



Book	Policy Manual
Section	Policies for the Board
Title	Copy of EMPLOYMENT OF THE SUPERINTENDENT
Code	po1220
Status	1st Reading
Adopted	February 28, 2006
Last Revised	March 22, 2021

#### 1220 - **EMPLOYMENT OF THE SUPERINTENDENT**

The School Board vests the primary responsibility for administration of the School Corporation in the Superintendent of Schools. The appointment of the Superintendent is, therefore, one of the most important functions the Board can perform.

Whenever the position of Superintendent of Schools becomes vacant, the Board will appoint a Superintendent and fix his/her salary and term of employment, which will be for a term of at least one (1) year and not more than three (3) years. However, a contract may be extended for not more than an additional five (5) years beyond the term of the original contract.

Beginning with July 1, 2021, and thereafter, the Board will not enter into a contract with a Superintendent on or after the date of the election of one or more members of the governing body until January 1 of the year immediately following the year of the election. This policy provision does not apply if the membership of the governing body does not change as a result of the particular election.

If the contract contains a provision that establishes an amount the Board must pay to the Superintendent to buy out the contract, the amount may not be more than an amount equal to the lesser of:

- A. the Superintendent's salary for any one (1) year under the contract; or
- B. \$250,000.

A Superintendent's salary under clause (A) does not include benefits or any other forms of compensation that the Superintendent receives as payment under the contract other than the Superintendent's salary.

**The contract between the Board and the Superintendent may not provide for the awarding of a monetary bonus or other incentive that is based on the approval of a public question under I.C. 6-1.1-20 or I.C. 20-46 (referendum).**

The Board will actively seek the best qualified and most capable candidate for the position of Superintendent.

It may be aided in this task by:

- A. a committee of Board members;
- B. the services of professional consultants;
- C. the counsel of the outgoing Superintendent;

C. the council or the outgoing superintendent;

D. the participation of members of the community.

Recruitment procedures will be prepared in advance of the search and will include:

A. preparation of a written job specification for the position of Superintendent;

B. preparation of written specifications of qualification in addition to proper State certification;

C. preparation of informative material describing this Corporation and its educational goals;

D. where feasible, the opportunity for applicants to visit the schools of this Corporation;

E. the requirement that each selected candidate for the position be interviewed by Board members in a format that encourages him/her to express his/her educational philosophy;

F. solicitation of applications from a wide geographical area;

G. consideration of all applicants fairly without discrimination on the basis of race, gender, age, religion, ethnic background, disability, or other condition unrelated to the position of Superintendent.

No person may be employed as Superintendent of this Corporation unless s/he has signed an employment contract with the Board.

At least seven (7) days before a contract for employment is entered into between the Board and the Superintendent, the Board shall hold a public meeting on the proposed contract to hear objections to and support for and discuss, the proposed contract.

The Board Secretary shall submit notice of the hearing on the proposed contract for publication in a newspaper serving the Corporation in compliance with I.C. 5-3-1 and for posting on the newspaper's Internet website in compliance with I.C. 5-3-1-1.5 at least once no less than ten (10) days before the date of the hearing. The Board Secretary also shall direct that the published notice be posted on the Corporation's Internet website.

The notice shall:

A. state that on a given day, time, and place, the board will meet to discuss and hear objections to and support for the proposed contract; and

B. set forth the details of the proposed contract, including the actual monetary value of the contract, benefits, and any additional forms of compensation for each year of the contract.

The name of the candidate for the position of Superintendent shall not be included in the notices or discussion of the proposed contract.

Such contract will be in the basic form of the regular teacher's contract if the Superintendent holds a license under I.C. 20-28-5 and will include:

A. the term for which employment is contracted, including beginning and ending dates;

B. the salary which the Superintendent will be paid and the intervals at which s/he will be paid;

C. the benefits to which s/he is entitled;

D. such other matters as may be necessary to a full and complete understanding of the employment contract.

See also Policy 8311 – Public Access to Employee Contracts for further posting requirements following the approval of an employment contract with the Superintendent.

**Anti-Nepotism:**

'Relatives' include: children, stepchildren, siblings, half-siblings, step-siblings, spouse, domestic partner, parents, stepparents, in-laws, or bona fide dependents of a Board member or the Superintendent.

**[NOTE: Choose Option A or Option B below]**

**[Option A]**

Relatives of Board members may be employed by the Corporation, provided the member of the Board involved does not participate in any way in the discussion or vote on the relative's employment. Should the Corporation choose to employ a relative as herein defined, both the relative and the Board member must file a conflict of interest statement.

**[Option B]**

The Corporation will not employ (but may reemploy) the ( ) relatives of a Board member. **[END OF OPTION]**

**[NOTE: Choose Option C or Option D below]**

**[Option C]**

Relatives of the Superintendent may be employed by the Corporation, provided the staff member being employed is not placed in a position in which the relative staff member would be supervised directly by the Superintendent.

**[Option D]**

The Corporation will not employ (but may reemploy) the relatives of the Superintendent. **[END OF OPTION]**

**[NOTE: The Corporation is not required to have a non-fraternization policy; however, Neola recommends adoption of language regarding non-fraternization for various legal reasons, including but not limited to claims of sexual harassment or potentially being found to be negligent for failure to provide direction, especially regarding the supervisor/subordinate relationship.]**

**Non-Fraternization:**

**[NOTE: Choose Option E or Option F below]**

**[Option E]**

Corporation employees may not date, develop romantic relationships with or have sexual relations with individuals who are the employee's supervisor or those that they supervise. A supervisors romantic relationship with an employee who is not a subordinate must be disclosed. **[END OF OPTION]**

**[Option F]**

If Corporation employees in a supervisor-subordinate relationship choose to date, engage in a romantic relationship, or have sexual relations the employees must notify the Corporation's administration and accept the Corporation's decision to transfer one or both of the employees so that they no longer have a supervisor-subordinate relationship. Anyone employed in a managerial or supervisory role needs to heed the fact that personal relationships with employees who report to them may be perceived as favoritism, misuse of authority, or potentially sexual harassment, and, consequently are unacceptable. **[END OF OPTION]**

**[NOTE: OTHER OPTIONS TO BE CONSIDERED]**

Corporation employees may date and develop friendships and relationships with other employees - both inside and outside of the workplace - as long as the relationships do not have a negative impact on their work or the work of others and are not Supervisor-Subordinate Relations.

Any relationship that interferes with the Corporation culture of teamwork, the harmonious work environment, or the productivity of employees, will be subject to discipline, up to and including termination.

Adverse workplace behavior - or behavior that affects the workplace that arises because of personal relationships - will not be tolerated. Corporation employees who disregard this policy will be subject to discipline, up to and including termination.

The Superintendent so appointed will devote himself/herself to the duties of his/her office.

Any candidate's intentional misstatement of fact material to his/her qualification for employment or the determination of his/her salary will be considered by this Board to constitute grounds for his/her dismissal.

The person selected for the position of Superintendent ~~will~~ may be required to undergo a physical examination reasonably related to the duties s/he will be required to perform, the cost of which will be borne ~~by the Corporation~~ by the candidate.

The contract may be altered or rescinded for a new one at any time by mutual consent of the governing body and the superintendent. The consent of both parties must be in writing and must be expressed in a manner consistent with I.C. 20-28-8-6, -7, and -8. If the Superintendent holds a license under I.C. 20-28-5, the rights of a Superintendent as a teacher under any other law are not affected by the contract unless those rights conflict with the terms of I.C. 20-28-8-6(b), in which case the provisions of I.C. 20-28-8-6(b) govern.

Revised 11/28/06

Revised 10/27/14

Revised 2/26/18

I.C. 5-14-1.5-6.1(b)(5) and (9)

I.C. 20-28-8-6

I.C. 20-28-8-7

I.C. 20-28-8-13

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Legal                    I.C. 5-14-1.5-6.1(b)(5) and (9)  
                              I.C. 20-28-8-6-  
                              I.C. 20-28-8-7  
                              I.C. 20-28-8-8



Book	Policy Manual
Section	Policies for the Board
Title	Copy of EMPLOYMENT OF ADMINISTRATORS IN ADDITION TO THE SUPERINTENDENT
Code	po1520
Status	1st Reading
Adopted	September 17, 2007
Last Revised	June 22, 2020

#### 1520 - **EMPLOYMENT OF ADMINISTRATORS IN ADDITION TO THE SUPERINTENDENT**

The School Board recognizes that it is vital to the successful operation of the School Corporation that positions created by the Board be filled with highly qualified and competent administrators.

The Board shall approve the employment, fix the compensation and establish the term of employment for each administrator employed by the Corporation.

In addition to the Superintendent, individuals employed in the following positions shall be considered administrators:

- A. Assistant Superintendent
- B. Director of Special Education
- C. ~~p~~Principal
- D. ~~a~~Assistant ~~p~~Principal
- E. Director of Finance
- F. Athletic Director

An administrator who supervises one (1) or more certificated employees shall not be part of the bargaining unit established for purposes of implementing collective bargaining in compliance with I.C. 20-29.

The contract entered into between the Board and an administrator shall be subject to the following conditions:

- A. If the administrator is a certificated employee, the basic contract must be the Regular Teacher's Contract as prescribed by the State Superintendent.
- B. The term of the initial contract for principals, and assistant principals entered into after June 30, 2019, must be for a term of at least one (1) year and not more than three (3) years. A contract renewed after June 30, 2019, may be extended for no more than an additional three (3) years beyond the term of the original contract.

- C. Unless a provision in a contract between the Board and a principal or an assistant principal entered into or renewed before July 1, 2019, provides otherwise, the Board may not pay to a principal or an assistant principal, to buy out a contract entered into between the Board and the principal or assistant principal, an amount that exceeds the principal's or assistant principal's salary for any one (1) year under the contract. For purposes of this calculation, the principal's or assistant principal's salary does not include benefits or any other forms of compensation that the principal or assistant principal receives as payment under the contract other than the principal's or assistant principal's salary.
- D. The term of the initial contract for the Director of Special Education must be for at least two (2) school years.
- E. The contract for a principal, assistant principal, or Director of Special Education may be altered, modified, or rescinded in favor of a new contract at any time by mutual consent of the Board and the administrator if the contract, when reduced to writing is consistent with Indiana law.
- F. The term of the initial contract for the assistant superintendent entered into after June 30, 2019 must be for a term of at least one (1) year and not more than three (3) years. A contract renewed after June 30, 2019 may be extended for not more than an additional three years beyond the term of the original contract.
- G. Unless a provision in a contract between the Board and an Assistant Superintendent entered into or renewed before July 1, 2019, provides otherwise, the Board may not pay to an Assistant Superintendent, to buy out a contract entered into between the Board and the Assistant Superintendent, an amount that exceeds the lesser of: 1) the Assistant Superintendent's salary for any one (1) year under the contract; or 2) \$250,000. For purposes of this calculation, an Assistant Superintendent's salary does not include benefits or any other forms of compensation that the assistant superintendent receives as payment under the contract other than the Assistant Superintendent's salary.

