

**The Center for Alternative and Progressive Education**

**CAPE**

*Teach, Transform, Transition*



**Student Handbook**

**2025/2026**

## Mission Statement of CAPE

The mission of the Center for Alternative and Progressive Education (CAPE) is to collaborate with local school districts, therapeutic service providers, families, community agencies and the Scioto County Juvenile Court to create responsible and empathetic learners by providing a safe and secure learning environment to effectively learn and practice the skills and strategies needed to compete in today's society academically, socially and emotionally.

## The Vision of CAPE

The vision of the Center for Alternative and Progressive Education is to successfully **teach**, **transform** and **transition** our students.

2025/2026  
CAPE Handbook  
522 Glenwood Ave.  
New Boston, OH 45662  
740-354-0298  
[www.scoesc.org](http://www.scoesc.org)

Superintendent: Sandy Mers  
Assistant Superintendent: Scott Holstein

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## Procedures

### CAPE PHILOSOPHY

The public school districts of Scioto, Jackson, Pike and Adams counties have entrusted us to safely and securely provide students their education and therapeutic services in order to assist them in becoming contributing members of society. We at CAPE believe that ALL students are capable of learning and changing to meet their diverse needs and the needs of their society. Education is the most effective tool to enabling success and meaningful contributions with regards to our school, community, society and world. We NEED our students to succeed, we WANT our students to succeed we EXPECT our students to succeed.

In pursuit of our educational goals, CAPE shall continually strive to achieve the following criteria:

1. Develop our students mentally, morally, physically and socially
2. Motivate our students to participate in the improvements of society
3. Teach our students how to adjust to changing conditions
4. Cultivate in our students a deep respect for authority, laws and order of a civilized society.

### TITLE IX

**Nondiscrimination on the basis of sex in the educational and activity programs:** The Board of the South Central Ohio ESC does not discriminate on the basis of sex in its education program or activity, and is required by Title IX and its implementing regulations not to discriminate in such a manner. The requirement not to discriminate in its education program or activity extends to admission and employment. The Center's Title IX Coordinators are:

Assistant Superintendent  
522 Glenwood Ave.  
New Boston, OH  
45662  
740-354-7761

Executive Director  
522 Glenwood Ave.  
New Boston, OH  
45662  
740-354-7761

CAPE Principal  
522 Glenwood Ave.

### **STUDENTS WITH DISABILITIES**

CAPE adheres to and implements the following federal disability-rights laws: Individuals with Disabilities Act (IDEA), Section 504 of the Rehabilitation Act of 1973 (Section 504), Title II of the Americans with Disabilities Act of 1990 (Title II) to ensure that all students with disabilities receive a Free and Appropriate Public Education (FAPE) and Every Student Succeeds Act.

### **HOMELESS STUDENTS**

CAPE in collaboration with the Educational Service Center will provide services to homeless students that are comparable to other students in the Center, including:  
transportation services;

public preschool programs and other educational programs and services for which the homeless student meets eligibility criteria including:

programs for children with disabilities;

programs for English Learners (ELs) (i.e., students with Limited English Proficiency (LEP);

programs in career and technical education;

programs for gifted and talented students;

school nutrition programs; and

before - and after-school programs.

The Superintendent will appoint a Liaison for Homeless Children who will perform the duties as assigned by the Superintendent. Additionally, the Liaison will coordinate and collaborate with the State Coordinator for the Education of Homeless Children and Youth as well as with community and school personnel responsible for the provision of education and related services to homeless children and youths. For more information on the role of the Liaison, refer to policy 5111.01.

## **CHILDREN & YOUTH IN FOSTER CARE**

CAPE recognizes the importance of educational stability for children and youth in foster care. Further, CAPE recognizes these children and youth as a vulnerable subgroup of students in need of safeguards and supports in order to facilitate a successful transition through elementary and secondary education and into college and/or careers. To that end, CAPE in collaboration with the Educational Service Center will collaborate with the Ohio Department of Education (ODE), other schools and school centers, and the appropriate custodial agencies (child welfare agencies and/or local Title IV-E courts) to provide educational stability for children and youth in foster care.

## **BLOODBORNE PATHOGENS**

To protect the students and staff of CAPE from the risks associated with communicable diseases transmitted through blood or bodily fluids, the Occupational Safety and Health Administration (OSHA) has developed the Bloodborne Pathogens Standard (Title 29 of the Code of Federal Regulations 1910.1030). All staff is provided initial training and refresher training on Universal Precautions that reduce the risk of transmission/s.

## **PARENT CONFERENCES**

In addition to the two yearly parent-teacher-conferences, parents can request conferences with teachers should their child be experiencing difficulty with academics, behavior and/or therapeutic services. We ask that parents/guardians request the conference at least 24 hours in advance. This will avoid any scheduling conflicts and allow the teacher time to gather data and papers that may contribute to the conference.

## **SAFETY DRILLS**

CAPE will conduct the following drills throughout the school year; evacuation, lockdown, shelter in place, fire and tornado. At the beginning of each school year, students will be shown and told the location of the nearest exit for fire drills and evacuation drills and the proper station for the tornado drill in each classroom. Students will also be shown the meeting destination location for all evacuation drills.

## **CONTACT IN CASE OF A SCHOOL EMERGENCY**

In case of a school emergency (unscheduled dismissal, evacuation, etc...) parents and guardians will be contacted via text and/or phone call by an automated system with a prerecorded message detailing the emergency.

## **RESTROOMS**

Students are asked to visit the restroom upon arrival to CAPE and during all scheduled restroom breaks. They are also given the opportunity to use the restroom during breakfast and lunch. Restrooms are NOT to be used for meeting purposes or loafing purposes. **If your child has a medical condition that requires frequent restroom breaks you must provide medical documentation to the CAPE principal and/or school counselor.**

## **LUNCH AND BREAKFAST**

Breakfast and lunch are **FREE** for all students. Students may bring their lunch. However, their lunch box will be searched to ensure safety and they are not allowed to bring soda pop or energy/coffee drinks. Any form of glass container is strictly prohibited.

## **TRANSPORTATION**

The state provides school buses for the transportation of students. Proper conduct and procedures are governed by state regulations. The bus driver is responsible for the safety and welfare of the students who ride the bus. Stern disciplinary action will be taken by the District of Residence in collaboration with CAPE in regard to students who jeopardize this responsibility. The District of Residence and CAPE have the authority through state regulations to refuse the transportation of any student who fails to cooperate. Bus drivers and/or school administrators have the authority to assign permanent seating to any student misbehaving on the school bus.

Your child's District of Residence will provide transportation to and from CAPE. **Students are only allowed to ride the bus of their District of Attendance.** All transportation questions should be directed to the District of Residence.

**If your student will not be transported by the bus please deliver a signed note to CAPE personnel indicating the name and phone number of the person that will be transporting your student. CAPE personnel will call the parent/guardian to confirm the note is legitimate.** CAPE reserves the right to ask to see proper identification of the individuals transporting your

student at any time. Drop off is between 7:35 and 8:15. Pick-up time will be determined by your District of Residence. Meaning, you may pick your student up at the same time the bus would pick them up from CAPE.

### **ANNOUNCEMENTS**

Announcements are made to students by their teachers during their 1<sup>st</sup> period class and prior to dismissal. Parents and guardians will be notified of announcements via our computer generated “All-Call” system. The number of our “All-Call” system is 740.354.0298. Please keep your phone numbers current with the school.

### **CLASSES**

1. All students are expected to be in class on time. Tardiness to class will be dealt with in an appropriate manner.
2. Skipping class is forbidden. Any student who is missing from classes without permission will be subject to disciplinary action.
3. If a student becomes ill during any class, he/she should notify CAPE personnel and they will determine what action to take (provide over the counter medication/calling parent/guardian).

