

## **Marlington Local Schools Annual Mandated Notices**

To be in compliance with federal and state law, the school district is required to inform residents about various programs, policies and procedures that are in place in the district.

**All board policy and guidelines referenced may be accessed at <http://www.neola.com/marlington-oh/>**

### **Accessibility of District Facilities**

Upon request to the Superintendent/designee, the district shall make reasonable accommodation for a disabled person to be able to participate in activities.

### **AHERA Management Plan**

1. The EPA has indicated that schools should be free of friable asbestos.
2. Air samples are required every three years.
3. All potential areas of concern are to be inspected by the environmental support network, the Industrial Commission of Ohio, our maintenance staff, and an independent testing laboratory.
4. Asbestos testing and inspection has been done to bring all buildings into compliance with AHERA standards.
5. Any friable materials in buildings have been inspected and repaired to meet current standards.
6. Inspections will be done twice each year by the maintenance/custodial staff to notify the administration of any friable material.
7. Any areas of concern will be reviewed by the Board of Education during its annual building tour and placed on a priority list for permanent improvement.
8. Marlington Middle School has no asbestos. All other buildings are certified safe by AHERA standards

The U.S. Environmental Protection Agency's document titled, "How to Manage Asbestos in Schools" may be accessed at: [www.epa.gov/region2/ahera/e23.pdf](http://www.epa.gov/region2/ahera/e23.pdf)

Further information may be obtained by viewing the following school board policy:

- 8431 Preparedness for Toxic Hazard and Asbestos Hazard

### **Anti-Harassment/Intimidation/Bullying Policy**

Per Ohio Law, House Bill 276 requires all school districts to develop and adopt an Anti-Harassment/Intimidation/Bullying policy. In addition to the adoption and implementation of this policy, district administrators are required to providing semi-annual summary reports of verified acts of harassment, intimidation and bullying. All incidents should be immediately reported to the Superintendent or Building Administrator. Please view semi-annual reports at the following link: <http://www.marlingtonlocal.org/BullyingNotices.aspx>. The Anti-Harassment Compliance Officers are: Joseph Knoll, Superintendent and Carole Sutton, Assistant Superintendent, who may be reached at: 10320 Moulin Avenue, Alliance, Ohio 44601, Telephone: 330-823-7458. They may be reached by email respectively at [j\\_knoll@marlingtonlocal.org](mailto:j_knoll@marlingtonlocal.org) or [c\\_sutton@marlingtonlocal.org](mailto:c_sutton@marlingtonlocal.org).

## **Board of Education**

The Board of Education is a policy-making body comprised of five residents of the school district. Members of the Board are elected by voters of the district and serve a four-year term. The Board derives its powers and responsibilities from the Ohio General Assembly to establish a sound educational philosophy. The Board establishes policy:

- To be responsible to the residents of the Marlington Local School District
- To serve as a policy-making body
- To develop sound financial plans based upon educational needs and available resources
- To provide leadership for educational progress
- To be solely responsible for the employment and evaluation of the Superintendent and Treasurer
- To recognize the Superintendent's responsibility for all administrative functions
- To refer applications, complaints, communication, and other matters directly to the Superintendent
- To approve an annual school calendar
- To levy taxes when residents approve a tax issue

The Board of Education meetings are open to the public. The regular meetings begin at 7:00 p.m. and are held on the third Thursday of every month in the high school library unless otherwise announced. The Board, under Ohio law, may hold executive sessions during the meeting to discuss:

- Personnel matters
- Purchase of property for public purposes
- Pending or imminent court action
- Negotiations with employees
- Matters to be kept confidential by federal or state statutes
- Specialized details of security arrangements

Executive sessions are for discussion only. All board action is taken in public session.