**H. The contract between the Board and an assistant superintendent, principal or assistant principal may not provide for the awarding of a monetary bonus or other incentive that is based on the approval of a public question under I.C. 6-1.1-20 or I.C. 20-46 (referendum).**

- A. **I.** Administrators other than the Superintendent, Assistant Superintendent, Director of Special Education, principal, assistant principal, **and** Director of Finance, **and Athletic Director** shall be one of the following:
1. "at will" employees. Their employment may be terminated with or without cause at any time. The following administrators are "at will" employees:
    - a. Director of Food Service, Director of Buildings and Grounds, Director of Transportation, **Director of Health Services, Director of Technology, Athletic Director** **or employed by specific contract.**
  2. The term of the initial contract entered into after June 30, 2019, must be for a term of at least one (1) year and not more than three (3) years. A contract renewed after June 30, 2019, may be extended for not more than an additional three (3) years beyond the term of the original contract. Unless a provision in a contract between the Board and an administrator other than the Superintendent, Assistant Superintendent, Director of Special Education, principal, or assistant principal entered into or renewed before July 1, 2019, provides otherwise, the Board may not pay to an administrator other than the Superintendent, Assistant Superintendent, Director of Special Education, principal, or assistant principal, to buy out a contract entered into between the Board and that administrator, an amount that exceeds the lesser of: 1) the administrator's salary for any one (1) year under the contract; or 2) \$250,000. For purposes of this calculation, an administrator's salary does not include benefits or any other forms of compensation that the administrator receives as payment under the contract other than the administrator's salary. The following administrator other than the Superintendent, Assistant Superintendent, Director of Special Education, principal, and assistant principal are employed by specific contract: **Director of Finance, and Athletic Director**

Only those candidates for employment recommended by the Superintendent will be employed by the Corporation.

When any recommended candidate has been rejected by the Board, the Superintendent shall make a substitute recommendation.

Should the Board choose to employ a spouse or dependent of an administrator, the administrator shall submit a Uniform Conflict of Interest Disclosure Statement using State Board of Accounts Form 54266 for acceptance by the Board. This disclosure shall be submitted for acceptance by the Board before the Board considers the approval of the employment of the spouse or dependent.

Relatives of administrators may be employed by the Board, provided the staff member being employed is not placed in a position in which s/he would be supervised directly by the relative staff member.

Any administrator's intentional misstatement of fact or omission material to qualifications for employment or the determination of salary shall be considered by this Board as a reason for contract cancellation.

The employment of administrators prior to approval by the Board is authorized when their employment is required to maintain continuity in the educational program. Employment shall be recommended to the Board at the next regular meeting.

Wherever possible, positions shall be filled by properly-licensed administrators.

The Board shall review a candidate's previous work experience in determining his/her salary.

Prior to employment, the candidate's eligibility to work shall be checked using E-Verify and the candidate shall execute the verification of eligibility to work under penalty of perjury as required by I.C. 12-32-1-6. The candidate's written verification of eligibility to be employed shall be retained in the employee's personnel file for no less than five (5) years.

In the contract of an administrator the Corporation may provide compensation for services performed for a time, either before or after the school term, as considered necessary by the Board.

**All contracts for the employment of administrators shall be approved by a majority of the full Board and, after approval by the Board, they shall be signed by the Board President and Secretary, or the Board Vice-President if either of these officers is unavailable for any reason.**

~~The Superintendent shall prepare administrative guidelines for the recruitment and selection of all administrators.~~

Revised 4/23/12

Revised 4/24/17

I.C. 12-32-1-6

I.C. 20-26-5-4(8)

I.C. 20-28-6-2 thru -7

I.C. 20-28-8-13

I.C. 35-44.1-1-4

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I.C. 12-32-1-6, 20-26-5-4(8), 20-28-6-2 thru -7, 20-28-8-1 thru -12, 35-44.1-1-4



Book	Policy Manual
Section	Policies for the Board
Title	Copy of MANDATORY CURRICULUM
Code	po2221
Status	1st Reading
Adopted	February 28, 2006
Last Revised	February 25, 2019

## 2221 - MANDATORY CURRICULUM

In compliance with the Indiana Code, the School Board directs the Superintendent to prepare, implement, and supervise courses of instruction in the following areas as stipulated in the Indiana Code and the regulations of the State Department of Education:

- A. The Constitution of the United States and Indiana in grades 6 through 12
- B. the system of government in Indiana and the United States, methods of voting, party structures, election laws, and the responsibilities of citizen participation in government and in elections in grades 6 through 12
- C. American History in high school
- D. safety education in grade 8
- E. the principles of hygiene and sanitary science in grade 5, at a minimum
- F. the spread of disease by rats, flies, and mosquitoes, and its effects, and of disease prevention by the proper selection and consumption of food
- G. the nature of alcoholic beverages, tobacco, prescription drugs, ~~narcotics~~, **controlled substances**, and their effects on the human system and society at large in grades K through 12
- H. ~~Acquired Immune Deficiency Syndrome (AIDS)~~ **Human Immunodeficiency Virus (HIV)**, and to the extent possible, instruction on other ~~dangerous~~ **serious** communicable diseases
- I. instruction on human sexuality or sexually transmitted diseases
- J. instruction regarding breast and testicular cancer, including the significance of early detection through self-examination, and in the case of breast cancer, regularly-scheduled mammograms in high school
- K. career ~~awareness~~ **and career development** in grades 1 - 12
- L. human donor program and blood donor program as part of the high school health education curriculum
- M. good citizenship instruction



- N. personal financial responsibility in grades 6 through 12
- O. instruction in cardiopulmonary resuscitation and use of an automated external defibrillator as part of the high school health education curriculum
- P. bullying prevention instruction not later than October 15 of each school year in grades 1 through 12 (see also Policy 5517.01)
- Q. child abuse and child sexual abuse education ~~for grades 2 through 5 during the 2017—2018 school year, and~~ for grades K through 12 by December 15 of each school year ~~beginning with the 2018—2019 school year~~ (see also Policy 8462)
- R. safety and security while using e-mail, chat rooms, social media, and other forms of direct electronic communications (see Policy 7540.03)
- S. the dangers inherent with the online disclosure of personally identifiable information (see Policy 7540.03)
- T. the consequences of unauthorized access (e.g. "hacking"), cyberbullying and other unlawful or inappropriate activities by students online (see Policy 7540.03)
- U. morals instruction
- V. instruction in Language Arts, Mathematics, Social Studies **and Citizenship**, Sciences, Fine Arts, Health Education and Physical Fitness, and ~~beginning after June 30, 2021~~ **Computer Science**
- W. instruction in cardiopulmonary resuscitation and use of an automated external defibrillator as part of the high school health education curriculum
- X. daily physical activity, which may include recess for students in full day kindergarten programs and other students in elementary school
- Y. Indiana studies as an elective course in high school**
- Z. ethnic studies as an elective course in high school**
- AA. civics in grade 6, 7, or 8 for all students entering grade 6 beginning in the 2023-2024 school year**

The Superintendent shall prepare appropriate guidelines relative to the planning, teaching, and evaluation of these courses and ensure that each teacher present his/her instruction with special emphasis on honesty, morality, courtesy, obedience to the law, respect for the national flag, the constitutions of the United States and Indiana, respect for parents and the home, the dignity and necessity of honest labor, and other lessons of a steadying influence, which tend to promote and develop upright and desirable citizenry.

The Superintendent is prohibited from offering, supporting, or promoting any student program, class, or activity that provides student instruction that is contrary to a curriculum required to be provided to students under I.C. 20-30-5, set forth above.

When required by law, the Board shall approve the course of instruction.

Revised 3/22/10  
 Revised 10/27/14  
 Revised 2/23/15

Revised 6/20/16

Revised 2/26/18

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Legal

I.C. 20-19-3-10 and 11

I.C. 20-30-5

511 I.A.C. Article 6

Communications Act of 1934, as amended (2003)

15 U.S.C. §§ 6551, Title II of the Broadband Data Improvement Act (aka Protecting Children in the 21st Century Act)

18 U.S.C. 2246

18 U.S.C. 2256

20 U.S.C. 6801 et seq., Part F, Elementary and Secondary Education Act of 1965, as amended (2003)

20 U.S.C. 6777

20 U.S.C. 9134 (2003)

47 C.F.R. Part 54

Cross  
References

20 U.S.C. 7131, Internet Safety



Book	Policy Manual
Section	Policies for the Board
Title	Copy of LATCH-KEY PROGRAMS
Code	po2262
Status	1st Reading
Adopted	February 28, 2006
Last Revised	February 26, 2018

### 2262 - LATCH-KEY PROGRAMS

The School Board shall provide a school-aged child care program (Latch-Key Program) so that care, nurture, or supervision can be provided for students who are enrolled in Kindergarten through Grade 5 before the school day Monday through Friday beginning at 6:00 am, and after the school day Monday through Friday until 6:00 pm.

The Latch-Key Program provided by the School Corporation shall meet the standards established by the Indiana Department of Education (IDOE) and the Division of Family and Children.

The fees to be charged shall be sufficient to cover the Corporation's costs for security, maintenance, utilities, school personnel, and other costs directly attributable to the use of the facility for the Latch-Key Program. The Board shall annually approve the fees to be charged on a per-participant basis for the Corporation's Latch-Key Program.

The Board shall establish a minimum number of participants required if a Latch-Key Program is to be provided by the Corporation. If that minimum number is not attained, the Superintendent shall apply for a waiver from the IDOE.

The maximum staff-child ratios in the child care program, whether operated by the Corporation or another organization, shall be as follows:

If the program is limited to students in Kindergarten through Grade 6, the maximum number of children to be supervised by one (1) staff person is:

- A. fifteen (15) if there are children who are five (5) years of age in the group;
- B. twenty (20) for groups containing only children who are six (6) years of age or older.

I.C. 12-17.2-2-8

I.C. 20-26-5-1 thru -3

470 I.A.C. 3-4.6

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Legal	I.C. 20-26-5-1 thru -3
	470 I.A.C. 3-4.6





Book	Policy Manual
Section	Policies for the Board
Title	Revised Policy - Vol. 34, No. 1 - October 2021 - INDIANA COURSE ACCESS PROGRAM
Code	po2370.03
Status	1st Reading

### 2370.03 - **INDIANA COURSE ACCESS PROGRAM**

The School Corporation shall permit eligible students to enroll in course access program ("iCAP") courses offered by a course provider that is authorized by the Indiana Department of Education ("IDOE") with limited exceptions, as provided below.

