

# **Substitute Teacher Handbook – 2022-2023**

## **TABLE OF CONTENT**

### **DIRECTORY INFORMATION**

Board of Education & Central Administration	1
Washington Local Schools Phone & Address	2

### **GENERAL INFORMATION**

AESOP – Scheduling Jobs	3
Time Schedules	3
Rate of Pay	3
Daily Subbing Procedures	4
Confidentiality	5
Discipline	5
Dismissal Procedures for Students	5
Emergencies	6
Evaluation of Substitute Teachers	6
Full Time Employment	6
Lunch and Planning Time	7
Money Collection	7
Pay Procedures – Correction of Errors	7
Pay Procedures – Direct Deposit	8
School Closing and Delays	8

### **BOARD POLICIES / LEGAL DISCLOSURES**

Drug-Free Workplace – Policy 3122.01	8
Staff Ethics – Policy 3210	9
Student Supervision – Policy 3213	10
Student Discipline – Policy 5600	10
Corporal Punishment – Policy 5630	12
Ohio Auditor of State Fraud Reporting System	12
Nondiscrimination and Anti-Harassment – Policy 3362 abridged	13

# WASHINGTON LOCAL SCHOOLS

## **Board of Education**

Irshad Bannister  
Melanie Garcia  
Mark Hughes  
Karen Mayfield  
Mike Murphy

## **Central Administration**

Dr. Kadee Anstadt  
Superintendent of Schools

Jeffery Fouke  
Treasurer

Kristie Martin  
Assistant Superintendent

Laura Berryman  
Director of Human Resources

Neil Rochotte  
Director of Student Services

Robert Gulick  
Director of Technology

Katherine Spenthoff  
Director of Curriculum and Instruction

Brian Meyer  
Supervisor of Safety & Security

Brittani Paszko  
Director of Equity and Inclusion

**WASHINGTON LOCAL SCHOOLS**  
**CENTRAL OFFICE**

3505 W. Lincolnshire Blvd., Toledo, OH 43606

Substitute Office	Beth Pohl, Secretary	473-8227
Human Resources	Kathi Hogan, Executive Secretary Laura Berryman, Director	473-8226 473-8225
Payroll - Sub Teachers Benefits Coordinator	Cindy Winzenried Dianna Myers	473-8383, ext. 7007 473-8383, ext. 7005

**SCHOOL BUILDINGS**

Whitmer High School Jennifer Bronikowski, Principal	5601 Clegg Dr., Toledo, OH 43613	473-8490
Career and Technology Center Thomas Ziems, Director	5719 Clegg Dr. Toledo, OH 43613	473-8339
Jefferson Junior High Alexa Kehres, Principal	5530 Whitmer Dr. Toledo, OH 43613	473-8482
Washington Junior High Carrie Wray, Principal	5700 Whitmer Dr. Toledo, OH 43613	473-8449
Greenwood Elementary William Colon, Principal	760 Northlawn Dr. Toledo, OH 43612	473-8263
Hiawatha Elementary Albert Bernhardt, Principal	3020 Photos Dr. Toledo, OH 43613	473-8268
Silver Creek Elementary Terry Griffey, Principal	2010 Northover Rd. Toledo, OH 43613	473-8274
McGregor Elementary Bill Magginis, Principal	3535 McGregor Lane Toledo, OH 43623	473-8279
Meadowvale Elementary Melissa Hall, Principal	2755 Edgebrook Dr. Toledo, OH 43613	473-8284
Monac Elementary Scott Scharf, Principal	3845 Clawson Ave. Toledo, OH 43623	473-8289
Shoreland Elementary Kim Dedo, Principal	Suder at East Harbor Dr. Toledo, OH 43611	473-8294

## **AESOP – SCHEDULING JOBS**

Substitute teachers are scheduled through AESOP. In addition to receiving calls from AESOP, you may contact AESOP at your convenience to view/hear openings and schedule jobs.

Phone: 1-800-942-3767

Online: [www.aesoponline.com](http://www.aesoponline.com)

Individual teachers and the secretary in the Substitute Office, may personally contact subs for long term assignments or for occasional emergencies or reassignments.

If you are scheduled to sub and become ill or are unable to fulfill your assignment for any reason, you should cancel your assignments through AESOP immediately. If you have an emergency less than an hour before you are supposed to report to work, you will not be able to cancel your assignment through AESOP, and must call the Substitute Office immediately at **419-473-8227**.

## **TIME SCHEDULES**

Whitmer High School & Career & Tech. Ctr.	7:15 a.m. to 2:45 p.m.
Jefferson & Washington Junior High Schools	7:20 a.m. to 2:50 p.m.
Elementary Buildings	8:00 a.m. to 3:30 p.m.

These times pertain to teachers--not students.

## **RATE OF PAY - SUBSTITUTE TEACHERS**

Employees are paid bi-weekly by direct deposit only.

### **Regular Daily Sub Rates:**

\$125.00 per Full Day  
\$ 93.75 per Three-Quarter Day  
\$ 62.50 per Half Day  
\$ 31.25 per Quarter Day

### **Long Term Sub Rates**

\$ 125.00 per Full Day	Days 1-30 in the same position
\$ 130.00 per Full Day	Days 31-60 in the same position
\$ 97.50 per Three-Quarter Day	Days 31-60 in the same position
\$ 65.00 per Half Day	Days 31-60 in the same position
\$ 32.50 per Quarter Day	Days 31-60 in the same position

If, during a long term assignment, you work in any other position, your pay is at the regular daily sub rate and is not counted toward your long term assignment.