Public participation is encouraged during the hearing of the public to present helpful suggestions for the school district. To allow the Board to complete the agenda in an effective and efficient manner, public input may be limited. Each person wishing to address the Board shall sign up with the Treasurer prior to the start of the meeting; out of courtesy, the speaker must limit himself to three (3) minutes. If additional time is needed, the individual must contact the Superintendent five (5) days prior to the board meeting to have his name and discussion topic placed on the agenda; this individual may then have up to ten minutes to speak.

## **Child Nutrition Programs**

Marlington Local School District participates in the National School Lunch Program and the School Breakfast Program. The U.S. Department of Agriculture's document titled "Eligibility Guidance for School Meals Manual" contains notices, an application form, and a chart describing information regarding free and reduced eligibility status. This document may be accessed at:  
[www.fns.usda.gov/cnd/Guidance/eligibility\\_guidance.pdf](http://www.fns.usda.gov/cnd/Guidance/eligibility_guidance.pdf)

Further information may be obtained by viewing the following school board policy:

- 8500 Food Services
- 8510 Wellness Policy
- 8531 Free and Reduced-Price Meals
- 8540 Vending Machines

### Copyright Law

WARNING CONCERNING COPYRIGHT RESTRICTIONS: The copyright law of the U.S. (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material. Under certain conditions specified in the law, libraries and archives are authorized to furnish a photocopy or other reproduction. One of these specified conditions is that the photocopy or reproduction is not to be “used for any purpose other than private study, scholarship, or research.” If a user makes a request for, or later use, of a photocopy or reproduction for purpose in excess of “fair use,” that user may be liable for copyright infringement. This institution reserves the right to refuse to accept a copying order if in its judgment, fulfillment of the order would involve violation of copyright law.

### Drug Free School

In accordance with Federal Law, the Board of Education prohibits the use, possession, concealment, or distribution of drugs by students on school grounds, in school or school-approved vehicles, or at any school-related event. Drugs include any alcoholic beverage, anabolic steroid, and dangerous controlled substance as defined by State statute, or substance that could be considered a “look-a-like” controlled substance. Compliance with this 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 handbooks, up to and including expulsion from school. When required by State law, the District will also notify law enforcement officials. The District is concerned about any student who is a victim of alcohol or drug abuse and will facilitate the process by which s/he receives help through programs and services available in the community. Student and their parents should contact the school principal or counseling office whenever such help is needed.

- 3122.01 / 4122.01 Drug Free Workplace
- 3170 / 4170 Substance Abuse

### Equal Opportunity Notice

Marlington Local School District does not discriminate in education, employment practices, services, programs, or activities because of race, color, religion, sex, national origin, handicap, or age. Further information may be obtained by viewing the following school board policies:

- 2260 Nondiscrimination and Access to Educational Opportunity
- 3122 / 4122 Nondiscrimination and Equal Opportunity Employment

### Federal Grants Program

Federal grants provide valuable supplemental instructional support and staff development in the following areas:

- Title I – Elementary reading and math intervention
- Title II A & D – Technology intervention and support

- Title III – Limited English Proficiency (LEP) intervention
- Title IV – Elementary counseling services
- Title V – Gifted intervention
- IDEA-B – Special education support services

A Comprehensive Continuous Improvement Plan (CCIP) must be submitted annually to comply with the requirements and accountability standards of the No Child Left Behind Act.

### **Health Insurance Portability and Accountability Act**

HIPAA requires that Marlinton provide notice of its privacy practices. Please review the following board policies:

- 3419.02 / 4419/02 Privacy Protection of Fully Insured Group Health Plans
- 3430.01 / 4430.01 Family and Medical Leaves of Absence (FMLA)

The U.S. Department of Health and Human Services “Summary of the HIPAA Privacy Rule” may be accessed at: <http://www.hhs.gov/ocr/privacysummary.pdf>

### **Highly Qualified Teachers**

The Marlinton School District is striving to provide the best education for your child. As part of our efforts, we are complying with the No Child Left Behind Act that requires all teachers to be highly qualified. As a parent or guardian, you may request information regarding the professional qualifications of your child’s classroom teachers including the following information:

- Whether the teacher has met state qualification and licensing criteria for the grade level and subject areas taught.
- Whether the teacher is teaching under emergency or provisional status.
- Baccalaureate degree major, graduation certification, and field of discipline.
- Whether the student is provided services by a paraprofessional and if so, their qualifications

This information is kept on file at each building and may be obtained by contacting the building principal.