#### **Definitions**

For purposes of this policy and pursuant to I.C. 20-30-16, the following definitions apply:

**Course access program catalog** means a list of approved course access program courses provided by authorized course providers that is maintained by the IDOE.

**Course provider** means a provider that offers course access program courses that provide for the delivery of instruction through any method, including use of online technologies.

**"Eligible student"** means a student pursuing:

- A. an Indiana diploma with any designation available for students to receive in Indiana; or
- B. an industry certification that appears on the state board's approved industry certification list.

#### **iCAP Participation Requirements**

##### **SELECT ONE OR MORE OF THE FOLLOWING OPTIONS:**

**[DRAFTING NOTE: Pursuant to Policy Development Guidance established by the IDOE, the Corporation should consider the following options regarding access to iCAP courses.]**

##### **OPTIONAL:**

Eligible students may not enroll in iCAP courses if the same course is offered in the Corporation's curriculum  unless the student's schedule prohibits the student from enrolling in the course offered by the Corporation.

Eligible students may not enroll in more than one (1) **DRAFTING NOTE: choose a number** iCAP courses per semester. **[DRAFTING NOTE: insert "semester," "trimester" or "school year," as appropriate]**

Eligible students may enroll in iCAP courses only for the following reasons:

- A.  credit recovery;

- B.  enrichment;
- C.  grade improvement;
- D.  when discipline or other problems make participating in a face-to-face course problematic, even when other options are available;
- E.  [OTHER] \_\_\_\_\_.

Eligible students wishing to enroll in iCAP courses must complete the Corporation's local enrollment process, including  parent/guardian permission,  teacher recommendations,  verification of minimum academic standing,  a statement of commitment to completion of the online course.

Requests to enroll in iCAP courses must be approved or denied by the  Principal;  school counselor or guidance counselor;  iCAP point of contact  [OTHER] \_\_\_\_\_. [END OF OPTION]

Onsite orientation shall be offered to assist students in getting started on iCAP courses.

The student's school shall provide a scheduled class period  during  outside of [END OF OPTION] the regular school day to complete online work and connect with their Mentor.

[END OF OPTIONS]

### **Credit for Successfully Completed Coursework**

The Corporation shall count successfully completed iCAP courses approved by IDOE toward the requirements of a diploma and include credits earned and grades received for such courses on a student's transcript.

### **Tuition Payments**

Transfers of tuition payments for enrollment of an eligible student currently enrolled in the Corporation in an iCAP course shall be made to the authorized course provider by the Corporation. The amount of the tuition payment for enrollment of an eligible student in an iCAP course must be paid from the total amount of state tuition support that otherwise would be received by the Corporation on account of the student. Provided, however, that payment may not exceed the tuition fee established by IDOE for an iCAP course in which an eligible student is enrolled. The Corporation shall pay fifty percent (50%) of the tuition fee upon an eligible student's enrollment in an iCAP course. The Corporation shall pay the remaining amount if the measured student outcomes for the course access program course meet requirements set by the IDOE.

### **Dropped Courses**

All requests to drop an iCAP course must be made to the Principal of the student's school. Corporation policy for dropping classes shall be followed with respect to iCAP courses.

### **Lead Point of Contact**

**[DRAFTING NOTE: This Point of Contact is listed on an IDOE website.]**

The  Superintendent  \_\_\_\_\_ [END OF OPTION] shall assign a Corporation employee to serve as the Corporation's Lead Point of Contact for the iCAP who is the primary contact person for the IDOE. The Lead Point of Contact is responsible for: (1) the appeal process; (2) updating the Point of Contact for all schools in the Corporation; and (3) maintaining accurate information. The  Principal of a school with eligible students participating in iCAP  \_\_\_\_\_ [END OF OPTION] shall assign a Corporation employee to serve as the ~~school~~ School Point of Contact. The ~~school~~ School Point of Contact's primary responsibilities are: (1) to

conduct registration transactions with course access program iCAP providers and (2) ensure final grades and credits are reflected on report cards and transcripts. Each eligible student enrolled in ~~an iCAP~~ a course access program course will be assigned ~~an a course access program~~ iCAP Mentor. Mentors work closely with students to facilitate a positive and successful experience.

**[DRAFTING NOTE: SELECT ONE OF THE FOLLOWING OPTIONS. NEOLA RECOMMENDS ALLOWING NO MORE THAN 7 CALENDAR DAYS TO NOTIFY THE LEAD POINT OF COUNSEL OF THE DENIAL FOR PURPOSES OF REPORTING TO THE IDOE; HOWEVER, THERE IS A TOTAL OF 15 CALENDAR DAYS FROM THE TIME OF THE REQUEST TO ENROLL IN AN ICAP COURSE TO NOTIFY THE PARENT OR EMANCIPATED STUDENT OF THE DENIAL.]**

The Lead Point of Contact is responsible for determining if a student's request to enroll in an iCAP course will be approved or denied and notifying the parent or emancipated student of the determination and the appeal process for denials within fifteen (15) calendar days of the student's request to enroll in an iCAP course.

The School Point of Contact is responsible for determining if a student's request to enroll in an iCAP course will be approved or denied and notifying the parent or emancipated student of the determination and the appeal process for denials within fifteen (15) calendar days of the student's request to enroll in an iCAP course. The School Point of Contact must notify the Lead Point of Contact of the denial of a student's request to enroll in an iCAP course, identifying the reason for denial, within seven (7) calendar days of the student's request to enroll in an iCAP course.

The Guidance Counselor/Principal **[title of Corporation employee]** is responsible for determining if a student's request to enroll in an iCAP course will be approved or denied and notifying the Parent or emancipated student of the determination and the appeal process for denials within fifteen (15) calendar days of the student's request to enroll in an iCAP course. The Guidance Counselor **[title of same Corporation employee listed in the previous blank]** must notify the Lead Point of Contact of the denial of a student's request to enroll in an iCAP course, identifying the reason for denial, within seven (7) calendar days of the student's request to enroll in an iCAP course.

**Definitions:**

~~"Course access program catalog" means a list of approved course access program courses provided by authorized course providers that is maintained by the IDOE.~~

~~"Course provider" means a provider that offers course access program courses that provide for the delivery of instruction through any method, including use of online technologies.~~

~~"Eligible student" means a student pursuing:~~

- ~~A. any type of diploma available for students to receive in Indiana; or~~
- ~~B. an industry certification that appears on the state board's approved industry certification list.~~

**Exceptions: Denial of Enrollment**

The Corporation may ~~disapprove deny~~ an eligible student's enrollment in ~~an a course access program~~ iCAP course only for the following reasons:

- ~~A. The course provided by the course provider is not in furtherance of the eligible student's graduation or certificate requirements.~~
- ~~B. The eligible student's enrollment in the course access program course would exceed the requirements for a normal full course load at the ~~school corporation~~ Corporation.~~
- ~~C. The cost of the course access program is unreasonable.~~

However, the Corporation may not deny enrollment of an eligible student if the eligible student agrees to pay the cost of tuition for the applicable iCAP course. Parents of eligible students or emancipated students who choose to pay the cost of tuition for an iCAP course should contact the student's school to make payment arrangements.

If the Corporation denies a student's enrollment in a course access program course for one of the reasons listed above, the

Lead Point of Contact shall notify the IDOE, on the prescribed IDOE form, along with the reason for the denial.

**D. ~~The course access program course is logistically infeasible.~~**

~~Provided, however, that the Corporation may not deny enrollment of an eligible student under subdivision (3) if the eligible student agrees to pay the cost of tuition for the applicable iCAP course. Parents of eligible students who choose to pay the cost of tuition for an iCAP course should contact the student's school to make payment arrangements. If an eligible student has paid for an iCAP course and successfully completes the course, the Corporation ( ) shall ( ) shall not [END OF OPTION] reimburse the student for the cost of tuition.~~

**Appeal Process:**

~~If the Corporation denies a student's enrollment in an iCAP course under one of the exceptions listed above, the Corporation shall notify the student's parent or emancipated eligible student of the parent's or student's right to appeal the Corporation's decision to the IDOE. The parent of an eligible student or an emancipated eligible student may appeal the Corporation's decision to the IDOE in the manner prescribed by the IDOE. Upon receipt of an appeal, the IDOE will send the student's iCAP point of contact a link to a form for further details/justification from the school. The school has three (3) business days to complete and submit a digital response. If the school does not submit a response in three (3) business days, the school cannot contest the appeal based on any lack of information. Pursuant to State law, the IDOE will review the Corporation's denial and provide a final enrollment decision within seven (7) calendar days of receipt of the appeal.~~ If an eligible student requests to enroll in a course offered through the course access program, the school shall, not later than fifteen (15) calendar days after the date the request was submitted, notify the eligible student's parent or emancipated eligible student of the following:

- A. whether the school approves or denies the request; and
- B. if the request is denied, information explaining that the parent or emancipated student may appeal the decision to the IDOE and the appropriate appeal form.

Failure of the school to notify the parent or emancipated student within fifteen (15) calendar days of the request to enroll in an iCAP course results in the automatic approval of the eligible student's enrollment in the requested iCAP course.

Upon receipt of the school's response and the student appeal, appropriate personnel from IDOE will review both forms and make a final enrollment decision. This appeal decision and explanation will be sent to the emancipated student/parent and the school within seven (7) calendar days of the receipt of the appeal.

**Students with IEPs and Section 504 Plans:**

Prior to the enrollment of a Corporation student with a disability into one or more ~~iCAP~~ courses, the student's case conference committee or Section 504 team should meet to determine whether each online course meets the student's educational goals, review the individualized education program ("IEP") or Section 504 plan to consider the extent to which the student's current accommodations can be provided in the virtual learning environment, and revise the IEP or Section 504 plan to identify any additional accommodations or assistive technology that may be needed to ensure equitable access in the virtual learning environment in order to ensure the provision of a free appropriate public education.

Prior to the first day of the online course, the student's teacher of record ("TOR") or Section 504 Coordinator (or designee) shall provide a copy of the student's IEP or Section 504 plan to the online course instructor and ensure that the instructor is made aware of any required accommodations or modifications for the student. The online course instructor is responsible for communicating any questions regarding implementation of the student's IEP or Section 504 plan to the TOR or Section 504 Coordinator.