BA Step 0 Rate

Beginning the 61<sup>st</sup> day in the same position

Once you have advanced to Step 0 in a long term assignment and you work in any other position during your long term assignment, you will continue to be paid at the step 0 rate.

Long term subs qualify for fringe benefits beginning the 61<sup>st</sup> day in the same assignment. Upon completion of the month, 1.25 sick days will be provided. Personal Leave may be provided based upon the number of days to be worked in the long term assignment. Health, dental, vision and life insurance benefits begin the first day of the month following completion of the 60<sup>th</sup> day. They discontinue the month the assignment is completed.

In addition to Federal, State and Toledo Income Tax deductions, payroll deductions include:

- State Teachers Retirement System of Ohio (STRS) required by Ohio law
- Medicare required by Federal Law

If a Substitute Teacher attends a mandatory after school meeting and has not met their 60<sup>th</sup> day in a long term assignment, they will be paid \$30.00, in addition to all other pay earned in the same day. Once the Substitute Teacher has met their 60<sup>th</sup> day, they are treated exactly as all other teachers, which are not paid for after school meetings.

### **DAILY SUBBING PROCEDURE**

**Check-In:** Report directly to the school office where you will be given the substitute file prepared by the teacher, advised of any special activities for the day, and directed to your assigned classroom. The building principal and school staff are always available to assist you to ensure that your day is successful and enjoyable.

If you are assigned to more than one building in a day, check-out at the first school office before leaving for the second building.

**Lesson Plans:** Implement the regular teacher's lesson plans and routines as closely as possible. To help, the following information should be available in the teacher's substitute file:

1. Daily Schedule
2. Class rosters and seating charts
3. Lesson plans or where to find lesson plans
4. List of reliable students
5. Information about students with special needs
6. Location of supplies and materials
7. Name and location of other teachers that can be of assistance to you
8. Emergency procedures

**Close-Up:** Before departing for the day, close all windows, turn off all lights, computers, printers and other electronic equipment. Put materials and equipment back where you found them. In classrooms with student chairs, stack them on the tables or desks.

**Communicate:** Leave detailed notes for the regular teacher at the end of the day. Notes may be left in the building or on AESOP. If you use AESOP, leave a note for the teacher directing them to AESOP. Include any pertinent information such as:

- Work covered in each subject/class period
- Assignments made and work collected
- Any unique situations--discipline problems, injuries, illnesses, notes from parents

- Record of money paid by the students for books, pictures, supplies, or miscellaneous articles

If you use AESOP, you may rate your sub experience on a scale of 1 (poor) to 5 (outstanding) and may leave comments for the teacher. The Principal and Director of Human Resources are also able to view feedback left by the sub. Feedback areas include:

- Notes about the lesson plans, work covered in each subject/class period, assignments made, work collected, or other relevant information.
- Notes about student behavior
- Suggestions to make the subbing experience more effective
- Any unique student issues or parent contacts teacher should know about
- Other notes or comments for the teacher
- Terrific helpers – students or staff.

**Check-out:** Report to the school office before leaving the building.

### **CONFIDENTIALITY**

All information about a student's academic performance, behavior, abilities, health and family dynamics should be treated as confidential and shared with colleagues only as needed within the context of their job duties. Student information should never be discussed or shared with anyone outside the school except as required by law. When in doubt, contact a building principal or school counselor for guidance.

### **DISCIPLINE**

In the establishment of a school atmosphere conducive to good learning, many positive methods are used to promote motivation. Occasionally, however, a situation arises where more stringent measures become necessary to preserve control and establish accepted standards of conduct.

Corporal punishment is prohibited. Touching a child with intent to discipline or punish may be interpreted as corporal punishment. Please refer to the current Board of Education policies, included in this handbook, dealing with student discipline.

Students should not be sent to halls or corridors for punishment. A disciplinary problem which cannot be handled in the classroom should be brought to the attention of the principal.

### **DISMISSAL PROCEDURES FOR STUDENTS**

In elementary schools, assist in supervising the children as they leave the building. In secondary schools, assist in supervising hallways immediately after dismissal.

You should not excuse a student early or to an unknown person. Approval must be secured from the principal or his/her authorized representative before a student may be released from school. A written notice from the parent or guardian should accompany the request for early dismissal from school.

If you plan to detain a student(s) more than five (5) minutes after school, get prior approval from the principal, and contact parent(s) before detaining a student. Buses load immediately after school. Elementary crossing guards are on duty for only ten (10) minutes after school dismissal.

## **EMERGENCIES**

**Accidents/Illness:** Should an accident, illness or other emergency involving students occur, notify the school office immediately. District emergency procedures shall be followed appropriate to the situation. Parents will be notified through the school office.

**Fire, Tornado, Lock Down, Evacuation:** You should be familiar with and prepared to implement emergency procedures. This includes knowing the proper exits in case of fire or building evacuation, safety areas in the event of tornadoes, and procedures for lockdown or other building emergencies. Some type of class roster, grade book or register book should accompany you in order to assist you in accounting for all students.

