
- E. a copy of each student's Emergency Medical Authorization Form is in the possession of the staff member in charge;
- F. provisions have been made for the administration of medication to those students for whom medications are administered routinely while at school; and
- G. provisions have been made at the trip destination and in transportation, if and when required to accommodate students and/or chaperones with disabilities.

A professional staff member shall not change a planned itinerary while the trip is in progress, except where the health, safety, or welfare of the students in their charge is imperiled or where changes or substitutions beyond their control have frustrated the purpose of the trip.

In any instance in which the itinerary of a trip is altered, the professional staff member in charge shall notify the administrative superior immediately.

**Cincinnati CITY SCHOOL DISTRICT
ADMINISTRATIVE PROCEDURES**

<i>Field Trip Permission</i>	
Procedure No. 2340-01-01	Eff. Date: 6/30/18
Implements Board Policy(ies) 2340	Last Reviewed:6/30/18

1. Background

The Office of General Counsel has developed model field trip permission forms and notification forms for parents.

2. Responsibilities

Title: General Counsel	
Address: Education Center	
Phone: (513) 363-0114	
<i>General Counsel will be responsible for providing an updated field trip permission form for schools.</i>	

3. Action Steps

An updated field trip permission slip should be provided to schools. The school shall provide as much information to parents about the field trip, the means of transporting students to and from the venue, the activities of the students at the venue, and any special circumstances involving the trip.

An information trip about students and chaperones participating in international field trips shall also be provided to schools.

4. Equity Considerations

There are equity considerations in ensuring that students have equitable opportunities to participate in field trips, but that is outside the scope of this procedure. This procedure relates only to ensuring that an appropriate permission slip is provided to parents.

5. Related Documents / Forms

Document Title	Description	Last Reviewed
<i>Model Field Trip Permission</i>		<i>6/30/18</i>
<i>International Field Trip Information Form</i>		<i>6/30/18</i>

6. Additional Information

None.



FIELD TRIP INTERNATIONAL INFORMATION FORM

(Below to be completed by the Administrator/Teacher in Charge)

School: ___ Date: ___

Principal: ___ Office/Mobile Numbers: ___

DESTINATION: ___

Administrator/Teacher in Charge: ___

Office/Mobile Numbers: ___

TRAVEL INFORMATION

To Destination

Departure Date: ___ Airline: ___ Flight No.: ___ Arrival Time: ___

From Destination

Departure Date: ___ Airline: ___ Flight No.: ___ Arrival Date: ___

Miscellaneous: ___

(Please provide a copy of final field trip itinerary before departure date.)

CHAPERONES (total number): ___

Chaperone Name / Mobile Number

___ / ___ CPS Employee: ___ yes ___ no

___ / ___ CPS Employee: ___ yes ___ no

___ / ___ CPS Employee: ___ yes ___ no

___ / ___ CPS Employee: ___ yes ___ no

___ / ___ CPS Employee: ___ yes ___ no

___ / ___ CPS Employee: ___ yes ___ no

___ / ___ CPS Employee: ___ yes ___ no

___ / ___ CPS Employee: ___ yes ___ no

Above listed chaperones have completed the required State (BCII) and Federal (FBI) background checks as required on the attached CPS Office of Safety and Security Services District Form 8475-1F1.



FIELD TRIP INTERNATIONAL INFORMATION FORM

(Below to be completed by the Administrator/Teacher in Charge)

STUDENT INFORMATION:

____ Student Name/Mobile Number Grade: ____ D.O.B. ____

____ Student Name/Mobile Number Grade: ____ D.O.B. ____

____ Student Name/Mobile Number Grade: ____ D.O.B. ____

____ Student Name/Mobile Number Grade: ____ D.O.B. ____

____ Student Name/Mobile Number Grade: ____ D.O.B. ____

____ Student Name/Mobile Number Grade: ____ D.O.B. ____

____ Student Name/Mobile Number Grade: ____ D.O.B. ____

____ Student Name/Mobile Number Grade: ____ D.O.B. ____

____ Student Name/Mobile Number Grade: ____ D.O.B. ____

____ Student Name/Mobile Number Grade: ____ D.O.B. ____

____ Student Name/Mobile Number Grade: ____ D.O.B. ____

____ Student Name/Mobile Number Grade: ____ D.O.B. ____

____ Student Name/Mobile Number Grade: ____ D.O.B. ____

Submit the completed form to the Office of General Counsel via email crablek@cps-k12.org or fax (513) 363-0110 before the departure date.