You may download the U.D. Department of Education’s “Model Notification of Rights Under the Federal Educational Rights and Privacy Act (FERPA) for elementary and secondary schools at the following web address: <http://www.ed.gov/policy/gen/guid/fpco/pdf/ferparights.pdf>

### **HIPAA Compliance Notice**

All individuals covered by the Marlinton School District’s health plan: Please be advised that a copy of the HIPAA Notice of Privacy Practices is available on our website [www.dukes.stark.k12.oh.us](http://www.dukes.stark.k12.oh.us) under “Board Policy” (number 3419.02 or 4419.02).

### **Inspection of Instructional Materials**

Further information regarding the rights to inspect instructional materials, textbooks, reading lists, and academic curriculum may be obtained by viewing the following school board policies or by contacting our Assistant Superintendent, Mrs. Carole Sutton at 330-821-4024:

- 2416 Student Privacy and Parental Access to Information
- 9130 Public Complaints

### **Inter-District Open Enrollment**

Marlington Local Schools will participate in inter-district open enrollment with other districts. Intra-district open enrollment for elementary students continues to remain an option for Marlington parents based on enrollment figures. The open enrollment period runs from April 15<sup>th</sup> to May 15<sup>th</sup>, annually for the following school year. For more information, contact the Superintendent's Office at 330-823-7458.

### **Insurance Notice**

Marlington Local Schools does not carry personal property insurance on student property. Students should be encouraged to be responsible for items they take to school. Parents may want to check with their own insurance carrier before permitting students to bring expensive personal property items to school. The school assumes no responsibility for personal property items lost, damaged or stolen on the buses, at the schools, or at school events.

Marlington Local Schools does not carry student medical insurance for accidents or injuries sustained on the buses, at the schools, or at school events. Parents may purchase insurance of this type through a school insurance program offered by a private carrier. Information about this plan will be distributed to all students at the beginning of the school year.

Further information may be obtained by viewing the following school board policy:

- 8760 Student Accident Insurance

### **McKenney-Vento Act**

It is the policy of the Marlington Local School District to enroll, educate and not segregate or stigmatize children on the basis of their status as homeless. Mrs. Carole Sutton is the Marlington Local Homeless Liaison and may be reached at 330-823-7458. Any persons suspecting a child is homeless should notify Mrs. Sutton to ensure that homeless children enroll in school and have the opportunity to succeed academically.

### **Medical Notices**

The following policies should be reviewed by individuals that may find them relevant to their situation:

- 5310 Health Services
- 5320 Immunization
- 5330 Use of Medications (including inhalers)
- 5340 Student Accidents
- 5341 Emergency Medical Authorization
- 8450 Control of Casual-Contact Communicable Diseases
- 8451 Student Health

- 8453 Direct Contact Communicable Diseases
- 8453.01 Control of Blood-Borne Pathogens

### **Nondiscrimination Based on Genetic Information of the Employee**

The Board of Education prohibits discrimination on the basis of genetic information in all aspects of employment, including hiring, firing, compensation, job assignments, promotions, layoffs, training, fringe benefits, or any other terms, conditions, or privileges of employment. The Board also does not limit, segregate, or classify employees in any way that would deprive or tend to deprive them of employment opportunities or otherwise adversely affect the status of an employee as an employee, based on genetic information. Harassment of a person because of his/her genetic information is also prohibited. Likewise, retaliation against an applicant or employee for engaging in protected activity is prohibited. For further information, please see Board Policies 3122.02 and 4122.02.