## **EVALUATION OF SUBSTITUTE TEACHERS**

Teachers provide confidential feedback on substitute performance to the Principal and Human Resources Director through AESOP. Regular teachers may rate the substitute in their classroom for each assignment on a scale of 1 (poor) to 5 (outstanding). The questions rated by the teacher include:

- Were lessons plans followed?
- Did most students appear to understand the lessons?
- Did students report that they were treated fairly and consistently?
- Did the sub leave you detailed notes?
- Was the room left as clean and neat as it was found?
- Was feedback positive from teaching colleagues who had an opportunity to observe the sub?
- General Notes/Comments

Individual feedback rankings and comments are confidential and may only be viewed by system administrators. AESOP calculates an average score from all the individual teacher rankings that can be viewed by teachers as a single average ranking between 1-5.

Principals and teachers sometimes provide other formal and informal feedback to the Director of Human Resources.

All feedback and rankings are considered when selecting and assigning substitutes.

## **FULL-TIME EMPLOYMENT**

Washington Local Schools has one goal when hiring new teachers; to hire the strongest candidate that best fits the needs of the position.

When a teaching vacancy occurs, substitutes and non-subs are screened for interviews through their online application. If you are interested in a regular teaching position in Washington Local, keep your online application up-to-date. Don't assume administrators and teachers who serve on the screening committees know you just because you are a sub. Put your best foot forward with

your application package. You should attach a current resume to your application as well as other documents that might help you stand out from the other applicants.

Employment as a substitute is not a requirement or a guarantee of full-time employment. Consistently strong teaching performance as a sub will be an advantage. Similarly, average or inconsistent performance will be a disadvantage.

After the screening and interview processes are concluded, the candidate considered to be the best qualified for the position is recommended for hire.

### **LUNCH AND PLANNING TIME**

You are not required to supervise students during your duty-free 30-minute lunch. Teachers and subs may only leave the building during lunch if permission is granted by the principal/designee. Subs may bring lunch or purchase a school lunch from the cafeteria.

In elementary schools, students are expected to go outside after eating lunch unless parents have sent in a written request for their child to remain inside. Students will not be permitted to reenter the building before the noon hour is completed except in case of emergency. During days of inclement weather, students will remain inside during the noon hour.

Substitutes may be assigned other teaching or non-teaching duties during the regular teacher's planning time. If a sub does receive planning time, it should be used to review lesson plans, prepare lessons, grade papers, etc. Substitute teachers may not leave the building during planning time without permission of the principal.

### **MONEY COLLECTION**

All money collected from students should be turned in to the principal's office daily at the earliest possible opportunity. Do not leave money in the classroom overnight. As you collect money, make sure it is labeled with the student's name and purpose for the payment. Make a list for the teacher that includes the student's name, amount paid and purpose before sending the money to the office.

### **Pay Procedure – Correction of Errors**

If an error is made in an employee's pay, either overpay or shortage, the correction will be made on the following paycheck after notification of the error.

Provided accurate documentation is received by the payroll department at least nine (9) calendar days prior to payday, and there is an error clearly the fault of the administration, errors in excess of \$100 shall be corrected and paid by the close of the following work day, if the employee so requests.



### **Pay Procedures - Direct Deposit**

All substitute employees will be paid by direct deposit to their bank account. An enrollment form authorizing direct deposit must be completed and filed in the Treasurer's Office.

Checks will be credited to the individual participating employee's account on each payday. Once funds have been transferred to the receiving bank(s), the bank(s) become responsible for deposits to the employee account.

Substitute employees will also provide an email address, for which they will receive an email from the Treasurer's Office with a PDF attachment of their direct deposit advice.

### **SCHOOL CLOSING AND DELAYS**

You are responsible for getting information regarding delayed opening and/or closing of schools, which is available on local radio and television, on the district's website ([www.wls4kids.org](http://www.wls4kids.org)), Twitter ([twitter.com/wls4kids](https://twitter.com/wls4kids)), or Facebook (<https://www.facebook.com/wls4kids#!/wls4kids>). Sometimes we call a 2-hour delay that may become a cancellation depending on weather conditions. Once school is delayed, a decision to cancel will be made no later than 7:00 am. Wait until at least 7:30 am before leaving for work so that you may check to see if school is canceled or only delayed. If school is delayed, make sure to allow enough travel time to arrive at school in time for the delayed start. If you arrive at the building and school has been closed, you will not be paid for your travel time. Again, it is your responsibility to keep yourself informed about school closings and delays.

You are not to report to work when schools are closed for the entire day due to extreme weather or emergency. Substitute teachers are not paid for these days, unless they have already completed 60 days in the same position as a long term sub.

### **HOLIDAYS**

Substitute employees do not get any paid Holidays.

### **BOARD POLICIES**

All employees are required to abide by Board of Education policies. You may access all Board policies on the Washington Local Schools website home page (District – Board of Education – Policies). Hard copies of the policy manual are also available in the Human Resources office upon request.

### **3122.01 - DRUG-FREE WORKPLACE**

The Board of Education will seek to establish and maintain an educational setting which is not tainted by the use or evidence of use of any controlled substance.

The Board shall not permit the manufacture, possession, use, distribution, or dispensing of any controlled substance, alcohol, and any drug paraphernalia as the term is defined by law, by any member of the staff at any time while on District property or while involved in any District-related activity or event. Any staff member who violates this policy shall be subject to disciplinary action.

All staff members shall be given a copy of the standards regarding unlawful possession, use, or distribution of illicit drugs and alcohol and informed that compliance with this requirement is mandatory.