**~~[\*Participation in iCAP is optional. The School Board should adopt this policy only if the Board decides that the Corporation will participate in iCAP.]~~**

**[DRAFTING NOTE: If the Corporation is an authorized iCAP provider this option should be selected.]**



**[ ] Corporation as Authorized iCAP Provider**

**The Corporation shall provide to IDOE and post on the Corporation's website the following:**

- A. **the name and description of any online course access program course provided by the Corporation that has open slots available for student enrollment; and**
- B. **the number of open slots in the online course access program course.**

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I.C. 20-30-16



Book	Policy Manual
Section	Policies for the Board
Title	New Policy - Vol. 34, No. 1 - October 2021 - SCHOOL PERFORMANCE INTERNET DASHBOARD
Code	po2603
Status	1st Reading

**2603 - School Performance Internet Dashboard**

Each school in the School Corporation shall publish on its website the following:

- A. Indicators of student performance in elementary school, middle school and high school.
- B. The school's graduation rate, as applicable.
- C. The percentage of high school graduates who earned college credit before graduating, as applicable.
- D. The pass rate of the statewide assessment program tests (as defined in I.C. 20-32-2-2.3), as applicable.
- E. The growth data of the statewide assessment program tests (as defined in IC 20-32-2-2.3), as applicable.
- F. The attendance rate.
- G. State, national, and international comparisons for the indicators, if applicable.
- H. Any other data indicating school performance success that the State Board of Education determines is relevant.
- I. [ ] \_\_\_\_\_
- J. [ ] \_\_\_\_\_

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Legal I.C. 20-31-8-5.5



Book	Policy Manual
Section	Policies for the Board
Title	Copy of EMPLOYMENT OF PERSONNEL FOR EXTRACURRICULAR ACTIVITIES
Code	po3120.08
Status	1st Reading
Adopted	February 23, 2015
Last Revised	June 22, 2020

### 3120.08 - **EMPLOYMENT OF PERSONNEL FOR EXTRACURRICULAR ACTIVITIES**

The School Board may find it necessary to employ members of the professional staff as coaches or activity sponsors.

The Board authorizes the Superintendent to recommend candidates for employment by the Board.

The Board requires that:

- A.** Prior to coaching football to students who are less than twenty (20) years of age, all head and assistant football coaches shall complete a certified coaching education course approved by the Indiana Department of Education not less than once during a two (2)-year period that:
1. is sport specific;
  2. contains player safety content, including content on:
    - a. concussion awareness;
    - b. equipment fitting;
    - c. heat emergency preparedness; and
    - d. proper technique;
  3. requires a coach to complete a test demonstrating comprehension of the content of the course; and
  4. awards a certificate of completion to a coach who successfully completes the course.

If the coach receives notice from the School Corporation that new information has been added to the course before the end of the two (2)- year period, the coach must complete instruction and successfully complete a test concerning the new information.

- B.** ~~After June 30, 2017,~~ Prior to coaching students in grades 5 - 12, all head and assistant coaches of interscholastic sports other than football, including cheerleading, shall complete a certified coaching education course approved by the Indiana Department of Education at least once during a two (2)-year period that:

1. contains player safety content on concussion awareness;
2. ~~after December 31, 2018,~~ includes content for prevention of or response to heat-related medical issues that may arise from a student athlete's training;
3. requires a coach to complete a test demonstrating comprehension of the content of the course; and
4. awards a certificate of completion to a coach who successfully completes the course.

If the coach receives notice from the Corporation that new information has been added to the course before the end of the two (2)-year period, the coach must complete instruction and successfully complete a test concerning the new information.

- C. A head or assistant coach of an intramural sport other than football who is coaching students in grades 5 - 12 may elect to complete the above- referenced certified coaching education course. If compliance with I.C. 20- 34-7 is required by the coaching certification requirements for the intramural sport that the head or assistant coach is coaching, the coach shall complete the above-referenced certified coaching education course.

D.

3. A head coach or assistant coach of an athletic activity, marching band leader, or sponsor of an extracurricular activity in which students have an increased risk of sudden cardiac arrest as determined by the Indiana Department of Education (IDOE) shall complete the sudden cardiac training course offered by a provider approved by the IDOE. The coach, marching band leader or extra-curricular activity sponsor must complete this required sudden cardiac arrest training prior to coaching or leading the activity.

The Corporation will receive a certificate of completion from the provider for each coach, band leader or extracurricular activity sponsor successfully completing the required sudden cardiac arrest training. Each Corporation shall maintain all certificates of completion awarded for each individual who completes the sudden cardiac arrest training.

Additionally, the Board requires that:

- A. All head and assistant coaches of students of any age participating in interscholastic or intramural sports other than football, including the cheerleading, shall complete a certified coaching education course approved by the State Department of Education at least once during a two (2)-year period that:
1. contains player safety content on concussion awareness;
  2. includes content for prevention of or response to heat-related medical issues that may arise from a student athlete's training;
  3. requires a coach to complete a test demonstrating comprehension of the content of the course; and
  4. awards a certificate of completion to a coach who successfully completes the course.

If the coach receives notice from the Corporation that new information has been added to the course before the end of the two (2)-year period, the coach must complete instruction and successfully complete a test concerning the new information.

- B. All coaches and athletic activity sponsors of interscholastic or intramural sports for students of any age shall receive training about concussions, sudden cardiac arrest, and heat-related medical issues at least once during a two (2)-year period.

The Superintendent shall require that each person employed as a coach or athletic activity sponsor is qualified, has cleared a background check required by State law and Policy 3121 or Policy 8120, and has received the training required by State law and this policy. Additionally, before the Corporation hires or allows an individual to coach an Indiana High School Athletic Association recognized sport, the Corporation must take the following steps:

- A. ask him/her:
  - 1. whether s/he is or has been accredited by the association; and
  - 2. if s/he is or has been accredited by the association, whether his/her accreditation has ever been suspended or revoked;
- B. request references from him/her;
- C. contact the references that s/he provides to the Corporation; and
- D. contact the association to determine whether his/her accreditation has ever been suspended or revoked.

The Corporation shall make a report to the Department of Child Services if a professional staff member who is a coach has engaged in suspected child abuse or neglect.

The Corporation shall report to the association when a professional staff member who is a coach accredited by the association has been convicted of an offense described in I.C. 20-28-5-8(c) or of a known comparable offense in another state. These offenses include:

- A. Kidnapping (I.C. 35-42-3-2).
- B. Criminal Confinement (I.C. 35-42-3-3).
- C. Rape
- D. Criminal deviate conduct (I.C. 35-42-4-2) (before its repeal).
- E. Child molesting (I.C. 35-42-4-3).
- F. Child exploitation (I.C. 35-42-4-4(b) or I.C. 35-42-4-4(c)).
- G. Vicarious sexual gratification (I.C.35-42-4-5).
- H. Child solicitation (I.C. 35-42-4-6).
- I. Child seduction (I.C. 35-42-4-5).
- J. Sexual misconduct with a minor (I.C. 35-42-4-9).
- K. Incest (I.C. 35-46-1-3).
- L. Dealing in or manufacturing cocaine or a narcotic drug (I.C. 35-48-4-1).
- M. Dealing in methamphetamine (I.C. 35-48-4-1.1).
- N. Manufacturing methamphetamine (I.C. 35-48-4-1.2).

- O. Dealing in a schedule I, II, or III controlled substance (I.C. 35-48-4-2).
- P. Dealing in a schedule IV controlled substance (I.C. 35-48-4-3).
- Q. Dealing in a schedule V controlled substance (I.C. 35-48-4-4).
- R. Dealing in a counterfeit substance (I.C. 35-48-4-5).

The Corporation shall report suspected misconduct by a professional staff member who is a coach that may constitute a crime to local law enforcement.

Revised 12/14/15

Revised 4/24/17

Revised 2/25/19

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Legal                    I.C. 20-26-14-9  
                                 I.C. 20-34-7  
                                 I.C. 20-34-8



Book	Policy Manual
Section	Policies for the Board
Title	Copy of STAFF GIFTS
Code	po3214
Status	1st Reading
Adopted	January 28, 2008
Last Revised	December 14, 2015

### 3214 - **STAFF GIFTS**

The School Board discourages the presentation of gifts to professional staff members by students and their parents because it could embarrass students with limited means and gives the appearance of currying favor.

It is the policy of the Board that no professional staff member should expect or accept gifts for carrying out the terms of his/her teaching contract.

The Board does recognize, though, that gift-giving to professional staff members at ~~Christmas~~ some special occasions fits the spirit of the season and gift-giving at the close of an academic year is a part of tradition. At these times, gifts other than money may be accepted; however, teachers should not open gift(s) in class or comment on item(s) in front of students.

Upon the recommendation of the Superintendent, the Board shall consider, as appropriate, the presentation of token gifts to retiring members of the staff who have rendered service for a period of time.

Professional staff members shall not accept any form of compensation from vendors that might influence their recommendations on or raise a conflict of interest with respect to the eventual purchase of equipment, supplies, or services. See also Board Policy 3113 – Conflict of Interest. Furthermore, professional staff members shall not accept any compensation from a vendor after a decision has been made to purchase equipment, supplies, or services from said vendor. In addition, professional staff members who recommend purchases shall not enter into a contractual arrangement with a vendor seeking to do business with the Corporation or a vendor with whom the Corporation is doing business, whereby an individual professional staff member receives compensation in any form for services rendered.

Such compensation includes, but is not limited to cash, checks, stocks, or any other form of securities, and gifts such as televisions, microwave ovens, computers, discount certificates, travel vouchers, tickets, passes, and other such things of value. In the event that a professional staff member receives such compensation, albeit unsolicited, from a vendor, the professional staff member shall notify the Superintendent, in writing, that s/he received such compensation and the compensation has been returned to the vendor.

A Corporation employee making a recommendation to the Board on a matter to be considered by the Board shall not accept a gift or gratuity from a person or entity having a substantial personal or pecuniary interest in the Board's decision on the matter in accordance with the restrictions and provisions of I.C. 35-44.1-1-3.

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Legal I.C.35-44.1-1-1,35-44.1-1-2,35-44.1-1-4,35-44.1-1-5

2C.F.R.200.318

7 C.F.R. 3016.36(b)(3) and 3019.42





Book	Policy Manual
Section	Policies for the Board
Title	Copy of EMPLOYMENT OF PERSONNEL FOR EXTRA-CURRICULAR ACTIVITIES
Code	po4120.08
Status	1st Reading
Adopted	February 23, 2015
Last Revised	June 22, 2020

#### 4120.08 - **EMPLOYMENT OF PERSONNEL FOR EXTRA-CURRICULAR ACTIVITIES**

The School Board may find it necessary to employ on a part-time basis, coaches or activity sponsors who are not members of the professional staff. Such part-time employees may be members of the Corporation's classified staff, support staff or individuals from the community or nearby areas.

The Board authorizes the Superintendent to recommend candidates for employment by the Board.

All part-time employees selected as coaches or activity sponsors who are not members of the professional staff are "at-will" employees. Their employment can be terminated with or without cause at any time. No other representative of the Corporation has the authority to enter into any agreement for employment for any specified period of time with such an employee.