### **Special Services**

#### **Americans with Disabilities – Section 504/Prohibition Against Discrimination Based on Disability**

Pursuant to Section 504 of the Rehabilitation Act of 1973 and its implementing regulations (“Section 504”), no otherwise qualified individual with a disability shall, solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. The Board of Education does not discriminate in admission or access to, participation in, or treatment, or employment in, its programs or activities. As such, the Board’s policies and practices will not discriminate against employees and students with disabilities, will provide equal opportunity for employment, and will make accessible to qualified individuals with disabilities its facilities, programs and activities.

A copy of the Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act may be obtained from the district’s Compliance Officers: Mr. Joseph Knoll or Mrs. Carole Sutton at 330-823-7458 or from the Special Services Director, Mrs. Deb Byo at 330-823-7453.

#### **Individuals with Disabilities Education Act**

Under the Individuals with Disabilities Education Act (IDEA), school districts must give parents of a child with disabilities a copy of procedural safeguards once a year. However, a copy of procedural safeguards also must be given to parents upon initial referral or parental request for an evaluation, upon filing a request for a due process hearing and upon request of a parent (20 USC Section 1415 (d) (1)). School districts may post a copy of the procedural safeguards on its website (20 USC Section 1415 (d) (1)). See the Ohio Department of Education’s document on procedural safeguards at [www.ode.state.oh.us/exceptional\\_children/children\\_with\\_disabilities/default.asp](http://www.ode.state.oh.us/exceptional_children/children_with_disabilities/default.asp) and click on “Whose IDEA is This? A Resource Guide for Parents.”

#### **IDEIA**

The Marlington Local School District provides educational services to disabled students from birth to age 21 utilizing federal assistance through IDEIA funds to enhance the basic program. Disabilities including the areas

of hearing, vision, learning, behavior, speech/language, health/physical disabilities, traumatic brain injury, autism, or any combination of these, are considered handicapping conditions. An application is on file at the Special Services Department and is available for examination and recommendations by district residents. If you or someone you know, may be in need of special education and related services, please contact Mrs. Deb Byo, Special Services Director, at 330-823-7453.

### Title I/IDEA-B Flow Through Notification

The Marlinton Local School District receives notification of their entitlement of federal funds allocated in accordance with the Title I/Individuals with Disabilities Education Act (IDEA), Public law 92-142. Utilization of the funds is designated to provide services and programs for disabled students. Persons who wish to comment on how to utilize these designated funds are welcome and encouraged to contact Ms. Deb Byo, Special Services Director at 330-823-7453 or email at [d\\_byo@marlingtonlocal.org](mailto:d_byo@marlingtonlocal.org).

### Child Find – A Search for all Children with Disabilities

Child Find is the process of identifying, locating, and evaluating children with disabilities who may be in need of special education and related services. Both state and local education agencies are given the responsibility by federal and state laws to conduct Child Find activities so that children who need special services have the opportunity to receive those services. Child Find's purpose is:

- To promote public awareness of disabilities
- Assist school districts in finding children who may have disabilities and who otherwise may not have come to their attention
- Enable children and families to receive the special education and related services that are needed

What does a disability mean?

- For age 3 – 5: an established condition known to result in delay, or a documented developmental delay.
- For ages 5 – 21: identification of one or more of the following conditions: autism, deaf-blindness, hearing impairment, other health impairment, emotional disturbance, specific learning disability, speech or language impairment, traumatic brain injury, and/or visual impairment including blindness.

Parents, relatives, public and private agency employees, and concerned citizens are used to help school districts find children who may have a disability and need special education and related services. The school district will contact the parents of the child to find out if the child needs to be evaluated. Free testing is available to families to determine whether or not a special need exists. If a need is identified, the child can begin receiving the appropriate special education related services.