41 U.S.C. 701 et seq., Drug-Free Workplace Act of 1988  
20 U.S.C. 3224A

### **3210 - STAFF ETHICS**

An effective educational program and successful operation of the District requires the services of individuals with integrity, high ideals, and human understanding. To maintain and promote these essentials, the Board of Education expects all professional staff members to maintain high standards in their working relationships, and in the performance of their professional duties, to:

- A. recognize basic dignities of all individuals with whom they interact in the performance of duties;
- B. represent accurately their qualifications;
- C. exercise due care to protect the mental and physical safety of students, colleagues, and subordinates;
- D. seek and apply the knowledge and skills appropriate to assigned responsibilities;
- E. keep in confidence legally-confidential information;
- F. pledge that their actions and/or those of another on their behalf are not made with specific intent of advancing private economic interests;
- G. refuse to accept anything of value offered by another for the purpose of influencing judgment;
- H. refuse to accept compensation from any other source, other than the Board, for the performance of his/her official duties, any other act or service in his/her public capacity, for the general performance of the duties of his/her public employment, or as a supplement to his/her public compensation;
- I. refrain from using his/her position or public property, or permitting another person to use an employee's position or public property for partisan political or religious purposes. (This will in no way limit constitutionally or legally protected rights as a citizen.)

Ohio Ethics Commission Advisory Opinion 2008-01 Revised 2/24/10

### **3213 - STUDENT SUPERVISION**

Because of their proximity to students, staff members are frequently confronted with situations which, if handled incorrectly, could result in liability to the District and personal liability.

Maintenance of the following standards shall be:

- A. Each professional staff member shall maintain a standard of care for supervision, control, and protection of students commensurate with assigned duties and responsibilities.
- B. A professional staff member should not volunteer to assume responsibility for duties s/he cannot reasonably perform. Such an assumption carries the same responsibilities as assigned duties.
- C. Each professional staff member shall immediately report any accident or safety hazard to the principal/superintendent.
- D. Each professional staff member shall immediately report knowledge of threats of violence by students to the principal/supervisor.
- E. A professional staff member shall never send students on personal errands.
- F. A professional staff member shall not associate with students at any time in a manner which gives the appearance of impropriety, including, but not limited to, the creation or participation in any situation or activity which could be considered abusive or sexually suggestive or involve illegal substances such as tobacco, alcohol, or drugs. Any sexual conduct with a student by a professional staff member or other person in authority in the school subjects the offender to criminal liability and discipline up to and including termination of employment.  
This provision should not be construed as precluding a professional staff member from associating with students in private for legitimate or proper reasons.
- G. If a student comes to a staff member to seek advice or to ask questions regarding a personal problem related to sexual behavior, substance abuse, mental or physical health, and/or family relationships, the staff member may help the student make contact with certified or licensed individuals in the District or community who specialize in the assessment, diagnosis, and treatment of the student's problem. Under no circumstances should a staff member attempt, unless properly licensed and authorized to do so, to counsel, assess, diagnose, or treat the student's problem or behavior.
- H. Staff members shall not transport students in a private vehicle without the approval of the administration.
- I. Staff members shall not be required to perform work or services that may be detrimental to their health or safety.

Pursuant to the laws of the state and Board Policy [8462](#), professional staff members shall immediately report any sign of suspected child abuse or neglect to proper legal authorities.

Most information concerning students, other than directory information described in Policy [8330](#), is confidential under federal and state laws. Staff members who share confidential information with persons not authorized to receive the information may be subject to discipline or civil liability. This includes, but is not limited to, information concerning assessments, grades, behavior, family background, and alleged child abuse.

R.C. 2907.03

## **5600 - STUDENT DISCIPLINE**

The Board of Education acknowledges that conduct is closely related to learning - an effective instructional program requires an orderly school environment and the effectiveness of the educational program is, in part, reflected in the behavior of students.

The Board believes that the best discipline is self-imposed and that students should learn to assume responsibility for their own behavior and the consequences of their actions. The Board has zero tolerance of violent, disruptive or inappropriate behavior by its students.

The Board shall require each student of this District to adhere to the Student Code of Conduct adopted by the Board and to submit to such disciplinary measures as are appropriately assigned for infraction of those rules. Such rules shall require that students:

- A. conform to reasonable standards of socially-acceptable behavior;
- B. respect the person and property of others;
- C. preserve the degree of order necessary to the educational program in which they are engaged;
- D. respect the rights of others;
- E. obey constituted authority and respond to those who hold that authority.

The Student Code of Conduct designates sanctions for the infractions of rules, excluding corporal punishment, which shall:

- A. relate in kind and degree to the infraction;
- B. help the student learn to take responsibility for his/her actions;
- C. be directed, where possible, to reduce the effects of any harm which may have been caused by the student's misconduct.

Students may be prohibited by authorized school personnel from participating in all or part of co-curricular and/or extra-curricular activities without further notice, hearing or appeal rights. A student who has been disorderly on a school bus may be suspended from transportation services consistent with Board policy and the Student Code of Conduct.

The Superintendent shall publish to all students and their parents the rules of this District regarding student conduct and the sanctions which may be imposed for breach of those rules.

The Superintendent shall inform the Board periodically of the methods of discipline imposed by this District and the incidence of student misconduct in such degree of specificity as shall be required by the Board.