The Board requires that:

- A. Prior to coaching football to students who are less than twenty (20) years of age, all head and assistant football coaches shall complete a certified coaching education course approved by the Indiana Department of Education not less than once during a two (2)-year period that:
  1. is sport specific;
  2. contains player safety content, including content on:
    - a. concussion awareness;
    - b. equipment fitting;
    - c. heat emergency preparedness; and
    - d. proper technique;
  3. requires a coach to complete a test demonstrating comprehension of the content of the course; and
  4. awards a certificate of completion to a coach who successfully completes the course.

If the coach receives notice from the School Corporation that new information has been added to the course before the end of the two (2)- year period, the coach must complete instruction and successfully complete a test concerning the new information.

- B. ~~After June 30, 2017, p~~ Prior to coaching students in grades 5 - 12, all head and assistant coaches of interscholastic sports other than football, including cheerleading, shall complete a certified coaching education course approved by the Indiana Department of Education at least once during a two (2)-year period that:
1. contains player safety content on concussion awareness;
  2. ~~after December 31, 2018,~~ includes content for prevention of or response to heat related medical issues that may arise from a student athlete's training;
  3. requires a coach to complete a test demonstrating comprehension of the content of the course; and
  4. awards a certificate of completion to a coach who successfully completes the course.

If the coach receives notice from the Corporation that new information has been added to the course before the end of the two (2)-year period, the coach must complete instruction and successfully complete a test concerning the new information.

- C. A head or assistant coach of an intramural sport other than football who is coaching students in grades 5 - 12 may elect to complete the above- referenced certified coaching education course. If compliance with I.C. 20- 34-7 is required by the coaching certification requirements for the intramural sport that the head or assistant coach is coaching, the coach shall complete the above-referenced certified coaching education course.
- D.
- C. A head coach or assistant coach of an athletic activity, marching band leader, or sponsor of an extracurricular activity in which students have an increased risk of sudden cardiac arrest as determined by the Indiana Department of Education (IDOE) shall complete the sudden cardiac training course offered by a provider approved by the IDOE. The coach, marching band leader or extracurricular activity sponsor must complete this required sudden cardiac arrest training prior to coaching or leading the activity.
- The Corporation will receive a certificate of completion from the provider for each coach, band leader or extracurricular activity sponsor successfully completing the required sudden cardiac arrest training. Each Corporation shall maintain all certificates of completion awarded for each individual who completes the sudden cardiac arrest training.

The Superintendent shall require that each person employed as a coach or athletic activity sponsor is qualified, has cleared a background check required by State law and Policy 4121 or Policy 8120, and has received the training required by State law and this policy. Additionally, before the Corporation hires or allows an individual to coach an Indiana High School Athletic Association recognized sport, the Corporation must take the following steps:

- A. ask him/her:
1. whether s/he is or has been accredited by the association; and
  2. if s/he is or has been accredited by the association, whether his/her accreditation has ever been suspended or revoked;
- B. request references from him/her;
- C. contact the references that s/he provides to the Corporation; and
- D. contact the association to determine whether his/her accreditation has ever been suspended or revoked.

The Corporation shall make a report to the Department of Child Services if a nonteaching coach has engaged in suspected child abuse or neglect.

The Corporation shall report to the association when a nonteaching coach accredited by the association has been convicted of an offense described in I.C. 20-28-5-8(c) or of a known comparable offense in another state. These offenses include:

- A. Kidnapping (I.C. 35-42-3-2).
- B. Criminal Confinement (I.C. 35-42-3-3).
- C. Rape (I.C. 35-42-4-1).
- D. Criminal deviate conduct (I.C. 35-42-4-2) (before its repeal).
- E. Child molesting (I.C. 35-42-4-3).
- F. Child exploitation (I.C. 35-42-4-4(b) or I.C. 35-42-4-4(c)).
- G. Vicarious sexual gratification (I.C.35-42-4-5).
- H. Child solicitation (I.C. 35-42-4-6).
- I. Child seduction (I.C. 35-42-4-5).
- J. Sexual misconduct with a minor (I.C. 35-42-4-9).
- K. Incest (I.C. 35-46-1-3).
- L. Dealing in or manufacturing cocaine or a narcotic drug (I.C. 35-48-4-1).
- M. Dealing in methamphetamine (I.C. 35-48-4-1.1).
- N. Manufacturing methamphetamine (I.C. 35-48-4-1.2).
- O. Dealing in a schedule I, II, or III controlled substance (I.C. 35-48-4-2).
- P. Dealing in a schedule IV controlled substance (I.C. 35-48-4-3).
- Q. Dealing in a schedule V controlled substance (I.C. 35-48-4-4).
- R. Dealing in a counterfeit substance (I.C. 35-48-4-5).

The Corporation shall report suspected misconduct by a nonteaching coach that may constitute a crime to local law enforcement.

Revised 4/24/17

Revised 2/25/19

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Legal                    I.C. 20-26-14-8  
                               I.C. 20-26-14-9  
                               I.C. 20-34-7  
                               I.C. 20-34-8





Book	Policy Manual
Section	Policies for the Board
Title	Copy of STAFF GIFTS
Code	po4214
Status	1st Reading
Adopted	January 28, 2008
Last Revised	December 14, 2015

#### 4214 - **STAFF GIFTS**

The School Board discourages the presentation of gifts to support staff members by students and their parents because it could embarrass students with limited means and gives the appearance of currying favor.

It is the policy of the Board that no support staff member should expect or accept gifts for carrying out the terms of his/her assignment.

The Board does recognize, though, that gift-giving to support staff members at ~~Christmas~~ **some special holidays** fits the spirit of the season and gift-giving at the close of an academic year is a part of tradition. At these times, gifts other than money may be accepted.

Upon the recommendation of the Superintendent, the Board shall consider, as appropriate, the presentation of token gifts to retiring members of the staff who have rendered service for a period of time.

Support staff members shall not accept any form of compensation from vendors that might influence their recommendations on or raise a conflict of interest with respect to the eventual purchase of equipment, supplies, or services. See also Board Policy 4113 – Conflict of Interest. Furthermore, support staff members shall not accept any compensation from a vendor after a decision has been made to purchase equipment, supplies, or services from said vendor. In addition, support staff members who recommend purchases shall not enter into a contractual arrangement with a vendor seeking to do business with the Corporation or a vendor with whom the Corporation is doing business, whereby an individual support staff member receives compensation in any form for services rendered.

Such compensation includes, but is not limited to cash, checks, stocks, or any other form of securities, and gifts such as televisions, microwave ovens, computers, discount certificates, travel vouchers, tickets, passes, and other such things of value. In the event that a support staff member receives such compensation, albeit unsolicited, from a vendor, the support staff member shall notify the Superintendent, in writing, that s/he received such compensation and the compensation has been returned to the vendor.

A Corporation employee making a recommendation to the Board on a matter to be considered by the Board shall not accept a gift or gratuity from a person or entity having a substantial personal or pecuniary interest in the Board's decision on the matter in accordance with the restrictions and provisions of I.C. 35-44.1-1-4.

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Legal I.C. 35-44.1-1-1, 35-44.1-1-2, 35-44.1-1-4, 35-44.1-1-5

2 C.F.R. 200.318

7 C.F.R. 3016.36(b)(3) and 3019.42



Book	Policy Manual
Section	Policies for the Board
Title	Copy of SCHOOL CHOICE OPTIONS PROVIDED BY THE NO CHILD LEFT BEHIND ACT
Code	po5113.02
Status	1st Reading
Adopted	February 28, 2006

#### 5113.02 - SCHOOL CHOICE **TRANSFER** OPTIONS PROVIDED BY THE NO CHILD LEFT BEHIND ACT

The School Board acknowledges that the Federal *No Child Left Behind Act of 2001* ("NCLBA") provides that the parents/guardians of students enrolled in a Title I school that has been listed for "school improvement" for two (2) or more years, have the right to transfer their children to another school in the Corporation, provided there is a school that provides instruction at the students' grade level(s) and such school has not been identified as being in the process of school improvement, corrective action, or restructuring. If there is not another school in the Corporation offering instruction at the students' grade level(s) that has not been identified as needing improvement, the Superintendent shall contact neighboring corporations and request that they permit students to transfer to a school in one of those corporations. The Superintendent shall also offer Supplemental Educational Services (SES) if a transfer within the Corporation is not possible.

Additionally, students attending a "persistently dangerous" school, as defined by State law have the right to transfer to another "safe" school in the Corporation. If there is not another "safe" school in the Corporation providing instruction at the students' grade level(s), the Superintendent shall contact neighboring corporations and request that they permit students to transfer to a school in one (1) of those corporations.

Furthermore, a student who is a victim of a "violent crime" on school property also has the right to transfer to another school. If there is not another school in the Corporation providing instruction at the student's grade level, the Superintendent shall contact neighboring corporations and request that they permit that student to transfer to a school in one of those corporations providing instruction at the student's grade level.

The School Board authorizes such transfers in accordance with AG 5113.02.

Children who transfer in accordance with this policy will be permitted to remain at the school of transfer until completing the highest grade at the school.

20 U.S.C. 6301

20 U.S.C. 7912

Title I, Section 1116(b)(1)(E) of the Elementary and Secondary Education Act, as amended  
Title IX, Section 9532 of the Elementary and Secondary Education Act, as amended

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Legal Title I, Section 1116(b)(1)(E) of the No Child Left Behind Act of 2001

Title I, Section 1116(e) of the No Child Left Behind Act of 2001

Title IX, Section 9532 of the No Child Left Behind Act of 2001





Book	Policy Manual
Section	Policies for the Board
Title	Copy of AUTHORIZATION TO ACCEPT AND DISTRIBUTE ELECTRONIC RECORDS AND TO USE ELECTRONIC SIGNATURE
Code	po6105
Status	1st Reading
Adopted	May 23, 2006
Last Revised	November 23, 2020

#### **6105 - AUTHORIZATION TO ACCEPT AND DISTRIBUTE ELECTRONIC RECORDS AND TO USE ELECTRONIC SIGNATURE**

Unless a provision of law specifically prohibits the use of an electronic record for the specified purpose, the School Board authorizes the acceptance and distribution/transmission of electronic records to and from School Corporation staff and other persons, as well as between Corporation staff members.

The Board authorizes the Treasurer, Board President, and/or the Board Secretary to prepare and utilize a electronic signature, in lieu of their manual signature, and to affix such facsimile signature to any of the following instruments: checks; drafts; warrants; vouchers; or other instruments for the payment of money and necessary or desirable in connection with the withdrawal of Corporation funds for and on its behalf. The individuals specified above may affix their manual or electronic signature to the instruments identified so long as they continue to act as such officers/employees. The use of electronic signatures is expressly approved by the Board. Said checks, drafts, warrants, vouchers, or other instruments for the payment of money may be drawn or relate to the accounts of the Corporation with the various financial institutions (depositories/banks) with which the Corporation conducts business.