### **EXTRACURRICULAR ACTIVITIES**

Extracurricular activities, including dances and prom are not offered at CAPE.

The students School District of Residence (New Boston, Portsmouth West, etc.) will determine if they are allowed to participate in their schools extracurricular activities as participation is a privilege. Most school districts do not allow students attending CAPE to participate in extracurricular activities until they have successfully transitioned back to their home school. Special permission must be granted by the principal of the building for students to participate. All questions regarding extracurricular activities should be directed to your School District of Residence.

### **TELEPHONE**

**Students are not allowed to possess a cell phone in the building at any time during the school day.** If students bring their cell phone to CAPE they will turn it in to staff and it will be placed in



a secure location and returned to the student at the end of the day. **CAPE is not responsible for lost or stolen property.** If needed, they will be permitted to use the classroom phone.

### **DRIVING**

Students are not permitted to drive to CAPE as parking availability is limited and is reserved for the staff of the South Central Ohio Education Service Center.

### **MATERIALS**

All school supplies (textbooks, Chromebook, pencil, paper, etc) are furnished by CAPE. Students are not allowed to take textbooks or Chromebook home. However, students are expected to treat all supplies responsibly and will be held liable for damages caused to materials and/or school supplies.

### **LOCKERS**

**All student lockers, desks, cabinets and similar property are the property of CAPE.** Therefore, student lockers, desks, cabinets and similar property and the contents thereof are subject to random searches by the staff at any time without regard to whether there is a reasonable suspicion that any locker, desk, cabinet or similar property or its contents contains evidence of a violation of a school rule or criminal statute.

Random search of lockers, desks, cabinets and similar property may include the assistance of dogs trained to detect the presence of drugs.

A locker will be assigned to every student. Students are expected to keep their lockers clean and in order at all times.

### **PERSONAL APPEARANCE**

Students should not wear clothing or hair styles that can be hazardous to them or others in their school activities such as lab work, physical education and art. Grooming and dress which prevents the student from doing his work because of blocked vision or restricted movements should be discouraged as should be dress styles that create or are more likely to create, a disruption of classroom order.

Students are not to wear the following clothing items:

1. Spaghetti strap tops
2. Any clothing that exposes bare midriff
3. Articles of clothing that are ripped, torn, or have holes above the fingertips when hands are placed at sides.
4. Shorts, skirts and other similar apparel **MUST** be fingertip length, when arms are placed by side. Shorts may not be spandex shorts.
5. No headwear. Hair extensions must be a reasonable length. They cannot drag the floor as this creates safety issues. The hair extensions must remain attached to the hair so as not to cause disruptions.
6. Fake finger nails must be of a reasonable length (will be determined by the principal) and must not require the reapplication of nail glue as this is not allowed in the school building.
7. No mesh or see-through (sheer) clothing
8. No halter tops
9. No logos/print across clothing on the student's bottom
10. No clothes with drug, alcohol or gang related logos or inappropriate messages
11. No jackets/coats are to be worn in the school. They can be worn to school then **MUST** be put into the student's locker.
12. All lower garments such as pants, shorts, skirts, are to be worn at the appropriate level – waistline-and can must not drag the floor or expose "private" areas of the students body.
- 13. ABSOLUTELY NO HOODED SWEATSHIRTS ARE TO BE WORN TO OR INSIDE OF THE SCHOOL.**

**If students wear any of the above articles of clothing they will be asked to change into appropriate clothing provided by CAPE. If they refuse, discipline will follow.**

### **FIELD TRIPS**

If a field trips are offered permission slips will be sent home for signatures and parents/guardians will be notified via an automated phone call.

### **RELEASE OF INFORMATION**

### **STUDENT DIRECTORY INFORMATION**

Per ESC Policy 8330, each year the Superintendent shall provide public notice to students and their parents of the Center's intent to make available, upon request, certain information known as "directory information." The Board designates as student "directory information": a

student's name; address; telephone number; date and place of birth; major field of study; participation in officially-recognized activities and sports; height and weight, if a member of an athletic team; dates of attendance; date of graduation; or awards received.

School-assigned e-mail accounts shall not be released as directory information beyond this/these limited purpose(s) and to any person or entity but the specific online educational service provider and internal users of the Center's Education Technology.

Directory information shall not be provided to any organization for profit-making purposes.

Parents and eligible students may refuse to allow the Board to disclose any or all of such "directory information" upon written notification to the Board within ten (10) days after receipt of the Superintendent's annual public notice.

In accordance with Federal and State law, the Board shall release the names, addresses, and telephone listings of secondary students to a recruiting officer for any branch of the United States Armed Forces or an institution of higher education who requests such information. A secondary school student or parent of the student may request in writing that the student's name, address, and telephone listing not be released without prior consent of the parent(s)/eligible student. The recruiting officer is to sign a form indicating that "any information received by the recruiting officer shall be used solely for the purpose of informing students about military service and shall not be released to any person other than individuals within the recruiting services of the Armed Forces." The Superintendent is authorized to charge mailing fees for providing this information to a recruiting officer.

Whenever consent of the parent(s)/eligible student is required for the inspection and/or release of a student's health or education records or for the release of "directory information," either parent may provide such consent unless agreed to otherwise in writing by both parents or specifically stated by court order. If the student is under the guardianship of an institution, the Superintendent shall appoint a person who has no conflicting interest to provide such written consent.

The Board may disclose "directory information," on former students without student or parental consent, unless the parent or eligible student previously submitted a request that such information not be disclosed without their prior written consent.

The Board shall not permit the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose).

The Family Educational Rights and Privacy Act ("FERPA") affords parents and students over eighteen (18) years of age ("adult students" or "eligible students") certain rights with respect to the student's educational records. On June 30<sup>th</sup>, 2016, the Governing Board adopted a policy regarding the disclosure of education records and the rights of parents and students to access education records. Copies of this policy and related guidelines are located in all school buildings and individual copies are available from the Center's Records Officer ("DRO"). The DRO is responsible for the supervision of student records in the school and his/her office is located at CAPE School Counselor's office or s/he can be reached by calling 740.354.0298.

Under federal law we are requested to release information (such as name, address, grade-level and phone number) to the military recruiters unless the student or parent gives us prior written consent to withhold that information. If you do not want your junior or senior information released to the recruiters, please submit to us in writing by October 15<sup>th</sup>, and give us permission to remove your child's name and address from the testing.

Please note we will only release information about your child to persons that the parent/guardian lists on the emergency medical form to be contacted in case of an emergency and when the parent/guardian is unable to be reached.