FIELD TRIP PERMISSION TO PARTICIPATE FORM

(For use in ALL Field Trips – Local, Outside of the City Limits and International Travel)

School Name: _____ Date: __

Administrator/Teacher in Charge: __ Room Number/Grade: __
Office/Mobile Numbers: __

DESTINATION: __

Student Name: _____ Date of Birth: _____

1. Site to be visited and the location: __
2. Date(s) of field trip: __ Departure Time: __ Return Time: __
3. Purpose of Trip: __
4. Student Activities: __
5. Mode of Transportation: __
6. **Students must be able to:** __
(Describe above any special requirements necessary for the trip ex: ability to swim)

Additional items:

Packed Lunch: __ yes __ no

Cost/Fee for Field Trip: __ (submit cash no later than ____)

Chaperones for Field Trip: __ yes, I am interested in being a chaperone

(Review attached document from CPS Office of Safety & Security District Form 8475-1F1 for required background checks for Chaperones.)

Expectations and Instructions: The student and I understand the following:

1. To follow instructions given by Administrator/Teacher in Charge.
2. Not to leave or separate from the group without appropriate authorization from Administrator/Teacher in Charge.
3. Comply with all laws and ordinances, including but not limited to those pertaining to prohibiting the possession of drugs and/or alcohol. **POSSESSION AND/OR USE OF DRUGS AND/OR ALCOHOL IS ABSOLUTELY PROHIBITED.**
4. Follow all board policies, the District's Code of Conduct, school rules, and regulations at all times.
5. Follow the customary standards of good citizenship, good decorum, and common courtesy.

If any of the above expectations or instructions are violated, the student's participation may be immediately terminated, a parent/guardian contacted to retrieve the student, and disciplinary action imposed.

Signature of Parent/Guardian

Signature of Student

Date

Date



FIELD TRIP PERMISSION TO PARTICIPATE FORM

(For use in ALL Field Trips – Local, Outside of the City Limits and International Travel)

Does your child have any disabilities that may require any special accommodations? ___ yes ___ no

If yes, please specify below or provide additional documentation: _____

Does your child have a medical condition where medication may be needed while on the field trip, such as an inhaler, etc.? ___ yes ___ no **and/or** any food allergies? ___ yes ___ no

If yes, please specify below or provide additional documentation: _____

EMERGENCY CONTACTS:

Parent/Guardian: _____ Home/Mobile Numbers: _____

Parent/Guardian: _____ Home/Mobile Numbers: _____

Address: _____

Name of Insurance Company: _____

Group/ID Number: _____ Phone Number: _____

Other Emergency Contacts:

Name: _____ Home/Mobile Numbers: _____

Name: _____ Home/Mobile Numbers: _____

In the event reasonable attempts to contact me have been unsuccessful, I hereby give my consent for emergency medical treatment of my child due to illness or injury by a licensed physician or dentist; and the transfer of the child to any hospital reasonably accessible.

This authorization does not cover major surgery unless the medical opinion of a licensed physician or dentist, concurring in the necessity for such surgery, is obtained prior to the performance of such surgery.

Facts concerning the child's medical history, including allergies, medications being taken, and any physical impairments to which a physician should be alerted: _____

I release and waive, and further agree to indemnify, hold harmless the Board of Education, the individual members, agents, employees and representatives thereof, as well as trip administrator/teacher in charge, from and against, any claim which I, any other parent or guardian, any sibling, the student or any other person may have or claim to have, known or unknown, directly or indirectly, for any losses, damages or injuries arising out of, during, or in connection with the student's participation in the trip and related activities or the rendering of emergency medical treatment, if any.