The Superintendent shall put in place measures to protect the integrity, security, and accessibility of electronic signatures and electronic records to comply with the mandates of State and Federal agencies or programs, including Medicaid.

All Corporation staff shall comply with all provisions of the Uniform Electronic Transaction Act when creating, generating, sending, communicating, receiving, storing, processing, using, and relying upon electronic records. Further, all Corporation staff and other persons who use electronic signatures when completing transactions with the Corporation shall do so in compliance with State law.

The Board directs that the financial institutions (depositories/banks), with which the Corporation does business, are authorized and requested to accept, honor, cash, pay or transfer, without limit as to the amount or without further inquiry, checks bearing the authorized signature(s) as provided by the immediately preceding paragraph whether tendered in payment of an individual obligation or deposited in the account of the Corporation. The Treasurer is directed to provide written notice of the adoption of any electronic signature to the depository from which funds are to be withdrawn, which notice shall include a description of the device to be used, a specimen of such electronic signature, and a copy of this policy. Prior to use of the electronic signature, the written approval of such depository must be obtained.

With regard to the acceptance and distribution/transmission of electronic records and electronic signatures, the Superintendent may specify the following:

- A. The manner and format in which the electronic records must be created, generated, sent, communicated, received, and stored and the systems established for those purposes.
- B. If electronic records must be signed by electronic means, the type of electronic signature that is required, the manner and format in which the electronic signature must be affixed to the electronic record, and the identity of, or criteria that must be met, by any third party used by a person filing a document to facilitate the process.
- C. Control processes and procedures as appropriate to provide for adequate preservation, disposition, integrity, security, confidentiality, and auditability of electronic records.
- D. Any other required attributes for electronic records that are specified for nonelectronic records or reasonably necessary under the circumstances.

Electronic signature is defined to include, but is not limited to, the reproduction of any authorized signature by a copper plate or by a photographic, photostatic, or mechanical device. Electronic signature does not authorize the use of a rubber stamp signature for any of the instruments detailed above.

In order to protect the Board and its employees from loss, damage or expense occasioned by the unauthorized use of a electronic signature, the Board directs the Treasurer to procure for the Corporation and for the individuals identified above a surety bond in such amount as approved by its legal advisor.

The actual electronic signature should be maintained under the care, custody and control of the Treasurer's Department and, as further precaution, all checks must be entered into the check register so that all numbers can be accounted for.

I.C. 5-1-14-18

I.C. 26-2-8 Uniform Electronic Transactions Act

15 U.S.C. 7001 et seq.

SBOA Memorandum re Electronic Signature (April 14, 2020).

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Legal                      I.C. 26-2-8 Uniform Electronic Transactions Act  
                                  15 U.S.C. 7001 et seq.



Book	Policy Manual
Section	Policies for the Board
Title	Copy of BUDGET PREPARATION
Code	po6220
Status	1st Reading
Adopted	February 28, 2006
Last Revised	June 22, 2020

### 6220 - BUDGET PREPARATION

The Corporation's operation<sup>a</sup> and educational plan is reflected in its budget. Each year, the School Board will cause to have prepared and then review and approve the Education Fund, Operations Fund, Debt Service Fund, ~~and the Rainy Day Fund,~~ and **Referendum Fund** which constitute the budget of the Corporation.

The Board, by resolution, has established a "rainy day fund" as a part of its budget preparation process. Transfers to the rainy day fund must be made after the last day of the Corporation's fiscal year. The adoption resolution must specify the purposes of the fund as well as the sources of funding for the fund. The rainy day fund is subject to the same appropriation process as other funds for which taxes are raised. The Board may not transfer more than ten percent (10%) of its annual budget for that year to its rainy day fund.

~~The budget shall be designed to carry out Corporation operations in a thorough and efficient manner, maintain Corporation facilities properly, and honor continuing obligations of the Board.~~

~~The proposed budget requires the critical analysis by every member of the Budget prior to approval; once adopted, the budget deserves the support of all members of the Board regardless of their position before its adoption.~~

~~The Board directs the Treasurer to present the budget to the Board, along with all available information associated with each Fund, in sufficient time for proper review and discussion and in compliance with State Law.~~

When presented to the Board for review and/or adoption, the proposed budget shall include, as appropriate:

- A. ~~The anticipated amount that will be transferred from the total revenue deposited in the Corporation's Education Fund to the Operations Fund during the next calendar year.~~
- B. ~~The proposed expenditure in each of the following categories for the ensuing school year:~~
  1. ~~student academic achievement expenditures;~~
  2. ~~student instructional support expenditures;~~
  3. ~~overhead and operational expenditures;~~
  4. ~~non-operational expenditures;~~
- C. ~~The percentage of resources spent by the Corporation during the previous school year on each of the following categories of expenditures:~~

D. The trend line for the percentage of resources spent by the Corporation during the previous school year on each of the following categories of expenditures:

- 1. student academic achievement expenditures;
- 2. student instructional support expenditures;
- 3. overhead and operational expenditures;
- 4. non-operational expenditures;

E. Whether the Corporation did or did not make progress in improving the ratio of student instructional expenditures to all other expenditures during the previous school year;

An explanation of each item of expense proposed for the ensuing year;

F. The sources and amounts of anticipated revenues;

G. An appropriations resolution.

Revised 11/28/06

Revised 2/25/19

I.C. 6-1.1-17-5.3

I.C. 20-40-2

I.C. 20-40-20

I.C. 20-40-21

I.C. 36-1-8-5

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I.C. 20-40-2

I.C. 20-40-20

I.C. 20-40-21

I.C. 20-42.5-3-5(a)(4)

I.C. 20-42.5-3-7(b)

I.C. 36-1-8-5



Book	Policy Manual
Section	Policies for the Board
Title	Copy of BUDGET HEARING
Code	po6230
Status	1st Reading
Adopted	February 28, 2006
Last Revised	June 22, 2020

#### 6230 - **BUDGET HEARING**

The annual budget adopted by the School Board represents the Board's position on the allocation of resources required to operate an appropriate system of education. All reasonable means shall be employed by the Board to present and explain that position to all interested parties. The public budget hearings will be conducted in accordance with law.

Each member of the Board and each School Corporation administrator shall be sufficiently acquainted with the budget and its underlying purposes to answer questions from members of the public.

At the public hearing to adopt the budget, the Corporation shall acknowledge whether the anticipated transfer amount from the Education Fund to the Operations Fund during the next calendar year will be more than fifteen percent (15%) of the total revenue deposited in the Education Fund.

Also, at the public hearing, the Corporation shall annually specify the Corporation's revenue spending plan associated with a referendum tax levy. The spending plan includes: 1) an estimate of the amount of annual revenue expected to be collected; 2) the specific purposes for which the revenue collected will be used and 3) an estimate of the annual dollar amounts that will be expended for each purpose.

The budget approved by this Board will be made available to the public in the form and at the places required by law.

The final adoption of the proposed annual budget shall be made by the Board after completion of the public hearing.

I.C. 6-1.1-17-5.3

I.C. 20-26-5-4

I.C. 20-46-1-8(e)

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Legal	I.C. 6-1.1-17-5.3
	I.C. 20-26-5-4





Book	Policy Manual
Section	Policies for the Board
Title	Copy of DISPOSITION OF REAL PROPERTY
Code	po7300
Status	1st Reading
Adopted	February 28, 2006
Last Revised	June 22, 2020

### 7300 - **DISPOSITION OF REAL PROPERTY**

The School Board believes that the efficient administration of the School Corporation requires the disposition of property and goods no longer necessary for the maintenance of the educational program or the operation of the Corporation.

"Real Property" means land, including land improvements, structures and appurtenances thereto, but excludes moveable machinery and equipment.

The Board shall direct the periodic review of all Corporation property and authorize the disposition by sale, donation, trade, or discard of any property not required for school purposes in accordance with the provisions of this policy and Policy 7310 - Disposition of Surplus Property. Furthermore, the sale or disposal of real property must comply with I.C. 36-1-11.

All written offers on real property under consideration for disposition shall be presented as an item on the agenda of a public ~~School~~ Board meeting. A preliminary review of offers to purchase or lease shall include: source of offer, date of offer, expiration date of offer, and intended use of property.

All property considered for lease or sale shall be reviewed by the Board prior to solicitation of offers. The solicitation of offers by the Board shall include an expiration date.

The authorized agents of the Board to review all purchase or lease offers pertaining to sale or lease of property shall be the Superintendent and the Board Finance Committee. The Board shall give final approval of all contracts.

In consideration of the best interest of the Corporation and of the residents and taxpayers, the Board reserves the right to reject any and all offers at its sole discretion, regardless of price and terms.

Potential purchasers or lessees shall demonstrate financial capability to meet the terms and conditions of their purchase or lease offer.

Potential purchasers shall demonstrate reasonable likelihood of obtaining necessary city/township approvals and/or compliance with city/township zoning ordinances.

Money derived from the sale or exchange of property that is no longer needed for school purposes shall be placed in any school fund established by law that the Board considers appropriate.

#### **Lease or Sale of Property to Charter Schools and/or State Educational Institutions:**

Except as specified below, before the Board may dispose of real property previously used for instruction, the Board shall make available for lease or purchase ~~to any charter school~~ any school building owned by the Corporation or any other entity that is related in any way to, or created by, the Corporation or the Board, including but not limited to a building corporation, that is vacant and unused and previously was used for classroom instruction ~~to any charter school~~ in order for the charter school to conduct kindergarten through grade 12 classroom instruction or to a State educational institution to use for an academic purpose.

No later than ten (10) days after passing a resolution or taking other official action to close, no longer use, or no longer occupy a school building that previously was used for classroom instruction, the Board shall:

- A. notify the State Department of Education (SDOE) of the official action and the effective date that the school building will be closed, no longer used, or no longer occupied;
- B. make the school building available for inspection by a charter school or State educational institution that notifies the SDOE that it is interested in leasing or purchasing the school building; and
- C. make the following information available to ~~that the interested~~ charter ~~school~~ school(s) or State educational institution(s):
  1. Estimates of the operating expenses for the school building for the past three (3) years.
  2. Written information regarding the condition of the building, including the age of the roof and the HVAC system, and any known conditions which, in the Board's opinion, require prompt repair or replacement.
  3. A legal description of the property, ~~as shown on the current tax statement.~~

Throughout the process of the sale, lease, or disposal of Corporation school buildings, the Corporation is responsible for the maintenance of the vacant or unused school building until the building has been sold or leased to a charter school, state educational institution, an accredited nonpublic school or postsecondary educational institution or otherwise is eligible for sale or disposal pursuant to the provisions of this policy and state law. This maintenance includes protection against theft or vandalism; fire protection; and protection from damage during adverse weather conditions. The Corporation will maintain the physical condition of the vacant or unused school building as it was on the last day it was used for classroom instruction. The Corporation is financially responsible for any damage or destruction to the vacant or unused school building prior to the lease or purchase.