The Superintendent, principals, and other administrators shall have the authority to assign discipline to students, subject to the Student Code of Conduct and, where required by law, to the student's due process right to notice, hearing, and appeal.

Teachers, school bus drivers, and other employees of this Board having authority over students may take such action as may be necessary to control the disorderly conduct of students in all situations and in all places where such students are within the jurisdiction of this Board and when such conduct interferes with the educational program of the schools or threatens the health and safety of others.

Discipline on Board vehicles shall be the responsibility of the driver on regular bus runs. When Board vehicles are used for field trips and other Board activities, the teacher, coach, advisor, or other Board employee shall be responsible for student discipline. If a student becomes a serious discipline problem on a vehicle, the Superintendent and/or his/her designee may suspend the transportation privileges of the student providing such suspension conforms with due process. The procedures for suspension are set forth in the Student Code of Conduct and Board Policy **5611** – Due Process Rights.

No student is to be detained after the close of the regular school day unless the student's parent has been contacted and informed that the student will be detained. If a parent cannot be contacted, the student should be detained on another day.

R.C. 3313.20, 3313.66, 3313.661, 3315.07, 3327.041  
A.C. 3301-35-03(G), 3301-83-08

Revised 4/19/06

### **5630 - CORPORAL PUNISHMENT**

Corporal punishment shall not be used as a form of discipline in the Washington Local School District. Ohio law allows Boards of Education to ban the use of corporal punishment and this Board does not believe such punishment to be suitable. Other forms of discipline, counseling, and referral, including communication and meetings with parents/guardians to promote appropriate and positive behavior, will be used.

Good conduct is based on respect and consideration for the rights of others. Students will be expected to conduct themselves in such a way that the rights of others are not violated. Students will respect constituted authority, conform with school regulations, and accept directions from authorized school personnel. Students who fail to comply with established school rules or with any reasonable request made by school personnel on school property and/or at school-related events will be dealt with according to approved student discipline regulations.

This prohibition applies as well to volunteers and those with whom the District contracts for services.

R.C. 2919.22(B), 3313.20(B), 3319.41 (A)(B)

### **OHIO AUDITOR OF STATE FRAUD REPORTING SYSTEM**

In compliance with Ohio Revised Code 117.103 (see below), the Ohio Auditor of State's office maintains a system for reporting fraud, including misuse of public money by any official or office. The system allows all Ohio citizens, including public employees, the opportunity to make anonymous complaints through a toll free number, the Auditor of State's website, or through the United States mail.

Telephone: 1-866-FRAUD OH (1-866-372-8364)

US Mail: Ohio Auditor of State's office  
Special Investigations Unit  
88 East Broad Street  
PO Box 1140  
Columbus, OH 43215

Web: [www.ohioauditor.gov](http://www.ohioauditor.gov)

## **NONDISCRIMINATION AND ANTI-HARASSMENT – POLICY 3362**

The Board of Education does not discriminate on the basis of race, color, national origin, sex, disability, age (except as authorized by law), religion, military status, ancestry, or genetic information (collectively, "Protected Classes") in its employment policies and practices or access to educational opportunities, programs and activities, and will enforce prohibitions against unlawful discrimination or harassment of any kind.

### **Definitions**

#### **1. Sexual Harassment**

Pursuant to Title VII of the Civil Rights Act of 1964 and Title IX of the Educational Amendments of 1972, sexual harassment is defined as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- A. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity.
- B. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individuals.
- C. Such conduct has the purpose or effect of interfering with the individual's work or educational opportunity/performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may involve the behavior of a person of either gender against a person of the same or opposite gender.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Conduct must be sufficiently severe, pervasive, and persistent such that it adversely

affects an individual's employment or education, or such that it creates a hostile or abusive employment or educational environment.

Prohibited acts that constitute sexual harassment may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

- A. Unwelcome sexual propositions, invitations, solicitations, and flirtations.
- B. Physical assault.
- C. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.
- D. Unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.
- E. Sexually suggestive objects, pictures, videotapes, audio recordings or literature, placed in the work or educational environment, which may embarrass or offend individuals.
- F. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.
- G. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.
- H. Remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.
- I. Inappropriate and/or unwelcome boundary invasions by a District employee or other adult member of the School District community into a student's personal space and personal life. Examples of inappropriate boundary invasions could include, but are not limited to the following:
  - 1. hugging, kissing, or other physical contact with a student
  - 2. telling sexual jokes to students
  - 3. engaging in talk containing sexual innuendo or banter with students
  - 4. talking about sexual topics that are not related to curriculum
  - 5. showing pornography to a student

6. taking an undue interest in a student (i.e. having a "special friend" or a "special relationship")
7. initiating or extending contact with students beyond the school day for personal purposes
8. using email, text messaging or websites to discuss personal topics or interests with students
9. giving students rides in the staff member's personal vehicle or taking students on personal outings without administrative approval
10. invading a student's privacy (e.g. walking in on the student in the bathroom, locker-room, asking about bra sizes or previous sexual experiences)
11. going to a student's home for non-educational purposes
12. inviting students to the staff member's home without proper chaperones (i.e. another staff member or parent of student)
13. giving gifts or money to a student for no legitimate educational purpose
14. accepting gifts or money from a student for no legitimate educational purpose
15. being overly "touchy" with students
16. favoring certain students by inviting them to come to the classroom at non-class times
17. getting a student out of class to visit with the staff member
18. providing advice to or counseling a student regarding a personal problem (i.e. problems related to sexual behavior, substance abuse, mental or physical health, and/or family relationships, etc.), unless properly licensed and/or authorized to do so
19. talking to a student about problems that would normally be discussed with adults (i.e. marital issues)
20. being alone with a student behind closed doors without a legitimate educational purpose
21. telling a student "secrets" and having "secrets" with a student
22. other similar activities or behavior:



NOTE: Sexual conduct/relationships with students by District employees or any other adult member of the School District community is prohibited, and any teacher, administrator, coach, or other school authority who engages in sexual conduct with a student may also be guilty of the criminal charge of "sexual battery" as set forth in Ohio Revised Code 2907.03. The issue of consent is irrelevant in regard to such criminal charges and/or with respect to the application of this policy to District employees or other adult members of the School District community.

## **2. Harassment - Protected Classes**

Conduct constituting harassment on the basis of race, color, national origin, disability, age (except as authorized by law), religion, military status, ancestry, or genetic information may take different forms, including, but not limited to, the following:

- A. **Verbal:**  
The making of offensive written or oral innuendos, comments, jokes, insults, threats, or disparaging remarks concerning a person's protected class.
- B. **Nonverbal:**  
Placing offensive objects, pictures, or graphic commentaries in the school environment or making insulting or threatening gestures based upon a person's protected class.
- C. **Physical:**  
Any intimidating or disparaging action such as hitting, pushing, shoving, hissing, or spitting on or by a fellow staff member, student, or other person associated with the District, or third parties, based upon the person's protected class.

## **3. Discrimination - Protected Classes**

Prohibited discrimination occurs when an individual's access to employment opportunities or educational programs are based illegally upon an individual's protected class and when the conduct has the purpose or effect of interfering with the individual's work or educational opportunity/performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from an employment opportunity or an educational program or activity.

Such discrimination may occur where conduct is directed at the characteristics of a person's protected class or where access to employment or educational programs is illegally restricted or denied based on an individual's protected class. Discrimination may also include conduct related to race, color, national origin, sex, disability, age (except as authorized by law), religion, military status, ancestry, or genetic information such as slurs, nicknames implying stereotypes, epithets, and/or negative references relative to customs, traditions, clothing, manner of speaking, language, surnames and the like; or based on an individual's disabling condition, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like.

#### **4. School District Community**

For purposes of this policy, "School District community" means students, administrators, teachers, staff, and all other school personnel, including Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

#### **5. Third Parties**

For purposes of this policy, "third parties" include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off School District property).

#### **Compliance Officers**

The Superintendent shall appoint the Assistant Superintendent and the Director of Human Resources to serve as compliance officers. The compliance officers' names and contact information will be published annually in the parent and staff handbooks, on the School District's website, posted in each building and distributed as an addendum to this policy upon request.

The Compliance Officers are responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination or denial of equal access. The Compliance Officers shall also verify that proper notice of nondiscrimination for Title II of Americans with Disabilities Act (as amended), Title VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, Section 504 of the Rehabilitation Act of 1973 (as amended), and the Age Discrimination Act of 1975 is provided to students, their parents, staff members, and the general public.

#### **Complaint Procedure**

Members of the School District community are directed to promptly report incidents of possible discriminating and/or harassing conduct to a Compliance Officer or to another administrator, supervisor or other School District official so that the Board may address the conduct before it becomes severe, pervasive, or persistent.

Any Board employee who directly observes unlawful discrimination or harassment of a student is obligated, in accordance with this policy, to report such observations to one of the Compliance Officers. Thereafter, the Compliance Officer/designee must contact the complainant, if age eighteen (18) or older, or the complainant's parents if under the age eighteen (18), to advise s/he/them of the Board's intent to investigate the alleged misconduct, including the obligation of the Compliance Officer/designee to conduct an investigation following all the procedures outlined for a formal complaint.

Members of the School District community or third parties who believe they have been unlawfully discriminated against and/or harassed by another member of the School District community or a third party are entitled to utilize the Board's complaint process. Initiating a complaint, whether formally or informally, will not adversely affect the complaining individual's

employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints of harassment under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

### **Informal Complaint Procedure**

The goal of the informal complaint procedure is to stop inappropriate behavior and to investigate and facilitate resolution through informal means, if possible. The informal complaint procedure is provided as a less formal option for a member of the School District community or third party who believes s/he has been unlawfully harassed. This informal procedure is not required as a precursor to the filing of a formal complaint and will only be utilized where the parties (alleged target of harassment and alleged harasser(s)) agree to participate in such a process.

The informal complaint procedure and mediation will not be used to resolve sexual assault complaints and may not be appropriate in all situations. For example, all complaints of harassment involving a District employee will be formally investigated, as will complaints against any other adult where a student is involved.

As an initial course of action, if a member of the School District community or third party feels that s/he is being unlawfully harassed and s/he is able and feels safe doing so, the individual should tell or otherwise inform the harasser that the conduct is unwelcome and must stop. The complaining individual should address the allegedly harassing conduct as soon after it occurs as possible. A Compliance Officer/designee is available to support and counsel individuals when taking this initial step or to intervene on behalf of the individual if requested to do so. An individual who is uncomfortable or unwilling to inform the harasser of his/her complaint is not prohibited from otherwise filing an informal or a formal complaint.