Signature of Parent/Guardian

Date



**APPROVAL FORM
FIELD TRIPS**

**Directors of School Leadership
Superintendent Office**

Fax (513) 363-0055

DATE: August 1, 2019

**CC: Assistant Principals
School Secretaries**

TO: Principals

**FROM: Dean Blase, Jonathan Brown, Monisha House and
Jason Spencer**

**RE: Field Trips Outside of the City Limits (more than 40 miles),
Overnight Stay and International Travel**

A field trip with travel **more than 40 miles outside of the city limits, overnight stay (distance does not matter), or international travel**, please complete the below portion on this form.

As Principal, you need to **review and approve all travel plans** to ensure that the procedures for travel have been followed. According to Board Policy 2340 Field And Other District Sponsored Trips, it is essential that all efforts are made to ensure that all travel relates to educational goals and objectives, are under the **direct supervision and control of a professional staff member**, and if the itinerary of a trip is altered in any way, the employee in charge is to immediately contact you. It is important that **all required payments have been made** and arrangements confirmed **before leaving** on the trip. You are **required to use a travel agency** for any approved field trip with **international travel**; this requirement includes using only one travel agency for the field trip. Should you have any questions, or need any additional assistance with the travel agency requirement, contact the Purchasing Department.

Your office will need to keep on file a copy of the **final field trip itinerary**. Remind staff to contact you **immediately** when it becomes necessary while traveling to alter the field trip itinerary in any way. Forward this completed form via email to your Administrator for their approval.

School Name: ___ **Principal:** ___

Destination (Name and Location): ___

Departure Date/Time: ___ **Return Date/Time:** ___

Administrator/Teacher in Charge: ___ **Mobile Number:** ___

Emergency Contact Name: ___ **Mobile Number:** ___

Chaperone Name / Mobile Number

___ / ___ **CPS Employee:** ___ yes ___ no

___ / ___ **CPS Employee:** ___ yes ___ no

___ / ___ **CPS Employee:** ___ yes ___ no

___ / ___ **CPS Employee:** ___ yes ___ no

The above listed chaperones have completed the required background checks as required on the attached CPS Office of Safety and Security Services District Form 8475-1F1 before travel.

Total number of Students (approximate): ___ **Total number of Adults (approximate):** ___

Mode of Transportation: ___

Miscellaneous: ___

Principal's Signature: _____ **Date:** _____

(OGC Revised 8/01/2019)

CENTRAL OFFICE USE ONLY

Approved By: _____
Signature Title Date



Book	Cincinnati City School District Policies
Section	3000 Professional Staff
Title	Criminal History Record Check
Code	3121
Status	Active
Legal	R.C. 109.57 R.C. 109.572 R.C. 2950 R.C. 2953.32 R.C. 3319.39 R.C. 3301.541
Last Revised	June 27, 2011

Cincinnati City School District Policies

The Board of Education requires a background check of each applicant the Superintendent recommends for employment. This requirement includes all substitutes, consultants and persons employed on a part-time basis such as coaches or activity supervisors who may have care, custody, or control of students. It is not required of any currently-employed employee who is a candidate for another position in the District.

Cincinnati Public Schools (CPS) shall employ only those applicants who are fully qualified to work in an educational environment. Before employing an applicant, the administration shall conduct a pre-employment background check which shall include, but not be limited to, a check of criminal records as required by state law.

Any information and records obtained from such inquiries are confidential and shall not be released or disseminated.

Revised 8/9/10
Revised 12/7/09
6-27-11

**CINCINNATI CITY SCHOOL DISTRICT
ADMINISTRATIVE PROCEDURES**

Background Checks	
Procedure No. 3121-00-01	Eff. Date: 6/30/18
Implements Board Policy(ies): 3121 Criminal History Record Check 4121 Criminal History Record Check	Last Reviewed: 6/30/18

1. Background

Procedure for criminal background checks for CPS employees, contractors, partners, and volunteers.