If you feel that CAPE has violated your FERPA rights you may file a complaint by following these directions: Parents and eligible students who wish to file a complaint under FERPA should do so by completing the complaint form electronically. Please note that this form is an adobe fillable.pdf and works best when used with Adobe Acrobat(<https://get.adobe.com/reader/>). Once you have completed the form you can click "Submit Form". This will attach the e-mail to your computer's default e-mail software. If you have not selected a default e-mail program or the one you selected does not open when clicking "Submit Form" you will need to save the form, manually attach it to an e-mail and send it to [FERPA.Complaints@ed.gov\(mailto:FERPA.Complaints@ed.gov\)](mailto:FERPA.Complaints@ed.gov). Alternatively, you may print out the form, sign and mail it to the following address:

U.S. Department of Education  
Student Privacy Policy Office  
400 Maryland Ave, SW  
Washington, DC 20202-8520

## **MEDICATION**

### ***Prescription***

A written and signed physician's request form identifying the student, the medication, dosage or procedure required/the times required/ possible reactions which should be reported to the physician/special instructions including storage and sterile requirements/ date of **(Forms may be obtained from the principal.)** request form/ physician's names, address and phone number. A section on the form is to be completed and signed by the student's parent or guardian authorizing school personnel to administer the medication or procedure as instructed by the physician and **agreeing to deliver the medication to school in a pharmacy container, to notify the school if the medication, the dosage or the procedure is changed or eliminated.**

### ***Non-Prescription***

**At the beginning of the year all parent/guardians will sign an "over-the-counter" medicine release form allowing CAPE staff to provide students with common over-the-counter medicine if needed.**

**CAPE staff will attempt to contact the parent/guardian before administering; however, in the event the parent/guardian cannot be reached, staff will send a follow-up note home with the student that same day indicating non-prescription medication was administered. The date, time and dosage, as well as a description of the student's symptoms, will be included.**

## **RESTRAINT**

Physical restraint as a behavior intervention will only be used in extreme cases of behavior, for instance, if staff suspect that a student is going to hurt themselves or others or if staff observes a student attempting to hurt themselves or others. Physical restraint will only be administered consistent with the SCOESC PBIS Policy 5630.01. To request a copy of this policy please contact the CAPE principal or school counselor.

All CAPE staff is trained in Crisis Prevention Intervention (CPI) which is a nationally implemented form of passive restraint that focuses on verbal de-escalation of volatile situations.

## **THERAPEUTIC SERVICES**

All therapeutic service providers are welcomed and encouraged to meet with their clients/students during the school day.

## USE OF METAL DETECTORS AND/OR SURVEILLANCE CAMERAS

For student safety and welfare, video surveillance cameras are placed throughout the building and school grounds and on District buses. Actions recorded on these cameras may be used as evidence in disciplinary action. Any attempt to damage or interfere with the function of these devices will result in disciplinary action by CAPE and possible referral to local law enforcement agencies.

Metal detectors are also in use at CAPE to ensure the safety of our students and staff. Students are required to walk through a metal detector upon arrival. If the metal detector alerts, students will be “scanned” with a hand held metal detector by a same-sex staff member. **If the hand held metal detector alerts when scanning a student they will be asked to prove that they do not have any illegal or inappropriate items in their clothing. They will be asked to remove their shoes and socks and shake them out, remove outer layers of clothing and shake them out, pull out their pockets, remove belts with metal buckles or any other metal items, etc.** Any attempt to bring in any dangerous or inappropriate items will result in disciplinary action by CAPE and possible referral to local law enforcement agencies.

## Attendance

The Center for Alternative and Progressive Education (CAPE) complies with the following county attendance regulations: a child of compulsory school age must attend a school that conforms to the minimum standards prescribed by the State Board of Education unless his or her body or mental condition does not permit his/her attendance at such school. Due to such condition/s, he or she is instructed at home by a qualified teacher (as directed by a physician) (R.C.3321.04). The qualified teacher will be provided by the student's School District of Residence.

Every effort of a positive nature will be employed to cause students to want to attend school regularly.

To comply with the state minimum standards, a student is required to be in a particular class at least 120 hours to receive a full Carnegie unit or credit and at least 60 hours to receive  $\frac{1}{2}$  Carnegie unit of credit for a semester class. If they do not meet this requirement, credit for the class will not be given.

If any student misses (12) periods of a Monday-Friday class or (6) of a  $\frac{1}{2}$  or  $\frac{1}{4}$  credit class, unexcused, he/she has not fulfilled the necessary requirement to receive credit for the class.

He/she may not receive credit due to a deficiency in class time in attendance. Time on task is extremely important. It is difficult for a student to learn if he/she is not present for instruction. Due to the importance of class attendance, **ALL TIME FOR TARDINESS and EARLY DISMISSALS WILL BE ACCOUNTED FOR (EXAMPLES: illness, medical appointments, court appearances, and absence for test make-up purposes.** However, the instructional time cannot be made up and must be accounted for.) This policy applies for all students in grades 7-12.

Please note that students in the 6<sup>th</sup> grade are required to attend in order to meet the requirement/s to be promoted to the 7<sup>th</sup> grade.

### **EXCUSED ABSENCES AND TARDINESS**

**The reasons listed below constitute an excused absence.**

- Illness in immediate family with dr. excuse
- Death of relative in immediate family (must provide the obituary or the leaflet from the funeral).
- Attending funeral of relative or friend (must provide the obituary or the leaflet from the funeral).
- Legal business (example: appearance in court, if student brings proof from court)
- Medical appointment, if student brings dr. excuse
- Driving permit/license

### **UNEXCUSED ABSENCES**

An unexcused absence covers anything not mentioned under excused absences. The validity of questionable excuses will be determined by the principal. (Please see attendance referencing a Carnegie Unit as well as Legal Action)

**Please note that CAPE informs the students School District of Residence of attendance records and the School District of Residence will make the final decision (in collaboration with CAPE) in regards to credits earned and criteria met in order to graduate or be promoted.**

### **LEGAL ACTION**

#### **Definitions of Habitual Truancy and Excessive Absences**

Habitually Truant

- a. Absent 30 or more consecutive hours without an excused/legitimate excuse.
- b. Absent 42 or more hours in one school month without an excused/legitimate excuse
- c. Absent 72 or more hours in one school year without an excuse/legitimate excuse

#### District Actions for Habitual Truancy

- a. Notify Attendance officer
- b. Assign the student to an Absence Intervention Team (AIT) within 10 days.
- c. Develop an Absence Intervention Plan within 4 days after being assigned to the AIT.

Excessively Absent – The Attendance Office Mails out Letter at:

Absent 38 or more hours in one school month with or without a legitimate excuse

Absent 65 or more hours in one school month with or without a legitimate excuse

### **ABSENCES**

Any excuses submitted after the first day back to school may or may not be accepted. However, it is best practice to always send a parent note with your child in cases of absences without doctor excuses. **All students are required to make up work after being absent and will receive credit for that work. The student is responsible for contacting the teacher for make-up work.**

### **APPEAL PROCESS**

Students have the right to appeal loss of credit due to attendance to the attendance committee. The attendance committee will include the principal, guidance counselor, the student's advisor and a representative from the students School District of Residence. At this time documentation should be presented such as additional medical records or court papers other than those already on file. Parents/Guardians may attend the appeal hearing.

### **FAMILY VACATIONS**

Parents must inform the principal when their student will be out of school for family vacation. It is the responsibility of the student to get any work missed. Five (5) days max pre-approved per school year for family vacations/travel.

### **AFTER-SCHOOL INSTRUCTION (formerly Home-Instruction)**

A student attending CAPE could possibly qualify for **after-school instruction** should a physical handicap or medical issues preclude classroom attendance. A student, if provided with **after-school instruction**, is required to return to regular attendance as soon as possible, with permission of a doctor. The regular teacher, other than the one providing services, has the authority to test the student over the materials covered to ascertain the degree of progress



made by the student while at home. The School District of Residence in collaboration with CAPE will provide the teacher for **after-school instruction**.

### **TARDINESS**

Students are considered tardy after 8:20. Upon arrival students are expected to immediately report to their classroom and begin their class work. Students are responsible for making up any missed work due to tardiness.

### **EARLY DISMISSAL**

Parents/guardians are expected to notify CAPE personnel of early dismissals.