A member of the School District community or third party who believes s/he has been unlawfully harassed may make an informal complaint, either orally or in writing: (1) to a building administrator in the building where the individual is employed; (2) to a building administrator in the building where the student attends; (3) to a Compliance Officer. All informal complaints must be reported to a Compliance Officer who will either facilitate an informal resolution as described below on his/her own, or appoint another individual to facilitate an informal resolution.

The School District's informal complaint procedure is designed to provide members of the School District community and third parties who believe they are being unlawfully harassed with a range of options designed to bring about a resolution of their concerns. Depending upon the nature of the complaint and the wishes of the member of the School District community or third party claiming unlawful harassment, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the member of the School District community or third party about how to communicate the unwelcome nature of the behavior to the alleged harasser.
- B. Distributing a copy of the Nondiscrimination and Anti-Harassment Policy as a reminder to the individuals in the school building or office where the individual whose behavior is being questioned works or attends.

- C. If both parties agree, a Compliance Officer/designee may arrange and facilitate a meeting between the member of the School District community or third party claiming harassment and the individual accused of harassment to work out a mutual resolution.

While there are no set time limits within which an informal complaint must be resolved, a Compliance Officer/designee will exercise his/her authority to attempt to resolve all informal complaints within two (2) weeks of receiving the informal complaint.

When a member of the School District community or third party is dissatisfied with the results of the informal complaint process, or when a Complainant elects to file a formal complaint, such complaint must be submitted to a Compliance Officer/designee.

### **Formal Complaint Procedure**

If a complaint is not resolved through the informal complaint process, or if the member of the School District community or third party elects to file a formal complaint initially, the formal complaint process shall be implemented.

A member of the School District community or third party who believes s/he has been subjected to offensive conduct/harassment hereinafter referred to as the "Complainant", should file a formal complaint, either orally or in writing with the building administrator or Compliance Officer/designee. If a Complainant informs any other employee of the School District, either orally or in writing, about any complaint of harassment, that employee must immediately report such information to the building administrator or a Compliance Officer. Thereafter, the assigned Compliance Officer/designee must contact the Complainant to determine whether the Complainant wishes to file a formal or an informal Complaint.

Throughout the course of the process, the Compliance Officer/designee should keep the Complainant informed of the status of the investigation and the decision making process.

All formal complaints must include the following information to the extent it is available: the identity of the individual believed to have engaged in, or be engaging in, offensive conduct/harassment; a detailed description of the facts upon which the complaint is based; a list of potential witnesses; and, identification of the resolution which the Complainant seeks.

If the Complainant is unwilling to provide a written statement including the information set forth above, the Compliance Officer/designee shall ask for such details in an oral interview. Thereafter, the Compliance Officer/designee will prepare a written summary of the oral interview which will be presented to the Complainant for verification by signature. If the Complainant does not wish to verify or sign the document, the Compliance Officer/designee shall proceed with the investigation process regardless.

Upon receiving a formal complaint, the Compliance Officer/designee will consider whether any action should be taken in the investigatory phase to protect the Complainant from further harassment or retaliation including, but not limited to, a change of job assignment or a change of class schedule. In making such a determination, the Compliance Officer/designee should consult the Complainant to assess his/her agreement to any action deemed appropriate. If the Complainant is unwilling to consent to any change which is deemed appropriate by the Complaint Coordinator/designee, the Compliance Officer/designee may still take whatever actions s/he deem appropriate in consultation with the Superintendent.

Within two (2) business days of receiving a formal complaint, the Compliance Officer/designee will inform the individual alleged to have engaged in the harassing conduct, hereinafter referred to as the "Respondent," that a complaint has been received. The Respondent will be informed about the nature of the allegations and a copy of the Board Anti-Harassment Policy shall be provided to the Respondent at that time. The Respondent must also be informed of the opportunity to submit a written response to the complaint within five (5) business days.

Within two (2) business days of receiving the complaint, the Compliance Officer/designee will initiate a formal investigation to determine whether the Complainant has been subject to offensive conduct/harassment.

Although certain cases may require additional time, the Compliance Officer/designee will attempt to complete an investigation into the allegations of harassment within fifteen (15) business days of receiving the formal complaint. The investigation will include:

- A. interviews with the Complainant;
- B. interviews with the Respondent;
- C. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;
- D. consideration of any documentation or other information, which is reasonably believed to be relevant to the allegations.

In determining whether the alleged conduct constitutes a violation of this policy the District will consider:

- A. the nature of the behavior;
- B. how often the conduct occurred;
- C. whether there were past incidents or past continuing patterns of behavior;
- D. the relationship between the parties involved;
- E. the race, national origin, sex, religion, age and/or disability of the victim; and in case of genetic information harassment, the genetic information of the victim;
- F. the identity of the perpetrator, including whether the perpetrator was in a position of power over the person allegedly subjected to harassment;
- G. the number of alleged harasser(s);
- H. the age of the alleged harasser(s);

- I. where the harassment occurred;
- J. whether there have been other incidents in the school involving the same or other individuals;
- K. whether the conduct adversely affected the person's work or educational opportunity/performance or environment;
- L. the context in which the alleged incidents occurred;
- M. whether or not speech or expression that is alleged to constitute harassment is protected by the First Amendment to the United States Constitution; and
- N. whether a particular action or incident constitutes a violation of Policy 5517 requires a determination based on all the facts and surrounding circumstances.