2. Responsibilities

Title: General Counsel	
Address: Education Center	
Phone: (513) 363-0114	
<i>The General Counsel shall be responsible for updating criminal record check policy and procedures as necessary to comply with state law.</i>	

Title: Human Resources	
Address: Education Center	
Phone:	
<i>The Human Resources Department shall be responsible for ensuring that all employees have appropriate criminal background checks.</i>	

Title: Security Department	
Address: Education Center	

Phone:	
<i>The Security Department shall be responsible for reviewing criminal background checks and issuing security badges.</i>	

3. Action Steps

<i>All employees, contractors, partners, and volunteers shall have criminal records checks as required by state law.</i>
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4. Equity Considerations

<i>Not applicable.</i>

5. Related Documents / Forms

Document Title	Description	Last Reviewed
Background Check Requirements	Describes the background checks (local / FBI / BCI) required for employees, volunteers, etc.	7/24/17
Badge Request Form	Used to request security badges for volunteers / consultants / contractors	6/30/18

6. Additional Information

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**CINCINNATI PUBLIC SCHOOLS
OFFICE OF SAFETY AND SECURITY SERVICES**

2651 BURNET AVENUE
CINCINNATI, OHIO 45219

PHONE: 513-363-0100

FAX: 513-363-0105

District Form 8475-1F1

Security Badges & Background Checks

All employees, contractors, volunteers, and visitors at Cincinnati Public Schools (CPS) are required to display identification. **Sporadic or one-time visitors** receive a temporary security badge generated from the Lobby-Guard machine. Employees, contractors, volunteers or other individuals in school buildings on a regular basis need a security badge which is issued by the Office of Safety and Security Services at the Education Center. A criminal records background check is **required** for the issuance of all security badges. Levels of background checks vary based on contact with students. See requirements below.

Background Checks			
Category	Local Check (Obtain this background check from county where you had the most recent 5 years of continuous residence.)	State Check - BCII (The standard BCII background check is a fingerprint check required for any unsupervised contact with a child* .)	Federal Check - FBI (The standard FBI background check is a fingerprint check required for any unsupervised contact with a child* .)
Employee		X	X
Student Teachers		X	X
Co-op Students		X	X
Police In CPS' employment		X	X
Interns: Consulting / Unpaid*	X		
Chaperones* / Volunteer*	X		
Chaperones (overnight/international trips)		X	X
Coaches / Volunteer Coaches	X	X	X
Consultants*	X		
Contractors*	X		
Vendors*	X		

***An individual in these categories who has any unsupervised contact with a student that is not accompanied with a CPS employee, must have the State (BCII) and Federal (FBI) checks completed if left one on one with a student(s).**

How to Obtain a Background Check: (2 locations listed below)

- Hamilton County Justice Center, 1000 Sycamore Street, downtown. Report should be mailed to CPS. (Cash only, self-pay meters)
- University of Cincinnati Edwards Building Public Safety door #4, 51 W Corry Blvd off Jefferson, Clifton. Return the next day to receive your copy. (free parking, cash or credit card)
 - You will need to bring an official form of identification such as State ID or driver's license.
 - The local background check is from the County you reside in and the cost is \$5.00. The BCII and FBI background check is \$66.00. Prices are subject to change.
 - Please note that a background check obtained online is not acceptable.**

How to Obtain a Security Badge:

- Bring the results of your local background check or the receipt from your BCII and FBI background check directly to the Security Office at the Education Center ("Ed Center") at the above address. When applying for a BCII and FBI background check, request the results to be sent directly to the attention of the Security Office. **BADGES ARE ISSUED UPON RECEIPT OF ALL RESULTS.**
- The Security Office is located on the first floor at the Ed Center. Enter the middle doors and check in at the front desk. The Security Office is open on Monday - Thursday from 7:30 A.M. – 3:00 P.M. to create security badges.



**CINCINNATI PUBLIC SCHOOLS
OFFICE OF SAFETY AND SECURITY SERVICES**

2651 BURNET AVENUE
CINCINNATI, OHIO 45219

PHONE: 513-363-0100

FAX: 513-363-0105

District Form-8475-1F2

Volunteer/Consultant/Contractor Security Badge Authorization/Approval Form

School/Building _____

Consultant Name: _____ Company with: _____

Contractor Name: _____ Company with: _____

Student Teacher: _____ College attend: _____

Volunteer Name: _____

1. This person will have unsupervised access*** with students? YES NO
(Unsupervised contact means not accompanied with a CPS Employee)

2. Should this person have access to your building's doors? YES NO

Administrator Name: _____ Title: _____
(please print)

Administrator Signature: _____ Date: _____

- 1) This **form must be completed by the school office and faxed** to the Safety and Security Services Office **prior to issuance** of any CPS Security Badge.
- 2) Bring your background check to the CPS Safety and Security Services Office at the Board of Education, 2651 Burnet Ave, 45219
- 3) Local Background check \$5.00 from the Hamilton County Sheriff's Office, 1000 Sycamore St, 45201, covering the last 5 years residence must accompany this form and is required in order to receive volunteer badge.