### **LEAVING SCHOOL/LEAVING BUILDING**

When a student enters CAPE, he/she is under the jurisdiction of CAPE until the end of the school day. Students are NOT permitted to leave the building without permission. A telephone excuse will not be accepted for a student who leaves the building without permission. **If a student leaves CAPE without permission, CAPE will notify the New Boston Police Department and the parent/guardian.** No student will be dismissed from CAPE due to illness unless a parent or guardian can be reached. If no contact can be made, the student will remain at CAPE. No student is allowed to enter the building until after 7:30 a.m. **(CAPE staff do not report to school until 7:30).** Students arriving to CAPE prior to 7:30 a.m. will have to wait outside the doors until staff arrives. **Again, CAPE staff does not report to school until 7:30 a.m.**

## **Discipline**

### **DISCIPLINE**

CAPE must provide each student with the maximum opportunity to safely acquire an education. No student has the right to interfere with this opportunity by his/her inappropriate behavior. Rules and regulations are instituted and enforced with this thought in mind.

School rules apply during the regular school day, during bus transportation to and from CAPE and during any field trips. Violation of any of the following rules during the period of time when a student is under the authority of CAPE, may result in disciplinary action.

Please note; if a student brings behaviors or concerns outside of the school day to the attention of CAPE staff it then becomes the responsibility of CAPE staff to address those behaviors and concerns as if they occurred during the school day.

## **CODE OF CONDUCT**

This Code of Conduct is in effect while students are under the authority of school personnel or involved in any school activity. This includes but is not limited to school buses and property under the control of school authorities, and while on field trips, or other school activities or programs.

In addition, this Code of Conduct includes;

- 1) Misconduct by a student that occurs off school district property but is connected to activities or incidents that have occurred on school district property; and
- 2) Misconduct by a student that, regardless of where it occurs, is directed at a district official or employee or the property of an official or employee.

Violation of the Code of Conduct may result in verbal or written warning or reprimand, referral to the school counselor, parental contact or conference, detention, in-school suspension, Saturday school, community service, emergency removal, referral to law enforcement agencies, suspension or expulsion.

Students may be suspended or expelled for the following behaviors:

- Fighting
- Possessing a weapon or anything that could be used as a weapon
- Threatening physical violence to students, staff or family members of both
- Bullying, Harassment, Intimidation (this includes online actions also)
- Showing evidence of consumption of drugs or alcohol
- Emergency removal from the classroom, school or school transportation
- Repeated violation of major and minor rules

Just as the National, State and Local governments are charged with the responsibility of adopting rules and regulations for all people to follow; the South Central Ohio Education Service Center in collaboration with CAPE is required by law to adopt rules and regulations for students to follow. The rules contained within the Student Code of Conduct have been adopted by the Governing Board of the South Central Ohio Education Service Center.

In order to comply with the provisions of Amended Substitute House Bill Number 421 and the Ohio Revised Code statutes 3313.66 and 3313.661, suspension and expulsion from CAPE may be used as a means of discipline for serious offenses against the welfare of administrative policies of CAPE. The administrators of CAPE and the SCOESC regard suspension or expulsion of a student from CAPE to be a very serious disciplinary action, and it will be utilized only when the administration of CAPE has determined that other disciplinary measures are not sufficiently effective.

**RIGHTS:** Students attending CAPE shall enjoy the rights and freedoms that are guaranteed them under the Constitution of the United States of America and the State of Ohio. Specifically, this shall include the due process of law (the right to a hearing) involving all disciplinary action taken against the student. All students shall enjoy the right to reasonable treatment from the school and its employees.

**NOTE:** This Student Code of Conduct was approved by the Governing Board of the SCOESC at its regularly scheduled meeting in August of 2019, and is now official policy of the SCOESC. The Code of Conduct will be reviewed and updated annually.

**RESPONSIBILITIES:** The SCOESC administration, CAPE administrator, teachers, aides and counselors have the right to expect reasonable behavior from all students. Freedom is a precious commodity, and it carries with it the heavy responsibility of accountability of the individual for all of his or her actions.

### **ADMINISTRATIVE PROCEDURES INVOLVING STUDENT MISCONDUCT**

**CRIMINAL ACTS:** Students involved in criminal acts are subject to prosecution whether these acts occur in the community, at school or school functions such as field trips. Appropriate action, may be taken by school authorities if the incident is school-related, regardless of whether or not criminal charges result.

Students may be subject to suspension for a maximum of ten (10) school days, and in some cases, the Superintendent of the students School District of Residence in collaboration with CAPE may expel a student for a period of time, not to exceed 80 days.

### **MAJOR AND MINOR VIOLATIONS**

Students who violate the major or minor rules and regulations of the Student Code of Conduct could be subject to the following disciplinary procedures:

1. Conference with student and parent/guardian
2. Behavior Intervention Plan Conference with student, parent/guardian and school district
3. Out-of-school suspension
4. Out-of-school suspension with recommendation for expulsion
5. Expulsion

The degree of the violation will determine the rendering of punishment, for example, first time for tardiness and first time for fighting will be dealt with differently.

**Please note: if your student is on probation through the Scioto County Juvenile Court, their probation officer will be notified of all disciplinary actions.**

### **LIST OF MAJOR RULES REGARDING STUDENT CONDUCT**

#### **RULE 1: Disruption of or interference with the educational process, extracurricular activities (Home School), CAPE field trips.**

A student may not display any actions that could disrupt the classroom atmosphere. A student may not by use of violence, force, coercion, threats, demonstration, false alarm, printed material, ignition of firecrackers, ignition of smoke bomb, ignition of fires, distribution of inflammatory printed material or in any other matter cause disruption or interference with curricular or extracurricular activities.

#### **RULE 2: Damage or Stealing of School Property**

A student may not damage, attempt to damage, steal, or attempt to steal any school property. This includes, but is not limited to, buildings, buses, supplies and equipment.

#### **RULE 3: Damage to Private Property**

A student may not damage, attempt to damage, steal, or attempt to steal private property in school or on transportation vehicles during the school day, a school activity, function or event on or off school grounds.

#### **RULE 4: Fighting-Intentional Physical Contact (physical and/or menacing)**

A student may not cause physical injury or act or behave in such a way as could cause physical injury to another student, teacher, visitor or other employee of the school. No student may

knowingly cause another student, teacher, school employee or visitor to believe that he/she (the offender) will cause serious physical harm to him or her. **Menacing includes making verbal threats to staff and other students.**

#### RULE 5: Dangerous Weapons and Instruments

Students may not have a gun or knife in their possession on CAPE property or on District buses. A student may not possess, handle, transmit or conceal any object that is designed for the purpose of inflicting bodily harm to others on CAPE premises or while attending CAPE events away from CAPE property. A student may not handle in a dangerous way any object capable of inflicting pain or bodily harm to others.

#### **DANGEROUS WEAPONS IN SCHOOL**

***CAPE and the SCOESC are committed to providing the students of the Districts with an educational environment which is free of the dangers of firearms, knives and other dangerous weapons.***

The definition of a firearm shall include any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive. The frame or receiver of any such weapon; any firearm muffler or firearm silencer; or any destructive device (as defined in 18 U.S.C.A. Section 921), which includes any explosive, incendiary or poisonous gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one quarter ounce, mine or device similar to any of the devices described above.

Students are prohibited from bringing a firearm onto CAPE property, in a school vehicle or to any CAPE-sponsored activity, the Superintendent of the School District of Residence in collaboration with the principal of CAPE may expel this student from school for a period of one calendar year and notify the appropriate criminal justice or juvenile delinquency authorities.

Any such expulsion may extend, as necessary, into the school year following the school year in which the incident occurred. The School District of Residence Superintendent in collaboration with the principal of CAPE may reduce the one-year expulsion on a case-by-case basis.