The Corporation shall lease the school building to a charter school or State educational institution for one dollar (\$1) per year for as long as the charter school uses the school building for classroom instruction or the State educational institution uses the facility for an academic purpose for a term at the charter ~~school's~~ school/State educational institution's discretion, including the option to purchase the school building for \$1, or sell the school building for one dollar (\$1), if the charter school /State educational institution does the following:

- A. Within thirty (30) days of receiving notice from the SDOE, a charter school or State educational institution must submit a preliminary request to purchase or lease the school building.
- B. Within ninety (90) days of receiving the SDOE's notice, a charter school or State educational institution must submit to the Corporation the following information:
  1. The name of the charter school or State educational institution that is interested in leasing or purchasing the vacant or unused school building.
  2. A time frame, which may not exceed two (2) years from the date that the school building is to be closed, no longer used, or no longer occupied, in which the charter school or State educational institution intends to begin



providing classroom instruction in the vacant or unused school building.

3. A resolution, adopted by the board of the charter school or State educational institution stating that the board has determined that, after the charter school or State educational institution has made any necessary repairs or modifications, the school building will be sufficient to meet the charter school's or State educational institution needs and can be operated within the charter school's budget.
4. If the vacant or unused school building is more than two hundred thousand (200,000) gross square feet, then in addition to the information provided above, a charter school shall submit the following:
  - a. The charter school's projected enrollment when all of the grade levels are added.
  - b. A letter from the charter school's authorizer or prospective authorizer that indicates that the charter school's authorizer or prospective authorizer has reviewed the items described in subsections 2 and 3 and that the projected enrollment of the charter school when all of the grade levels are added or fully implemented will be at least sixty percent (60%) of the maximum annual student enrollment of the school building during the past twenty-five (25) years as validated by records maintained or created by the SDOE.

Not later than fifteen (15) days after the Board passes a resolution to sell, exchange, lease, demolish, hold without operation, or dispose of a school building to a charter school or state educational institution, the Board shall submit an application to the State Attorney General to obtain a certification that the Board is in compliance with the requirements of I.C. 20-26-7.1.

Upon receipt of the SDOE's notification that it has not received any preliminary requests to purchase or lease the school building, the Corporation may sell or otherwise dispose of the school building in accordance with I.C. 36-1-11, I.C. 20-25-4-14, I.C. 20-26-5-4(a)(7), and I.C. 20-26-7.1-8. Provided, however, that not later than fifteen (15) days after the Board passes a resolution to sell, exchange, lease, demolish, hold without operation, or dispose of a school building, the Board shall submit an application to the State Attorney General to obtain a certification that the Board is in compliance with the requirements of I.C. 20-26-7.1.

If a Corporation school building is sold to a charter school or State educational institution pursuant to this procedure, and the charter school or State educational institution, or any subsequent owner, subsequently sells or transfers the school building to a third party, the charter school or State educational institution or subsequent owner must transfer an amount equal to the gain in the property minus the adjusted basis (including costs of improvements to the school building) to the Corporation. Gain and adjusted basis shall be determined in the manner prescribed by the Internal Revenue Code and the applicable Internal Revenue Service regulations and guidelines.

A charter school or State educational institution that purchases a school building from the Corporation assumes total control of the school building and must maintain the school building, including utilities, insurance, maintenance, and repairs. In the event a charter school or State educational institution does not use the school building for classroom instruction within two (2) years after acquiring the school building, the school building shall revert to the Corporation, which may sell or otherwise dispose of the school building under I.C. 36-1-11.

During the term of a lease, the charter school or State educational institution is responsible for the direct expenses related to the school building leased, including utilities, insurance, maintenance, repairs, and remodeling. If the lease involves co-locating charter schools or State educational institution, the obligations under the lease of the school building shall be joint and several. The Corporation is responsible for any debt incurred for or liens that attached to the school building before the charter school or State educational institution leased the school building.

#### **Exceptions:**

The procedure described above does not apply to:

- A. A school building that has been vacated to renovate the building for future use by the Corporation;
- B. A school building that has been vacated to demolish the building and build a new school building on the same site;
- C. An emergency manager of a distressed school corporation under I.C. 6-1.1-20.3.

A lease entered into by the Board under I.C. 20-26-5-4(a)(7) prior to ~~July 1, 2019~~ January 1, 2019, with an accredited nonpublic school shall remain in full force and effect. The Board may, during or at the expiration of the term of such lease, sell the school building leased under I.C. 20-26-5-4(a)(7) to the nonpublic school at a purchase price mutually agreed to by the Board and the nonpublic school.

#### **Sale of Building with 200,000 Gross Square Feet or Less:**

This section applies to a school building with a gross square footage of two hundred thousand (200,000) square feet or less.

If the Corporation receives notification from the SDOE that it has not received any preliminary requests to purchase or lease a vacant or unused school building with a gross square footage of two hundred thousand (200,000) square feet or less or a charter school or State educational institution has not met the requirements for purchase or lease, the Corporation must sell the school building to an accredited nonpublic school or postsecondary educational institution that sends a letter of intent to the Corporation to purchase the vacant or unused school building for an amount not more than the minimum bid for the vacant or unused school building determined in accordance with I.C. 36-1-11, or an amount agreed to by both parties.

The accredited nonpublic school or postsecondary educational institution must submit its letter of intent to purchase the school building within thirty (30) days of the date the Corporation passes a resolution or takes other official action to close, no longer use, or no longer occupy a school building that previously was used for classroom instruction. However, in the event that a charter school or State educational institution has submitted a preliminary request to purchase or lease a school building, the accredited nonpublic school or postsecondary educational institution may send a letter of intent to purchase or lease the school building within ninety (90) days of the date that the Corporation passed a resolution or took official action to close, no longer use, or no longer occupy a school building.

Within forty-five (45) days of notice of the minimum bid, the accredited nonpublic school or postsecondary educational institution must provide a binding offer to the Corporation to purchase the property in its current condition and provide a nonrefundable down payment equal to five percent (5%) of the minimum bid or an amount agreed to by both parties. In the event that two (2) or more binding offers are submitted to the Corporation, the Corporation may select which offer to accept.

If the sale of the property does not close within one hundred eighty (180) days of the Corporation's receipt of the binding offer, and the delay in closing is not caused by the Corporation or its representatives, the Corporation may refund the down payment and sell or otherwise dispose of the school building under I.C. 20-25-4-14, I.C. 20-26-5-4(7), or I.C. 36-1-11.

#### **Sale of Building with More than 200,000 Gross Square Feet:**

This section applies to the sale of a vacant or unused school building with more than two hundred thousand (200,000) gross square feet under I.C. 36-1-11.

In determining whether to accept a proposal to purchase and redevelop the school building and any adjacent property, the Board must ensure that a charter school that is located within one (1) mile of the site to be redeveloped and has notified the Board in writing of its interest in locating the charter school on the redeveloped site is provided with the opportunity to lease adequate facilities on the redeveloped site at fifty percent (50%) or less than the current market rate for the redeveloped property or a rate agreed upon by the parties.

In the event that a charter school does not enter into a lease for the appropriate facilities as part of the initial development of the school building parcel, this section shall no longer be binding on the Corporation or the purchaser of the property, which shall not be required to make the space available for use by another charter school.

The Attorney General has broad authority to investigate complaints that a Corporation has not complied with the provisions established regarding the lease, sale, destruction or disposal of a school building.

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I.C. 20-23-6-9

I.C. 20-26-5-4

I.C. 20-26-7-1

I.C. 20-26-7.1

I.C. 36-1-11

2 C.F.R. 200.78, 200.85



Book	Policy Manual
Section	Policies for the Board
Title	Copy of DISPOSITION OF SURPLUS PROPERTY
Code	po7310
Status	1st Reading
Adopted	February 28, 2006
Last Revised	February 25, 2019

### 7310 - **DISPOSITION OF SURPLUS PROPERTY**

The School Board requires the Superintendent to review the property of the Corporation periodically and to dispose of that material and equipment which is no longer usable in accordance with the terms of this policy.

#### **A. Instructional Material**

The Corporation shall review instructional materials (i.e. textbooks, library books, manuals, support materials, etc.) periodically to determine the relevance of such materials to the present world and current instructional programs. The following criteria will be used to review instructional materials for redistribution and possible disposal:

1. concepts or content that do not support the current goals of the curriculum
2. information that may not be current
3. worn beyond salvage

#### **B. Equipment**

The Corporation shall inspect the equipment used in the instructional program periodically, to determine the condition and usability of such equipment in the current educational program. Should the equipment be deemed no longer serviceable or usable, the following criteria will be used to determine possible disposal:

1. repair parts for the equipment no longer readily available
2. repair records indicate equipment has no usable life remaining
3. obsolete and no longer contributing to the educational program
4. some potential for sale at a school auction
5. creates a safety or environmental hazard

#### **C. Textbooks**

The Corporation shall dispose of textbooks in accordance with the procedures described by statute.

Before the Corporation mutilates or otherwise destroys a textbook, it shall provide at no cost and subject to availability one (1) copy of each textbook that is no longer scheduled for use in the School Corporation to:

1. the parent of each child who is enrolled in a corporation school and who wishes to receive a copy of the textbook; and
2. if any textbooks remain after such distribution to parents, to any resident who wishes to receive a copy.

If any textbooks remain after such distribution, each school shall store the remainder for at least three (3) months, before disposing of them. A school may sell any of the undistributed texts to another school corporation at any time during the period of storage.

#### D. Disposition

The Superintendent is authorized to dispose of obsolete instructional and other property by selling it to the highest bidder, by donation to appropriate parties, or by proper waste disposal.

If the Board passes a resolution to close a high school, the Corporation shall develop a plan relating to the preservation or transfer of memorabilia, trophies, or other property that may have historical significance as determined by the Board. The plan shall be made available for public inspection and posted to the Corporation's website.

When original or replacement equipment acquired under a Federal award is no longer needed for the original project or program or for other activities currently or previously supported by a Federal awarding agency, the Corporation shall request disposition instructions from the Federal awarding agency if required by the terms and conditions of the Federal award. Disposition of the equipment will be made in accordance with disposition instructions of the Federal awarding agency. Items of equipment with a current per unit fair market value of \$5,000 or less may be retained, sold or otherwise disposed of with no further obligation to the Federal awarding agency.

Except as provided in §200.312 Federally-owned and exempt property, paragraph (b), or if the Federal awarding agency fails to provide requested disposition instructions within 120 days, items of equipment with a current per-unit fair-market value in excess of \$5,000 may be retained by the non-Federal entity or sold. The Federal awarding agency is entitled to an amount calculated by multiplying the current market value or proceeds from sale by the Federal awarding agency's percentage of participation in the cost of the original purchase. If the equipment is sold, the Federal awarding agency may permit the non-Federal entity to deduct and retain from the Federal share \$500 or ten percent of the proceeds, whichever is less, for its selling and handling expenses.