### Gifted Education Program

Our gifted/talented program offers a wide range of services to students. The Gifted Coordinator works within the district to identify and service gifted students. Gifted intervention specialists serve students directly through enrichment groups in math and reading, pullout classes, field trips, mentorship programs, and whole class

enrichment presentations. In addition, the gifted program offers support to classroom teachers through staff development seminars, teaching materials, and funding to attend conferences that deal with issues in the gifted area. Our goal is to help students become independent, lifelong learners who have all the skills they need to pursue their passion.

**If you know of a child who may have special needs, help is available.  
You can contact our Special Services Office (330-823-7453)  
or call your area Special Education Regional Resource Center (330-875-2423).**

### **Positive Behavioral Interventions and Supports (PBIS)**

The District implements PBIS on a system-wide basis. The Board directs the Superintendent/designee to develop a PBIS system that is consistent with the components set forth in the state Board of Education's (SBOE) policy on positive behavior interventions and supports. The District encourages family involvement as an integral part of its PBIS system. A copy of the district's policy may be viewed by clicking on board policy link at the beginning of these notices and searching for Policy 5630.01, or may be requested through the Administration Offices. Questions regarding the policy should be directed to Ms. Deb Byo, 10320 Moulin Avenue NE, Alliance, Ohio 44601, telephone: 330-823-7453 or by email at [d\\_byo@marlingtonlocal.org](mailto:d_byo@marlingtonlocal.org)

### **Student Conduct / Discipline**

Further information may be obtained by viewing the following school board policies:

- 5500 Student Conduct
- 5511 Dress and Grooming
- 5512 Use of Tobacco
- 5513 Care of School Property
- 5515 Use of Motor Vehicles
- 5516 Student Hazing
- 5517 Anti-Harassment
- 5517.01 Aggressive Behavior Toward Students
- 5520 Disorder and Demonstration
- 5530 Drug Prevention

In accordance with Federal Law, the Board of Education prohibits the use, possession, concealment, or distribution of drugs by students on school grounds, in school or school-approved vehicles, or at any school-related event. Drugs include any alcoholic beverage, anabolic steroid, dangerous controlled substance as defined by State statute, or substance that could be considered a "look-a-like" controlled substance. Compliance with this 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 handbooks, up to and including expulsion from school. When required by State Law, the district will also notify law enforcement officials. The district is concerned about any student who is a victim of alcohol or drug abuse and will facilitate that process by which she/he receives help through programs and services available in the community. Students and their parents/guardians should contact the school principal or counseling office whenever such help is needed.

- 5560 Student Discipline



- 5610 Removal, Suspension, Expulsion, and Permanent Exclusion of Students
- 5610.01 Permanent Exclusion of Non-disabled Students
- 5610.02 In-School Discipline
- 5610.03 Emergency Removal of Students
- 5610.04 Suspension of Bus Riding/Transportation Privileges
- 5610.05 Prohibition from Extra-Curricular Activities
- 5611 Due Process Rights
- 5630 Corporal Punishment
- 5771 Search and Seizure

All persons are hereby put on notice that lockers, desks, or storage places provided for student use are, and remain at all times, the property of the district/Board of Education. All persons are also hereby put on notice that lockers, desks, or storage places provided for student use and the contents thereof are subject to random search at any time without regard to whether there is reasonable suspicion that any locker, desk, or storage place and contents contain evidence of a violation of a criminal statute or school rule.

- 5772 Weapons

No person shall knowingly possess, have under the person's control, convey, or attempt to convey a deadly weapon or dangerous ordnance into a school safety zone, except for authorized personnel. A valid license does not authorize the licensee to carry a weapon into a school safety zone. ORC 2923.122, 2923.1212.

### **Student Privacy Information**

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that Marlinton School District, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, Marlinton School District may disclose appropriately designated "directory information" without written consent, unless you have advised the District to the contrary in accordance with District procedures. The primary purpose of directory information is to allow the Marlinton School District to include this type of information from your child's education records in certain school publications. Examples include: a playbill, showing your student's role in a drama production; the annual yearbook; honor roll or other recognition lists; graduation programs; and sports activity sheets, such as for wrestling, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with three directory information categories - names, addresses and telephone listings - unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent.