Matters which might lead to a reduction of the expulsion period include: An incident involving a disabled student and the incident is a manifestation of the disability; the age of the student

and its relevance to the punishment; the prior disciplinary history of the student; and/or the intent of the perpetrator.

Students are also prohibited from bringing knives on CAPE/school property, in a CAPE/school vehicle or to any CAPE/school-sponsored activity. The definition of a knife includes, but is not limited to, a cutting instrument consisting of a blade fastened to a handle. If a student brings a knife on CAPE/school property, in a CAPE/school vehicle or to any CAPE/school-sponsored activity, the Superintendent of the School District of Residence in collaboration with the principal of CAPE may expel the student from school, subject to the same conditions stated above.

Adoption Date: August 13th, 2020

Legal Refs: ORC 3313.66, 3313.661  
20 USC 2701et. Seq. – IX 9001-9005  
18 USC 921  
20 USC 8922

Cross Refs: Permanent Exclusion  
Student Conduct  
Student Suspension  
Emergency Removal of a Student  
Student Expulsion  
Student Code of Conduct

#### RULE 6: Narcotics, Drugs, Alcoholic Beverages, Anabolic Steroids, and Medicines

A student may not possess, use, transfer, conceal, or show evidence of consumption of narcotics, drugs, alcohol, anabolic steroids, or medicines, while on CAPE/school grounds or attending any CAPE/school-related functions. **If a student shows evidence of consumption of drugs or alcohol, parents and guardians will be contacted to remove their student/s from CAPE. CAPE may make a referral to Scioto County Juvenile Drug Court.** Prescription medicine or medicines in any form must be turned into CAPE staff immediately upon arrival to CAPE. Medication will be administered by CAPE staff.

**NOTE: CBD products and/or medical marijuana are strictly prohibited on CAPE property at all times.**

#### RULE 7: Forgery

A student may not forge his/her parent/guardian's signature for any reason. A student may not falsify information either written or verbal.

#### RULE 8: Conduct toward CAPE Personnel

A student may not verbally abuse or threaten teachers, student teacher, substitute teachers, teachers' aides, administration officials, bus drivers, or other authorized school personnel during any period of time when the student is properly under the authority of school personnel.

#### RULE 9: Insubordination/Refusal to Comply

A student may not fail to comply with reasonable directions/requests (after given 3 opportunities to comply) of teachers, student teachers substitute teachers, teachers' aides, administration officials, bus drivers, or other authorized CAPE personnel during any period of time when the student is properly under the authority of CAPE personnel.

#### RULE 10: Throwing Objects

A student may not throw any type of object (pencils, erasers, paper-wads, books, papers, chairs, desks, food etc.) at or on another person.

#### RULE 11: Truancy, Skipping

A student may not, once present at CAPE, be inexcusably absent from any class or classes. Or leave school without receiving proper authorization. Nor may a student be absent from CAPE without parent/guardian awareness and approval on the day of the absence.

In accordance with House Bill 410 CAPE will collaborate with the Attendance Office to address habitual truancy and excessive absences by conducting Absence Intervention Team (AIT) meetings and may make a recommendation to the Scioto County Juvenile Court Diversion Program.

#### RULE 12: Sexual Harassment

CAPE has a zero tolerance with respect to sexual harassment in its school and educational community. Sexual harassment is improper, immoral, and illegal and will not be tolerated. This policy is implemented to inform both students and CAPE personnel as to what sexual harassment is and proper procedures for dealing with this type of harassment.

## **DEFINITION OF SEXUAL HARASSMENT**

Ohio and Federal laws define sexual harassment as unwanted sexual advances or unwanted visual, verbal, or physical conduct of a sexual nature. Such offensive behavior includes, but is not limited to the following:

1. Unwanted sexual advances, including proposition, repeatedly asking someone out for a date after it is clear that the person is not interested.
2. Making or threatening reprisals after a negative response to sexual advances.
3. Non-verbal conduct: Leering; making sexual gestures; displaying sexually suggestive objects, pictures, cartoons, or posters.
4. Verbal conduct; making or using derogatory comments, slurs or jokes, making sexually based remarks about another person's or one's own body.
5. Verbal abuse of sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, suggestive or obscene letters, notes or invitations.
6. Physical conduct; touching, assault, impeding or blocking movement.

## **PROCESS OF REPORTING SEXUAL HARASSMENT**

Any student that feels they are being sexually harassed should immediately report the incident/s to any adult in the CAPE building; the principal, their teacher/s, their educational aides, the school counselor, Mahajan Therapeutics staff, etc.

Teachers and other school staff who witness acts of sexual harassment shall promptly notify the building principal or the school counselor of the event observed, and shall promptly file a written incident report. Teachers and other school staff who receive student or parent reports of suspected acts of sexual harassment shall promptly notify the building principal or the school counselor of such reports.

Formal written complaint: If the report is a formal, written complaint, it shall be forwarded promptly (no later than the next school day) to the building principal or the school counselor.

Informal complaint from a student: If the report is an informal complaint by a student that is received by a teacher or other employee, he or she shall prepare a written report of the informal complaint. The report shall be promptly forwarded (no later than the next school day) to the building principal or the school counselor.



## **PENALTIES**

Any student or students that engage in sexual harassment may receive discipline ranging from conferences, to suspensions, to expulsions, to criminal charges.

**Please note; if the student or students are on probation through the Scioto County Juvenile Court all discipline will be reported to their probation officer. If they are not assigned a probation officer, the discipline will be reported to the probation office.**

**Students making false claims may also be subject to discipline.**

### RULE 13: Harassment, Bullying, Intimidation

Harassment, bullying or intimidating behavior by any student or CAPE staff is strictly prohibited, and such conduct may result in disciplinary action, including suspension and/or expulsion from school.

“Harassment, intimidation or bullying, in accordance with House Bill 276, means any intentional written, verbal, graphic or physical acts including electronically transmitted acts i.e. internet, cell phone, personal digital assistant (PDA) or wireless hand-held device either overt or covert, by a student or group of students toward other student/s or CAPE staff with the intent to harass, intimidate, injure, threaten, ridicule or humiliate. The results of which occur on or immediately adjacent to CAPE property, at any CAPE sponsored activity, on CAPE/school-provided transportation or at any official school bus stop that a reasonable person under the circumstances should know will have the effect of: causing mental or physical harm to the other student or CAPE staff including placing an individual in reasonable fear or physical harm and/or damaging of student’s CAPE staffs personal property; and , is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening or abusive, educational environment for the other student/CAPE staff.”

### Cyberbullying

Cyberbullying is bullying that takes place over digital devices like cell phones, computers, and tablets. Cyberbullying can occur through SMS, Text, and apps, or online in social media, forums, or gaming where people can view, participate in, or share content. Cyberbullying includes sending, posting, or sharing negative, harmful, false, or mean content about someone else. It can include sharing personal or private information about someone else causing

embarrassment or humiliation. Some cyberbullying crosses the line into unlawful or criminal behavior.

The most common places where cyberbullying occurs are:

Social Media, such as Facebook, Instagram, Snapchat, and Tik Tok

Text messaging and messaging apps on mobile or tablet devices

Instant messaging, direct messaging, and online chatting over the internet

Online forums, chat rooms, and message boards, such as Reddit

Email

Online gaming communities

Cyberbullying is strictly prohibited at CAPE and students that engage in cyberbullying may be subject to any of the following disciplinary actions: after-school detention, in-school-suspension, out-of-school suspension, expulsion, emergency removal from the classroom or school and/or criminal charges.