***** All persons that have unsupervised contact with students must also supply a BCII and FBI background check. (Unsupervised contact means not accompanied with a CPS Employee)**

Contact the Safety & Security Office at 513-363-0100 with questions or need assistance.



Book	Cincinnati City School District Policies
Section	8000 Operations
Title	Public Records
Code	8310
Status	Active
Legal	R.C. 9.01 R.C. 102.03(B) R.C. 149.011 R.C. 149.41 R.C. 149.43 R.C. 1306.01 R.C. 1347 et seq. R.C. 3313.26 R.C. 3319.32 R.C. 3319.321 20 U.S.C. 1232g
Last Revised	April 14, 2008

Cincinnati City School District Policies

"Public record" is defined as any document, device, or item, regardless of physical form or characteristic, including an electronic record as defined in statute as having been created, generated, sent, communicated, received, or stored by electronic means, created or received by or coming under the jurisdiction of the Board or its employees, which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the District. "Public records" do not include medical records, trial preparation records, confidential law enforcement investigatory records, records the release of which is prohibited by State or Federal law, and any other exceptions set forth in R.C. 149.43. Confidential law enforcement investigatory records, medical records, and trial preparation records are defined in R.C. 149.43.

Records pertaining to individual students and other confidential materials are not public documents and are not released. Only that information deemed "directory information" may be released from an individual student's file. Student directory information is not released when parents have affirmatively withdrawn their consent to release in writing. Student records that consist of "personally identifiable information" are exempt from disclosure.

The public records of this District shall be available during regular business hours. Upon request, a person may receive copies of public records, at cost, within a reasonable period of time. The District's public records shall be promptly prepared and made available for inspection.

No specific language is required to make a request. The requester must minimally identify the record(s) requested with sufficient clarity to allow the District to identify, retrieve, and review the record(s). The request for records need not be in writing. The requestor shall not be required to provide his/her identity or the intended use of the requested public record(s), unless the request is for directory information. All requests for public records shall be satisfied or acknowledged by the District promptly following the receipt of the request. If the request for records was in writing, the acknowledgement by the District shall also be in writing.

The Superintendent is authorized to grant or refuse access to the records of this District in accordance with the law. Any denial, in whole or in part, of a public records request must include an explanation, including legal authority. If portions of a record are public and portions are exempt, the exempt portions are to be redacted and the rest released. If there are redactions, each redaction must be accompanied by an explanation, including legal authority. If the request for records was in writing, the explanation shall also be in writing.

A person may purchase copies of the District's public records upon payment of the actual cost of duplication. A person who chooses to purchase a copy of a public record may request to have the record duplicated on paper, on the same medium on which the District keeps

the record, or on any other medium in which the custodian of records determines that said record reasonably can be duplicated under normal operations. A person who chooses to purchase a copy of a public record may also choose to have that record sent to him/her by United States mail or by other means of delivery or transmission provided the person making the request pays in advance for the record and the cost for postage and mailing supplies.

The number of records requested by a person that the District will transmit by U.S. mail shall be limited to ten (10) per month, unless the person certifies, in writing to the District, that the person does not intend to use or forward the requested records, or the information contained in them, for commercial purposes. "Commercial" shall be narrowly defined and does not include reporting or gathering news, reporting gathering information to assist citizen oversight or understanding of the operation or activities of the District, or nonprofit educational research. (R.C. 149.43(B)(7))

Documents in electronic mail format are records as defined by the Ohio Revised Code when their content relates to paragraph one of this policy. E-mail shall be addressed in the same manner as records in other formats and shall follow the same retention schedule. Records in private e-mail accounts used to conduct public business are subject to disclosure. All employees or representatives of the District shall retain e-mails that relate to public business and shall copy them to their business e-mail account(s). These records shall be filed appropriately, retained in accordance with the established schedules, and made available for inspection and duplication. No public record may be removed from the office in which it is maintained except by a Board officer or employee in the course of the performance of his/her duties.