From time to time, we have opportunities to share what's happening in our schools with the community through newspaper articles and photographs. Board policy permits the use of student pictures, unless the principal has been notified in writing by the parents that they do not wish to have photographs of their children published.

**If you do not want Marlinton Local School District to disclose directory information from your child's education records without your prior written consent, you must notify the District in writing to Attention Superintendent's Office, 10320 Moulin Avenue NE, Alliance, Ohio 44601 by September 15<sup>th</sup> of each school year.** Marlinton Local School District has designated the following information as directory information: [Note: an LEA may, but does not have to, include all the information listed.] Student's name; Participation in officially recognized activities and sports; Address; Telephone listing; Weight and height of members of athletic teams; Electronic mail address; Photograph; Degrees, honors, and awards received; Date and place of birth; Major field of study; Dates of attendance; Grade level and the most recent educational agency or institution attended.

Footnotes: 1. These laws are: Section 9528 of the ESEA (20 U.S.C. 7908), as amended by the No Child Left Behind Act of 2001 (P.L. 107-110), the education bill, and 10 U.S.C. 503, as amended by section 544, the National Defense Authorization Act for Fiscal Year 2002 (P.L. 107-107), the legislation that provides funding for the Nation's armed forces.

You may download relevant information at the following U.S. Dept. of Education web addresses:

- Model Notice for Directory Data: [www.ed.gov/policy/gen/guid/fpco/ferpa/mndirectoryinfo.html](http://www.ed.gov/policy/gen/guid/fpco/ferpa/mndirectoryinfo.html)
- Model Notice of Rights Under the Protection of Pupil Rights Amendment: [www.ed.gov/policy/gen/guid/fpco/pdf/modelnotification.pdf](http://www.ed.gov/policy/gen/guid/fpco/pdf/modelnotification.pdf)
- PPRA Model Notice and Consent/Opt-Out for Specific Activities: [www.ed.gov/policy/gen/guid/fpco/pdf/ppraconsent.pdf](http://www.ed.gov/policy/gen/guid/fpco/pdf/ppraconsent.pdf)

Further information may be obtained by viewing the following school board policies:

- 8330 Student Records
- 2416 Student Privacy and Parental Access to Information

### **Title IX / Civil Rights Compliance**

No person in the United States shall, on the basis of sex, be excluded from participation in, or denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal assistance. (Title IX of the Education Amendments of 1972 to the Civil Rights Act of 1964) Title IX prohibits sexual harassment in all school programs and activities in school facilities or in other locations when the school is the sponsor of the activity.

Title IX coordinators as well as all faculty, students, coaches, and community members can file a complaint of Title IX violation with the Office of Civil Rights. Anonymity is maintained and institutions are prohibited from retaliating against any complainant.

Anyone wishing to file a complaint should contact our Title IX Coordinator Joseph Knoll, Superintendent, or Carole Sutton, Assistant Superintendent, 10320 Moulin Ave., Alliance OH 44601. Phone: 330-823-7458.

Further information may be obtained by viewing the following school board policies:

- 3362 / 4362 Anti-Harassment
- 5517 Anti-Harassment

### **Visitors to the School**

Any visitor entering a district-owned building must report to that building's office immediately to sign in with the building supervisor/secretary. ORC 3313.20 (A)

Further information may be obtained by viewing the following school board policy:

- 9150 School Visitors

### **Water Testing Notice**

The Marlinton Local School District has completed the monitoring cycle at Marlinton's public water supply for volatile organic chemicals (VOC) as required by chapter 3745081 of the Ohio Administrative Code. On completion of each VOC monitoring cycle, state regulations also require the owner or operator of a public water supply to notify its consumers of the availability of VOC analytical results for the period tested.