#### **PROCESS OF REPORTING HARASSMENT, BULLYING, INTIMIDATION**

Any student that feels they are being harassed, bullied or intimidated should immediately report the incident/s to any adult in the CAPE building; the principal, their teacher/s, their educational aides, the school counselor, Mahajan Therapeutics staff, etc. All reports will be anonymous.

Teachers and other school staff who witness acts of harassment, bullying or intimidation shall promptly notify the building principal or the school counselor of the event observed, and shall promptly file a written incident report. Teachers and other school staff who receive student or parent reports of suspected acts of harassment, bullying or intimidation shall promptly notify the building principal or the school counselor of such reports.

Formal written complaint: If the report is a formal, written complaint, it shall be forwarded promptly (no later than the next school day) to the building principal or the school counselor.

Informal complaint from a student: If the report is an informal complaint by a student that is received by a teacher or other employee, he or she shall prepare a written report of the informal complaint. The report shall be promptly forwarded (no later than the next school day) to the building principal or the school counselor.

Retaliation against any person, who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry concerning allegations of aggressive behavior is prohibited and will not be tolerated. Such retaliation shall be considered a serious violation of board policy and independent of whether a complaint is substantiated. Suspected retaliation should be reported in the same manner as aggressive behavior. Retaliation may result in disciplinary action as indicated above.

CAPE shall implement intervention strategies to protect a victim or other person/s from new or additional harassment, intimidation, or bullying and from retaliation following such a report. The intervention strategies will be implemented by the Principal and Mahajan Therapeutics.

## **PENALTIES**

Any student or students that engage in harassment, bullying or intimidation may receive discipline ranging from detentions, to suspensions, to expulsions, to criminal charges.

**Please note; if the student or students are on probation through the Scioto County Juvenile Court all discipline will be reported to their probation officer. If they are not assigned a probation officer, the discipline will be reported to the probation office.**

**Students making false claims may also be subject to disciplinary action ranging from detentions, to suspensions, to expulsions, to criminal charges.**

### **Anti-Harassment Compliance Officers:**

The Board designates the following individuals to serve as “Anti-Harassment Compliance Officers” for the Center. They are hereinafter referred to as the “Compliance Officers”.

Assistant Superintendent  
522 Glenwood, Room 165  
New Boston, OH 45662  
740-354-7761

Supervisor  
522 Glenwood, Room 165  
New Boston, OH 45662  
740-354-7761

#### RULE 14: School Records

No student may remove or alter any school records belonging to CAPE or to CAPE employees. Nor may any student possess, transmit, or conceal without authorization, any school records belonging to CAPE or CAPE employees.

#### RULE 15: Aiding and Abetting in the Commission of a Rule Violation

A student may not aid or abet another student in the violation of any CAPE rule or regulation.

#### RULE 16: Repeated Violation of Minor Misconduct Rules

A student may not repeatedly violate the minor misconduct rules contained in the Student Code of Conduct.

#### RULE 17: Tobacco

A student may not possess, use, transfer or conceal tobacco product, e-cigarettes, Vapes, Juul's, etc, in any manner on CAPE property or while attending any CAPE function.

#### RULE 18: Gambling

A student may not engage in any form of gambling or game of chance while under the jurisdiction of CAPE.

#### RULE 19: Pornography

A student may not possess or electronically send or "share" pornography in any form while at CAPE.

#### RULE 20: Throwing Food

A student may not throw food or silverware or otherwise misbehave in the cafeteria.

#### RULE 21: Ignitable Materials

A student may not possess firecrackers, smoke bombs, matches, lighters or any type of fireworks.

#### RULE 22: Material not to be brought to school

A student may not possess items such as any type of e-cigarette/vape, toy guns, water pistols or similar devices. Students may not possess playing cards, gum, candy or anything that could cause a disruption to the educational environment.

#### RULE 23: Academic Dishonesty

Cheating, plagiarizing and academic dishonesty in any form, including inappropriate use or misuse of the school's computer network will not be tolerated in the school environment. These actions are reflective of academic dishonesty and are subject to disciplinary action by CAPE.

#### RULE 24: Out of assigned area

Students are not permitted to be out of their assigned area (classroom, cafeteria, etc.) without permission.

#### RULE 25: Cellular devices/Personal Laptops/Chromebooks/Tablets

Students are **NOT** permitted to bring cell phones or any other electronic devices to CAPE. Cell phones and electronic devices brought by student's cause's disruption/s to the educational process and CAPE is not able to secure these items to protect them from theft or damages.

CAPE will provide any and all electronic devices that students will need for their education.

If a student is caught with a cell phone or any other electronic device, CAPE staff will confiscate the device and hold it until the parent/guardian is able to pick it up from CAPE. **The parent/guardian must pick it up by the end of the school day.**

#### RULE 26: No Inappropriate Displays of Affection

Students may **NOT** kiss, hug or touch in any way while on CAPE property.

#### LIST OF MINOR RULES REGARDING STUDENT CONDUCT

Rule 1: A student may not be extremely or repeatedly rude.

Rule 2: A student may not be constantly and inexcusably tardy to class.

Rule 3: A student may only use his or her assigned locker.

Rule 4: A student may not loiter in the halls, restrooms, or unsupervised areas of CAPE or CAPE's property during regular classroom hours.

Rule 5: A student shall refrain from running in the halls.

Rule 6: A student shall wait his or her turn in the lunch room.

Rule 7: A student may not litter.

Rule 8: A student may not talk in class without permission from the teacher and may not display any actions that would disrupt the educational process.

Rule 9: A student shall be properly dressed. If in the opinion of the principal, a student is improperly dressed, that student shall be removed from the classroom area until the student is properly dressed. If a student is required to change clothes, CAPE will provide the clothing.

Rule 10: A student may not be in any unauthorized OFF LIMITS area without official permission.

Rule 11: Students are not permitted to have any type of glass bottles on school property.

Rule 12: Students may not remain in the school building after 2:30 P.M. unless they are on teacher-assigned business.

Rule 13: A student may not use profane and/or abusive language.

Rule 14: A student may not lie to the principal, teacher/s or any other CAPE staff member.

## **SUSPENSIONS (OUT OF SCHOOL)**

Governed by ORC 3313.66

A suspension is when a student/s is/are removed from the school for a certain number of days. During this period, the student is prohibited from attending or participating in any CAPE activities or activities on the property of their School District of Residence.

The principal (of CAPE) may cause the suspension of a student from school for offenses which are detrimental to the discipline and operations of the school or which acts of misbehavior are potentially hazardous to the well-being of the school, the student body, and the school personnel, are grossly improper under the circumstances, or in violation of the student code of conduct. No suspensions are to exceed ten (10) school days. Such suspension may occur only after a student has been notified of the incident. A suspension notice will be sent home to the parent or guardian specifying reasons for the suspension. If parents request a hearing, a time will be established.

If the decision has been made to suspend the student, the parents or guardian must be notified in writing forty-eight (48) hours after the decision. This notification must include specific charges made against the student and an explanation of their right to request a formal hearing with the principal and a representative from their School District of Residence to appeal the principal's decision.

If a formal appeal hearing on a student suspension is requested, the principal's office should be contacted to set up a time and place for this hearing. This hearing should be conducted in an impartial manner. Students may be represented at the appeal hearing. (It should be noted that the suspension hearing is NOT an adversary hearing and the student has no right to legal counsel at the administrative level.)

Students, who are suspended out of school or expelled, may not be present on school property, participate or attend any school activities or contests, or be present at activities or on property controlled by CAPE or their School District of Residence.

If the principal's (CAPE) decision to suspend is reversed by the superintendent of the student's School District of Residence, the student's records shall be cleared (expunged) of the offense.