Board members may, in the performance of his/her official duties, inspect any record of the District, except student records and certain portions of personnel records.

A School District Records Commission shall be established consisting of the Board President, Treasurer, and Superintendent of Schools in accordance with law to evaluate retention of District records. Record retention schedules shall be updated regularly and posted prominently. The Commission shall meet at least once every twelve (12) months.

Administrative guidelines shall be developed to provide guidance to District employees in responding to public records requests. The Superintendent shall require the posting and distribution of this policy in accordance with statute.

Revised 4/14/08



Request to Restrict Privacy Information

Federal and Ohio laws prohibit Cincinnati Public Schools (CPS) from publicly releasing information about our students, except for designated "Directory Information." Per Board Policy No. 8330, CPS defines Directory Information as the following:

- **A student's name, school, grade level, parent-guardian's name, home address, telephone number, email address, participation in officially recognized activities and sports, and awards received.**

A primary purpose of releasing Directory Information is to allow CPS to highlight students' accomplishments in school publications. Under Ohio public records law, CPS is required upon request to provide the above information to any member of the public who requests it. **If you agree that CPS may release the above information, you do not need to return this form and no further action is needed.**

To tell CPS to keep your child's Directory Information private: Parents, legal guardians or students aged 18 and older may tell CPS to keep this information private by checking the box, or boxes below, and returning this form to school by the end of the second full week in September.

General Public Release: (including to news media, potential employers, colleges and universities, etc.):

- CPS may not release Directory Information about my child.

Military Recruiters:

CPS must release the names, addresses and telephone numbers of high school students to military recruiters under federal law, unless the parent/ legal guardian (or student aged 18 and over) specifically objects.

- CPS may not release my child's name, address and phone number to military recruiters.

Student's Last Name: _____ First Name: _____

Student's Birth Date: _____
Month / Day / Year

School: _____ Grade: _____ Home Room: _____

Please check one:

- I am the student, and I am 18 years of age or older.
- I am the parent, guardian or custodian of the student, and the student is under 18 years of age.

Name (**Please Print**): _____

Signature: _____ Date: _____

Parents/guardians and/or eligible students who believe their rights under the Federal Education Rights and Privacy Act (FERPA) have been violated may file a complaint with: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C., 20202-4605. www.ed.gov/offices/OM/fpco.
Informal inquiries may be sent to the Family Policy Compliance Office via e-mail: FERPA@ed.gov



Book	Cincinnati City School District Policies
Section	8000 Operations
Title	Public Records
Code	8310
Status	Active
Legal	R.C. 9.01 R.C. 102.03(B) R.C. 149.011 R.C. 149.41 R.C. 149.43 R.C. 1306.01 R.C. 1347 et seq. R.C. 3313.26 R.C. 3319.32 R.C. 3319.321 20 U.S.C. 1232g
Last Revised	April 14, 2008

Cincinnati City School District Policies

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Records pertaining to individual students and other confidential materials are not public documents and are not released. Only that information deemed "directory information" may be released from an individual student's file. Student directory information is not released when parents have affirmatively withdrawn their consent to release in writing. Student records that consist of "personally identifiable information" are exempt from disclosure.

The public records of this District shall be available during regular business hours. Upon request, a person may receive copies of public records, at cost, within a reasonable period of time. The District's public records shall be promptly prepared and made available for inspection.

No specific language is required to make a request. The requester must minimally identify the record(s) requested with sufficient clarity to allow the District to identify, retrieve, and review the record(s). The request for records need not be in writing. The requestor shall not be required to provide his/her identity or the intended use of the requested public record(s), unless the request is for directory information. All requests for public records shall be satisfied or acknowledged by the District promptly following the receipt of the request. If the request for records was in writing, the acknowledgement by the District shall also be in writing.