At the conclusion of the investigation, the Compliance Officer/designee shall prepare and deliver a written report to the Superintendent which summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful harassment as provided in Board policy and State and Federal law as to whether the Complainant has been subject to unlawful harassment. The Compliance Officer's/designee's recommendations must be based upon the preponderance of the evidence, taking into account the ages and maturity levels of those involved.

Absent extenuating circumstances, within five (5) business days of receiving the report of the Compliance Officer/designee, the Superintendent must either issue a final decision regarding whether the complaint of harassment has been substantiated or request further investigation. A copy of the Superintendent's final decision will be delivered to both the Complainant and the Respondent.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation shall, in most circumstances, be completed within five (5) business days. At the conclusion of the additional investigation, the Superintendent must issue a final written decision as described above. The decision of the Superintendent shall be final.

If the investigation results in findings of harassment or discrimination in violation of this policy, appropriate disciplinary action up to and including the discharge of an employee, or the suspension/expulsion of a student will be enforced, after applicable due process is afforded. The Superintendent/designee's final decision shall also include assurances of the steps the District will take to prevent recurrence of harassment or discrimination and steps to correct the discriminatory effects on the complainant and/or others as appropriate.

### **Confidentiality/Privacy**

The School District will make all reasonable efforts to protect the confidentiality rights of the Complainant and the Respondent. The School District will respect the privacy of the Complainant, the Respondent, and all witnesses in a manner consistent with the School District's legal obligations under State and Federal law, as well as with the School District's obligations to

investigate, to take appropriate action, and to conform with any appropriate discovery or disclosure requests. Confidentiality cannot always be guaranteed. All Complainants proceeding through the formal investigation process should be advised that their identities may be disclosed to the Respondent.

During the course of a formal investigation, the Compliance Officer or his/her designee will instruct all members of the School District community and third parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that s/he learns or that s/he provides during the course of the investigation.

### **Office of Civil Rights**

The Informal and Formal Complaint procedures set forth in this policy are not intended to interfere with the rights of a member of the School District community or a third party to pursue a complaint of unlawful harassment or discrimination with the United States Department of Education, Office for Civil Rights. The Office for Civil Rights may be contacted at:

U.S. Department of Education Office for Civil Rights  
600 Superior Avenue, East, Suite 750, Cleveland, Ohio 44114-2611  
Office main line: (216) 522-4970  
TTY: (800) 877-8339  
Fax: (216) 522-2573  
Web: [www.ed.gov/OCR](http://www.ed.gov/OCR)  
Email: [ocr.cleveland@ed.gov](mailto:ocr.cleveland@ed.gov)  
To file a complaint: <http://www2.ed.gov/about/offices/list/ocr/complaintintro.html>

Employees of the district may also pursue a complaint with the Ohio Civil Rights Commission or the Equal Employment Opportunity Commission.

### **Record Retention**

All public records created as a part of an investigation of a complaint of harassment will be maintained by the Compliance Officer in accordance with the Board's records retention policy. All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Any records which are considered student records in accordance with the *Family Educational Rights and Privacy Act* or under Ohio's student records law will be maintained in a manner consistent with the provisions of the Federal and State law.

### **Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct**

State law requires any school teacher or school employee who knows or suspects that a child with a disability under the age of twenty-one (21) or that a child under the age of eighteen (18) has suffered or faces a threat of suffering a physical or mental wound, disability or condition of a nature that reasonably indicates abuse or neglect of a child to immediately report that knowledge or suspicion to the county children's services agency. If, during the course of a harassment investigation, the Compliance Officer / designee has reason to believe or suspect that the alleged conduct reasonably indicates abuse or neglect of the Complainant, a report of such knowledge must be made in accordance with State law and Board Policy.

State law defines certain contact between a teacher and a student as "sexual battery." If the Compliance Officer / designee has reason to believe that the Complainant has been the victim of criminal conduct as defined in Ohio's Criminal Code, such knowledge should be immediately reported to local law enforcement.

Any reports made to a county children's services agency or to local law enforcement shall not terminate the Compliance Officer / designee's obligation and responsibility to continue to investigate a complaint of harassment. While the Compliance Officer or a designee may work cooperatively with outside agencies to conduct concurrent investigations, in no event shall the harassment investigation be inhibited by the involvement of outside agencies without good cause after consultation with the Superintendent.

#### **Allegations Involving Conduct Unbecoming the Teaching Profession/ Suspension**

The Superintendent will file a report to the Ohio Department of Education, on forms provided for that purpose, matters of misconduct on the part of licensed professional staff members convicted of sexual battery, and will, in accordance with Policy 8141, suspend such employee from all duties that concern or involve the care, custody, or control of a child during the pendency of any criminal action for which that person has been arrested, summoned and/or indicted in that regard.

The following persons are designated as the District's Civil Rights Compliance Officer(s):

Kristie Martin  
Assistant Superintendent  
3505 W. Lincolnshire Blvd.  
Toledo, OH 43606  
Phone: 419-473-8221  
Fax: 419-473-8247  
Email: [kmartin@wls4kids.org](mailto:kmartin@wls4kids.org)

Laura Berryman  
Director of Human Resources  
3505 W. Lincolnshire Blvd.  
Toledo, OH 43606  
Phone: 419-473-8225  
Fax: 419-407-4004  
Email: [lberryma@wls4kids.org](mailto:lberryma@wls4kids.org)