Copies of all correspondence pertaining to the in-school or out-of-school suspension of students from school will be provided to the superintendent of the student's School District of

Residence and to their parents/guardians. Further, a copy of such correspondence shall be placed in the student's permanent record.

### **EMERGENCY REMOVAL FROM A CLASS OR ACTIVITY OF SCHOOL**

There are times when it is necessary to remove a student from curricular activities because his/her presence poses a continuing danger to persons or property of an ongoing threat to disrupting the academic process or atmosphere of the school. In these situations, a student does not have to be given an immediate hearing before being removed. Removal may later lead to suspension or expulsion. The conditions under which a student may be removed are as follows:

1. Who may remove a student:
  - a. The superintendent of the South Central Ohio Education Service Center (SCOESC), the assistant superintendent of the SCOESC, the principal of CAPE or their designated representative, may remove a student from the premises, curricular or extracurricular activity, without advance notice.
  - b. A teacher may remove a student from curricular or extracurricular activities under his/her supervision (advance notice is not required). During the regular school hours, the student who has been removed must report to the principal's office and remain there until the matter has been properly resolved. If a teacher makes an emergency removal, his/her reasons must be submitted to the principal in writing as soon after the removal as practicable.
  - c. Any school personnel may order a student to leave the school premises after school hours when a student is not involved in a regularly scheduled activity and is loitering in a school building or on school grounds. This is not considered to be a formal removal from a curricular or extracurricular activity and does not require a notice or hearing.
2. A due process hearing must be held within 72 hours after removal is ordered.
  - a. Written notice of the hearing and the reason for the removal and any intended disciplinary action must be given to the student as soon as practicable prior to the hearing. The student must have the opportunity to appear in an informal hearing before the principal. The superintendent (of the SCOESC and the students School District of Residence) or his/her designee has the right to challenge the reasons for the intended suspension or otherwise explain his/her actions.
  - b. The person who ordered or requested the removal must be present at the hearing.



- c. If a formal suspension or expulsion is ordered in a removal case, all of the rules that are applicable to a suspension must be used (i.e., 48 hours notice of suspension to the parents or guardians, right to appeal, etc.)
3. If the student is reinstated prior to the hearing for emergency removal, the teacher may request reasons for the reinstatement. The teacher cannot refuse to reinstate for any reason.
4. In all cases of normal disciplinary procedures where a pupil is removed from a curricular or extracurricular activity for less than twenty-four (24) hours and is not subject to further suspensions or expulsion, the due process (right to a hearing, etc.) does not apply.
5. In an emergency removal, a pupil can be kept from class until the matter of their conduct is addressed by reinstatement, suspension, or expulsion.

## **EXPULSION**

Governed by ORC 3313.66

1. Only the superintendent of the students School District of Residence in collaboration with the principal of CAPE can expel a student from school and only for the same reasons outlined in the Student Code of Conduct for suspension and expulsion.
2. Process of Expulsion
  - a. Written notice must be provided to the student and their parents/guardians and include reasons for the intended expulsion.
  - b. The student and parent or representative will be provided an opportunity to appear on request before the superintendent of the students School District of Residence and the principal of CAPE or their designee to challenge the expulsion. The administrator/s cannot compel such a hearing in the event the student and parent choose not to have a hearing.
  - c. The notice will state the time and place to appear, which must not be less than three (3) days nor more than five (5) days after the notice is given.
  - d. The superintendent of the students School District of Residence and the principal of CAPE may grant an extension of time. If an extension of time is granted he/she must notify all parties of the new time and place.
3. Within twenty-four (24) hours of the expulsion, the superintendent of the students School District of Residence and the principal of CAPE must notify the parent, guardian or custodian of the student. The notice must include the reason for the expulsion and the right to be represented at the appeal and to request that the hearing be held in executive session, but must act upon the expulsion only at a public meeting. The Board

of Education of the students School District of Residence may, by a majority vote of its full membership reinstate the student.

Expulsion may result in the loss of credit for courses being taken at school, at the Scioto County Career and Technical Center, or at any college or university, whether under an Education Option, CCP, or at the students own expense.

*All students have the right to Due Process. Below is the Due Process Policy of CAPE and the SCOESC.*

### **Due Process Policy**

Book	Policy Manual
Section	5000 Students
Title	DUE PROCESS RIGHTS
Code	po5611
Status	Active
Adopted	June 30, 2016
Last Revised	October 8, 2020

#### **5611 - DUE PROCESS RIGHTS**

The Governing Board recognizes that students have limited certain constitutional rights when it comes to their education.

Accordingly, the Board establishes the following procedures:

#### **A. Student subject to suspension:**

When a student is being considered for an out-of-school suspension by the Superintendent, principal, or other administrator:

1. The student will be informed in writing of the potential suspension and the reasons for the proposed action.
2. The student will be provided an opportunity for an informal hearing to challenge the reason for the intended suspension and to explain his/her actions.

3. An attempt will be made to notify parents or guardians by telephone if a suspension is issued.
4. Within one (1) school day of the suspension the Superintendent, principal, another administrator or CAPE staff will notify the parents, guardians, or custodians of the student. The notice will include the reasons for the suspension and the right of the student, parent, guardian, or custodian to appeal to the Board or its designee; the right to be represented at the appeal; and the right to request the hearing be held in executive session if before the Board. The notice shall also specify that if the student, parent, guardian, or custodian intends to appeal the suspension to the Board or its designee, such notice of appeal shall be filed, in writing, with the Treasurer of the Board or the Superintendent within three (3) calendar days after the date of the notice to suspend. If the offense is one for which the Educational Service Center may seek permanent exclusion, then the notice will contain that information.
5. Notice of this suspension will also be sent to the:
  - a. Superintendent;
  - b. student's school record (not for inclusion in the permanent record).
6. If a student leaves school property without permission immediately upon violation (or suspected violation) of a provision of the Student Code of Conduct/Student Discipline Code or prior to an administrator conducting an informal hearing as specified above, and the student fails to return to school on the following school day, the principal, assistant principal, Superintendent, or any other administrator, may send the student and his/her parent(s)/guardian(s) notice of the suspension, and offer to provide the student and/or his/her parents an informal hearing upon request to discuss the reasons for the suspension and to allow the student to challenge the reasons and to explain his/her actions, any time prior to the end of the suspension period.

### **Appeal of Suspension to the Superintendent**

The student who is eighteen (18) or older or the student's parent(s) or guardian(s) may appeal the suspension to the Board or its designee. They may be represented in all such appeal proceedings.

A verbatim record will be kept of the hearing which may be held in executive session at the request of the student, parent, or guardian if held before the student's School District of Residence School Board.

The procedure to pursue such appeal will be provided in regulations approved by the Superintendent. Notice of appeal must be filed, in writing, with the Treasurer or the Superintendent within three (3) calendar days after the date of the notice to suspend.

While a hearing before the Board may occur in executive session, the Board must act in public.

### **Appeal to the Court**

Under Ohio law, appeal of the Board's or its designee's decision may be made to the Court of Common Pleas.

#### **B. Students subject to expulsion:**

When a student is being considered for expulsion by the Superintendent:

1. The Superintendent will give the student and parent, guardian, or custodian written notice of the intended expulsion, including reasons for the intended expulsion.
2. The student and parent or representative have the opportunity to appear before the Superintendent or designee to challenge the proposed action or to otherwise explain the student's actions. The written notice will state the time and place to appear, which must not be earlier than three (3) school days nor later than five (5) school days after the notice is given unless the Superintendent grants an extension upon request of the student or parent.
3. Within one (1) school day of the expulsion, the Superintendent will notify the parents, guardians, or custodians of the student and Treasurer of the Board. The notice will include the reasons for the expulsion and the right of the student, parent, guardian, or custodian to appeal to the Board or its designee; the right to be represented at the appeal; and the right to request the hearing be held in executive session if before the Board. The notice shall also specify that if the student, parent, guardian, or custodian intends to appeal the expulsion to the Board or its designee, such notice of appeal shall be filed, in writing, with the Treasurer of the Board or the Superintendent within fourteen (14) calendar days after the date of the notice of expulsion. If the offense is one for which the Center may seek permanent exclusion, then the notice will contain that information.