The Superintendent is authorized to grant or refuse access to the records of this District in accordance with the law. Any denial, in whole or in part, of a public records request must include an explanation, including legal authority. If portions of a record are public and portions are exempt, the exempt portions are to be redacted and the rest released. If there are redactions, each redaction must be accompanied by an explanation, including legal authority. If the request for records was in writing, the explanation shall also be in writing.

A person may purchase copies of the District's public records upon payment of the actual cost of duplication. A person who chooses to purchase a copy of a public record may request to have the record duplicated on paper, on the same medium on which the District keeps

the record, or on any other medium in which the custodian of records determines that said record reasonably can be duplicated under normal operations. A person who chooses to purchase a copy of a public record may also choose to have that record sent to him/her by United States mail or by other means of delivery or transmission provided the person making the request pays in advance for the record and the cost for postage and mailing supplies.

The number of records requested by a person that the District will transmit by U.S. mail shall be limited to ten (10) per month, unless the person certifies, in writing to the District, that the person does not intend to use or forward the requested records, or the information contained in them, for commercial purposes. "Commercial" shall be narrowly defined and does not include reporting or gathering news, reporting gathering information to assist citizen oversight or understanding of the operation or activities of the District, or nonprofit educational research. (R.C. 149.43(B)(7))

Documents in electronic mail format are records as defined by the Ohio Revised Code when their content relates to paragraph one of this policy. E-mail shall be addressed in the same manner as records in other formats and shall follow the same retention schedule. Records in private e-mail accounts used to conduct public business are subject to disclosure. All employees or representatives of the District shall retain e-mails that relate to public business and shall copy them to their business e-mail account(s). These records shall be filed appropriately, retained in accordance with the established schedules, and made available for inspection and duplication. No public record may be removed from the office in which it is maintained except by a Board officer or employee in the course of the performance of his/her duties.

Board members may, in the performance of his/her official duties, inspect any record of the District, except student records and certain portions of personnel records.

A School District Records Commission shall be established consisting of the Board President, Treasurer, and Superintendent of Schools in accordance with law to evaluate retention of District records. Record retention schedules shall be updated regularly and posted prominently. The Commission shall meet at least once every twelve (12) months.

Administrative guidelines shall be developed to provide guidance to District employees in responding to public records requests. The Superintendent shall require the posting and distribution of this policy in accordance with statute.

Revised 4/14/08

**CINCINNATI CITY SCHOOL DISTRICT
ADMINISTRATIVE PROCEDURES**

<i>Issuance of Stay Away Letters</i>	
Procedure No. 9150-01-01	Eff. Date: 6/30/18
Implements Board Policy(ies): 3362.01 – Threatening Behavior Toward Employees 4362.01 – Threatening Behavior Toward Employees 9150 – School Visitors	Last Reviewed: 6/30/18

1. Background

Provides the procedure for requesting and issuing stay away letters to school visitors who have engaged in disruptive conduct at the school.

2. Responsibilities

Title: General Counsel	
Address: Education Center	
Phone: (513) 363-0114	
<i>With the approval of a Director of School Leadership, the General Counsel will be responsible for issuing stay-away letters. See the attached memorandum.</i>	

3. Action Steps

See the attached memorandum.

4. Equity Considerations

Not applicable.

5. Related Documents / Forms

Document Title	Description	Last Reviewed
Memo to Principals	Memo describing the process for requesting and issuing stay-away letters	6/30/18
Model Stay Away Letter	Used as the model for stay away letters issued by the Office of General Counsel	6/30/18

6. Additional Information

ATTORNEY-CLIENT PRIVILEGED AND CONFIDENTIAL



TO: All Principals
FROM: Daniel J. Hoying, General Counsel
DATE: August 1, 2019
RE: Stay-Away Letters

**INTER-OFFICE
CORRESPONDENCE**

Daniel J. Hoying, General Counsel
Phone: (513) 363-0114 – Fax: (513) 363-0110 – hoyingd@cps-k12.org

This letter describes the procedure that the Office of General Counsel uses for issuing stay-away letters.

When a visitor to the school engages in conduct that is very disruptive and/or threatening to the school community, a Principal may request that the Office of General Counsel issue a stay-away letter. The letter informs the individual that they are not permitted on school property **except with express permission from the Principal.**

Sending a stay-away letter to a parent/guardian (of a student at the school) should be considered an option of last resort. Stay-away letters should only be issued to a parent/guardian if:

- The parent/guardian has engaged in conduct that threatens the safety of the school, or
- The parent/guardian has engaged in conduct that is extremely disruptive to the school, and other efforts to work with the parent/guardian have been unsuccessful.

Procedure for Issuing a Stay-Away Letter

The following process is used to request a stay-away letter:

- (1) Principal sends email to their Administrator and the Office of General Counsel.
 - a. The **email** should be **sent to the Administrator** responsible for their school and to **Daniel Hoying**, also **copying Kathy Crable on email.**
 - b. The email should include a description of the conduct leading to the request for the stay-away letter and the efforts the school has made to work with the parent/guardian. Attach any witness statements or other supporting documentation.
 - c. Include in the **email the name and address** of the individual who you intend to receive the stay-away letter.
 - d. Include the requested **duration** of the stay-away letter. We strongly encourage principals to consider a shorter duration for the stay-away letter (i.e., two weeks) – especially at the beginning of the school year and for a parent/guardian who has never previously received a stay-away letter. Letters issued for the entire school year should be limited to cases involving threats to the school.

ATTORNEY-CLIENT PRIVILEGED AND CONFIDENTIAL

- (2) The Administrator approves the request. Stay-away letters are only issued upon the approval of your Administrator.
- (3) A letter issued from the Office of General Counsel is sent via next day services – a copy of the letter will be sent via email to the Principal, copying their Administrator, CPS Security, and the School Resource Officer.
- (4) Principal communicates with the recipient of the letter about when the individual is authorized to be on school property. If a stay-away letter is issued to a parent/guardian, a plan should be discussed with them about where and when it is appropriate for the parent/guardian to drop off or pick up any student(s) at school. The Principal should also advise the parent/guardian whether they are authorized to attend school functions, athletic events, teacher conferences, open house events, class or school celebrations, etc. The Principal should keep a record of communications with the parent/guardian about a stay-away letter to avoid any dispute about when the Principal has granted or denied permission for the parent/guardian to be on school property.

If a Principal determines that a stay-away letter is no longer needed, the Principal may contact the Office of General Counsel to withdraw the letter. The Office of General Counsel will not release or waive a stay-away letter without express permission from the Principal.

Stay-Away Letters that are Violated or Ignored

In the case of a parent/guardian or other individual who violates or ignores a stay-away letter, the Principal should communicate with the individual to ensure that the letter has been received. If necessary, the Principal may need to explain that for the duration of the stay-away letter, the parent/guardian or individual needs express permission from the Principal to be on school property.

If an individual who is subject to a stay-away letter continues to violate or ignore the letter, the Principal should contact the School Resource Officer. A copy of the letter should be provided to the School Resource Officer. If the individual continues to violate or ignore the letter, the School Resource Officer may cite the individual for criminal trespassing.

Any stay away letter issued for the entire school year, does expire at the end of the school year.

If you have any questions about stay-away letters, please do not hesitate to contact our office:

Daniel Hoying, General Counsel – 363-0114
Ashley Addo, Assistant General Counsel – 363-0113
Kathy Crable, Executive Assistant – 363-0111



Education Center Office of General Counsel hoyingd@cps-k12.org
P.O. Box 5381 Cincinnati, Ohio 45201-5381 Phone: 1-513-363-0114 Fax: 513-363-0110

EXAMPLE – Stay-Away Letters are prepared and sent by the Office of General Counsel

Name

Cincinnati, Ohio

Dear M:

We have been informed that your recent conduct at SCHOOL was disruptive to the educational process and a safety concern.

For the remainder of the first quarter, until October 12, 2018, you are not permitted to enter or remain upon any school grounds or premises unless specifically authorized by the Principal. Your presence on school grounds or premises other than with authorization from the Principal is trespassing and subject to prosecution.

If you drop off/pickup any students on a daily basis, please contact the Principal for an approved plan.

Thank you for your cooperation.

Sincerely,

Daniel J. Hoying
General Counsel

SAL 2018-2019

cc: , Assistant Superintendent
, Principal
Ralph Ruwan, Supervisor of Security
SRO