### **Appeal of Expulsion to the Board**

A student who is eighteen (18) or older or a student's parent(s) or guardian(s) may appeal the expulsion by the Superintendent to the Board or its designee. They may be represented in all such appeal proceedings and will be granted a hearing before the Board or its designee.

A verbatim record will be kept of the hearing which may be held in executive session at the request of the student, parent, or guardian if it is held before the Board.

The procedure to pursue such appeal will be in accordance with regulations approved by the Superintendent. Notice of appeal must be filed, in writing, within fourteen (14) calendar days after the date of the Superintendent's decision to expel with the Treasurer of the Board or the Superintendent.

While a hearing before the Board may occur in executive session, the Board must act in public.

### **Appeal to the Court**

Under state law, the decision of the Board or its designee may be further appealed to the Court of Common Pleas.

#### **C. Students subject to emergency removal:**

Students whose conduct warrants emergency removal shall be dealt with in accordance with the rights and procedures outlined in Policy 5610.03 - Emergency Removal.

#### **D. Students subject to permanent exclusion:**

Students whose conduct is that for which permanent exclusion is warranted shall be dealt with in accordance with the rights and procedures outlined in Policy 5610.01 – Permanent Exclusion of Nondisabled Students.

#### **E. Students subject to suspension from bus riding/transportation privileges:**

Students whose conduct warrants suspension from bus riding and/or transportation services shall be dealt with in accordance with the rights and procedures outlined in Policy 5610.04 - Suspension of Bus Riding/Transportation Privileges.

The Superintendent shall ensure that all members of the staff use the above procedures when dealing with students. In addition, this statement of due process rights is to be placed in all student handbooks in a manner that will facilitate understanding by students and their parents.

These procedures shall not apply to in-school disciplinary alternatives including in-school suspensions. An in-school suspension is one served entirely in a supervised learning environment within a school setting. Nor shall these disciplinary alternative procedures apply to students who are prohibited by authorized school personnel from all or part of their participation in co-curricular, activities.

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Legal

R.C. 3313.20, 3313.66, 3313.661

## Academics

### **PROGRAM OF STUDY**

The curriculum of study at CAPE is designed to prepare students to either enter college, trade school or the work force. CAPE collaborates with the students District of Residence to ensure that the student is enrolled in the appropriate classes to ensure graduation.

Students at CAPE will participate in “blended” learning which is a combination of computer based work and curriculum delivered by the classroom teacher. Students will have access to the classroom teacher and a teacher provided by our online program, BUZZ. Students have access to BUZZ 24/7 and are encouraged to access it from home during absences or if they simply want to work ahead. However, this is not required only encouraged.

### **Student Procedure to Follow When Making-up Work Due to Absences**

If a student is absent for **ANY** reason (excused, unexcused, suspended, expelled, emergency removal, etc.) they have the option to make-up all missed work. However, it is the student’s

responsibility to ensure that they login to PEAK (online curriculum) as they have access 24/7 and to obtain **ALL** missed work from their teachers.

Students will have one day to make-up work for each day they are absent.

Students will be required to make-up 100% of the work they miss.

### **HONOR ROLL**

The honor roll is compiled at the end of each grading period. In order for the student to qualify for the honor roll, they must meet the following standards: "A" Honor Roll-3.75 GPA or higher, "B" Honor Roll – 3.0 GPA up to 3.74 GPA.

### **6<sup>TH</sup>-12<sup>TH</sup> GRADE PROCEDURE FOR DETERMINING PASS/FAIL FOR THE SCHOOL YEAR**

Procedure for determining passing or failing will be standard for all subjects in grades 6<sup>th</sup>-12<sup>th</sup>. CAPE will collaborate with the students School District of Residence in grade reporting. However, the students School District of Residence will make the final determination on whether or not the student passes or fails.

CAPE Grading Scale:

90-100 = A Excellent

80-89 = B Very Good

70-79 = C Average

60-69 = D Fair

50-59 = F Failure

**If a student receives a failing grade on an assignment, quiz or test, they will be required to re-do the assignment, quiz or test in an attempt to improve their grade.**

### **NINE WEEKS GRADES AND GRADE AVERAGES**

The nine weeks grade is an average of all grades earned during the nine weeks and are based on percentages: example:  $87+54+93+70=304$ ;  $304$  divided by  $4 = 76 = C$ .

### **SEMESTER COURSE GRADES**

The final grade for a one-semester course is an average of the two nine-week's grades based on percentages: example:  $77 (C) + 87 (B) = 164$  divided by  $2 = 82 = C$ .

## **FULL YEAR COURSE GRADES**

The final grade for a full year course is an average of the four nine-weeks grades based on percentages: example: 95 (A) + 87 (B) + 94 (A) + 96 (A) = 372 divided by 4 = 93= A.

## **GRADUATION REQUIREMENTS for the CLASSES of 2024 & 2025**

### **3 Key Components**

#### **1. Course Completion**

Take and earn a state minimum of 20 credits in specific subjects.

<b>Courses</b>	<b>State Minimum</b>
English Language Arts	4 credits
Health	½ credit
Mathematics	4 credits
Physical Education	½ credit
Science	3 credits
Social Studies	3 credits
Electives	5 credits

Students must receive instruction in economics and financial literacy (in high school) and complete at least two semesters of fine arts (during grades 7-12).

**Please be advised that your students School District of Residence may require more than 20 credits to graduate.**

#### **2. Demonstrating Competency**

Students will demonstrate competency in the foundational areas of English language arts and mathematics or through alternative demonstrations, which include College Credit Plus, career-focused activities or military enlistment.

### **Ohio's State Tests (End of Course Exams)**

Student's must take all Ohio End of Course Exams but must only demonstrate competency in Algebra I and ELA II.

### **Industry-recognized credential and score on workforce readiness test**



Earn a minimum of 12 points by receiving a State Board of Education-approved, industry recognized credential or group of credentials in a single career field and earn the required score on the WorkKeys, a work-readiness test. The state of Ohio will pay one time for you to take the WorkKeys test.

### **College and career readiness tests**

Earn remediation-free scores in math and English language arts on the ACT or SAT.

### **Military Enlistment**

Prepare for and take the ASVAB (military entrance exam) and enlist in any branch of the military. There is no charge for the ASVAB.

### **3. Demonstrating Readiness**

Students will demonstrate readiness for their post-high school paths by earning two seals that allow them to demonstrate important foundational and well-rounded academic and technical knowledge, professional skills, as well as develop key social and emotional competencies and leadership and reasoning skills.

### **COLLEGE CREDIT PLUS PROGRAM**

All students in grades 6<sup>th</sup>-12<sup>th</sup> enrolled at CAPE will be provided with information on the College Credit Plus Program of their District of Residence prior to February 1. Please note that students participating in the CCP program may potentially be exposed to mature subject matters and materials, and Selective Service System Registrations requirements. Students that are interested and eligible to participate in the college credit plus program must notify and undergo counseling with parents by March 30 or other specified date/s to attend CCP for the following fall. For more information, contact the CAPE school principal.

***If you have any questions please contact CAPE; 740-354-0298.***