The Corporation may transfer title to the property to the Federal Government or to an eligible third party provided that, in such cases, the Corporation shall be entitled to compensation for its attributable percentage of the current fair market value of the property.

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Legal                                    2C.F.R.200.312,200.313 I.C.20-26-5-4  
I.C. 36-1-11



Book	Policy Manual
Section	Policies for the Board
Title	Copy of PROPERTY INVENTORY
Code	po7450
Status	1st Reading
Adopted	February 25, 2019

#### 7450 - **PROPERTY INVENTORY**

As steward of the School Corporation's property, the School Board recognizes that efficient management and full replacement upon loss requires accurate inventory and properly maintained property records.

The Board shall conduct a complete inventory of all Corporation-owned equipment every two (2) years.

For purposes of this policy, "equipment" shall mean a unit of furniture or furnishings, an instrument, a machine, an apparatus, or a set of articles which retains its shape and appearance with use, is non-expendable, costs at least \$500.00 ~~to replace~~ as a single unit and does not lose its identity when incorporated into a more complex unit. When defining supplies for inventory purposes, no items will be counted whose total value is less than \$500.00. **[DRAFTING NOTE: The Federal regulation (2 CFR 200.439) allows for a \$5,000 threshold. Capital expenditures with a unit cost of \$5,000 or more require prior written approval of the Federal awarding agency or pass-through entity.]**

It shall be the duty of the Business Manager to ensure that inventories are recorded systematically and accurately and property records of equipment are updated and adjusted annually by reference to purchase orders and withdrawal reports.

**[x ] The Business Manager shall maintain a system of property records which shall show, as appropriate to the item recorded, (x ) description and identification, (x ) manufacturer, (x ) year of purchase, (x ) initial cost, (x ) location, ( ) condition and depreciation, ( ) evaluation in conformity with insurance requirements.**

Equipment acquired under a Federal award will vest upon acquisition to the Corporation, subject to the following conditions:

- A. The equipment shall be used for the authorized purposes of the award project during the period of performance or until the equipment is no longer needed for the purposes of the project.
- B. The equipment shall not be encumbered without the approval of the Federal awarding agency or the pass-through entity.
- C. The equipment may be only used and disposed of in accordance with the provisions of the Federal awarding agency or the pass-through entity and Policy 7300, Policy 7310, and AG 7310.
- D. Property records shall be maintained that include a description of the equipment, a serial number or other identification number, the source of funding for the equipment (including the Federal Award Identification Number (FAIN)), title entity, acquisition date, cost of the equipment, percentage of Federal participation in the project costs for the award under which the equipment was acquired, the location, use, and condition of the equipment, and ultimate disposition data, including date of disposal and sale price of the equipment.

- E. A physical inventory of the property must be taken and results reconciled with property records at least once every two (2) years.
- F. A control system shall be developed to provide adequate safeguards to prevent loss, damage, or theft of the property. Any such loss, damage, or theft shall be investigated.
- G. Adequate maintenance procedures shall be implemented to keep the property in good condition.

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2 C.F.R. 200.313



Book	Policy Manual
Section	Policies for the Board
Title	Copy of STAFF TECHNOLOGY ACCEPTABLE USE AND SAFETY
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Status	1st Reading
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Last Revised	June 22, 2020

#### 7540.04 - **STAFF TECHNOLOGY ACCEPTABLE USE AND SAFETY**

Technology has fundamentally altered the ways in which information is accessed, communicated, and transferred in society. As a result, educators are continually adapting their means and methods of instruction, and the way they approach student learning, to incorporate the vast, diverse, and unique resources available through the Internet. The School Board provides Technology Resources and Information Resources (as defined by Bylaw 0100) to support the educational and professional needs of its staff and students. The Board provides staff with access to the Internet for limited educational purposes only and utilizes online educational services/apps to enhance the instruction delivered to its students and to facilitate the staff's work. The School Corporation's computer network and Internet system do not serve as a public access service or a public forum, and the Board imposes reasonable restrictions on its use consistent with its limited educational purpose.

The Board regulates the use of Corporation Technology Resources and Information Resources by principles consistent with applicable local, State, and Federal laws, and the Corporation's educational mission. This policy, its related administrative guidelines, Policy 7544 and AG 7544, and any applicable employment contracts and collective bargaining agreements govern the staffs' use of the Corporation's Technology Resources and Information Resources and staff's personal communication devices (PCDs) when they are connected to the Corporation's computer network, Internet connection and/or online educational services/apps, or when used while the staff member is on Corporation-owned property or at a Corporation-sponsored activity (see Policy 7530.02).

Users are prohibited from engaging in actions that are illegal (such as libel, slander, vandalism, harassment, theft, plagiarism, inappropriate access, and the like) or unkind (such as personal attacks, invasion of privacy, injurious comment, and the like) when using Corporation Technology Resources and Information Resources. Because its Technology Resources are not unlimited, the Board also has instituted restrictions aimed at preserving these resources, such as placing limits on use of bandwidth, storage space, and printers.

Users have no right or expectation to privacy when using Corporation Technology Resources and Information Resources (including but not limited to privacy in the content of their personal files, e-mails, and records of their online activity when using the Corporation's computer network and/or Internet connection).

Staff members are expected to utilize Corporation Technology Resources and Information Resources to promote educational excellence in our schools by providing students with the opportunity to develop the resource sharing, innovation, and communication skills and tools that are essential to both life and work. The Board encourages the faculty to develop the appropriate skills necessary to effectively access, analyze, evaluate, and utilize these resources in enriching educational activities. The instructional use of the Internet and online educational services will be guided by Board Policy 2520 – Selection of Instructional Materials and Equipment.



The Internet is a global information and communication network that provides students and staff with access to up-to-date, highly relevant information that will enhance their learning and the education process. Further, Corporation Technology Resources provide students and staff with the opportunity to communicate with other people from throughout the world. Access to such an incredible quantity of information and resources brings with it, however, certain unique challenges and responsibilities.

The Corporation may not be able to limit access technologically through its Technology Resources to only those services and resources that have been authorized for the purpose of instruction, study and research related to the curriculum. Unlike in the past, when educators and community members had the opportunity to review and screen materials to assess their appropriateness for supporting and enriching the curriculum according to adopted guidelines and reasonable selection criteria (taking into account the varied instructional needs, learning styles, abilities, and developmental levels of the students who would be exposed to them), access to the Internet, because it serves as a gateway to any publicly available file server in the world, opens classrooms and students to electronic information resources which may not have been screened by educators for use by students of various ages.

**The Board prohibits the sending, receiving, viewing, or downloading of materials that are harmful to minors on computers and other technology related devices owned or leased by the Corporation or connected to the Corporation's computer network.**

Pursuant to Federal law, the Corporation has implemented technology protection measures that protect against (e.g., filter or block) access to visual displays/depictions/materials that are obscene, constitute child pornography, and/or are harmful to minors, as defined by the Children's Internet Protection Act or I.C.35-49-2-2. At the discretion of the Board or Superintendent, the technology protection measures may be configured to protect against access to other material considered inappropriate for students to access. The Board also utilizes software and/or hardware to monitor online activity of students to restrict access to child pornography and other material that is obscene, objectionable, inappropriate and/or harmful to minors. The technology protection measures may not be disabled at any time that students may be using Corporation Technology Resources if such disabling will cease to protect against access to materials that are prohibited under the Children's Internet Protection Act. Any staff member who attempts to disable the technology protection measures without express written consent of an appropriate administrator will be subject to disciplinary action, up to and including termination.

The Superintendent or Director of Technology may temporarily or permanently unblock access to websites or online educational services/apps containing appropriate material if access to such sites has been blocked inappropriately by the technology protection measures. The determination of whether material is appropriate or inappropriate shall be based on the content of the material and the intended use of the material, not on the protective actions of the technology protection measures. The Superintendent or Director of Technology may also disable the technology protection measures to enable access for bona fide research or other lawful purposes.

Staff members will participate in professional development programs in accordance with the provisions of law and this policy. Training shall include:

- A. the safety and security of students while using e-mail, chat rooms, social media, and other forms of direct electronic communications;
- B. the inherent danger of students disclosing personally identifiable information online;
- C. the consequences of unauthorized access (e.g., "hacking", "harvesting", "digital piracy", "data mining", etc.), cyberbullying and other unlawful or inappropriate activities by students online; and
- D. unauthorized disclosure, use, and dissemination of personally identifiable information regarding minors.

Furthermore, staff members shall provide instruction for their students regarding the appropriate use of technology and online safety and security as specified above, and staff members will monitor students' online activities while at school.

Monitoring may include, but is not necessarily limited to, visual observations of online activities during class sessions; or use of specific monitoring tools to review browser history and network, server, and computer logs.

The disclosure of personally identifiable information about students online is prohibited.

Building principals are responsible for providing training so that users under their supervision are knowledgeable about this policy and its accompanying guidelines. The Board expects that staff members will provide guidance and instruction to students in the appropriate use of the Corporation Technology Resources. All users of Corporation Technology Resources are required to sign a written agreement to abide by the terms and conditions of this policy and its accompanying guidelines.

Staff will be assigned a school email address that they are required to utilize for all school-related electronic communications, including those to students, parents, and other constituents, fellow staff members, and vendors or individuals seeking to do business with the Corporation.

With prior approval from the Superintendent or Designee, staff may direct students who have been issued school-assigned email accounts to use those accounts when signing-up/registering for access to various online educational services, including mobile applications/apps that will be utilized by the students for educational purposes under the teacher's supervision.

Staff members are responsible for good behavior on Corporation Technology and Information Resources, i.e., behavior comparable to that expected when they are in classrooms, in school hallways, on other school premises and at school-sponsored events.

Communications on Education Technology are often public in nature. The Board does not approve any use of its Technology Resources and Information Resources that is not authorized by or conducted strictly in compliance with this policy and its accompanying guidelines.

Staff members may use Corporation Technology Resources to access or use social media only if it is done for Corporation educational or business-related purposes.

Staff members' use of Corporation Technology Resources to access or use social media shall be consistent with Policy 7544 and its accompanying guidelines.

An employee's personal or private use of social media may have unintended consequences. While the Board respects its employees' First Amendment rights, those rights do not include permission to post inflammatory comments that could compromise the Corporation's mission, undermine staff relationships, or cause a substantial disruption to the school environment. This warning includes staff members' online conduct that occurs off school property including from the employee's private computer. Postings to social media should be done in a manner sensitive to the staff member's professional responsibilities.

General school rules for behavior and communication apply.

Users who disregard this policy and its accompanying guidelines may have their use privileges suspended or revoked and disciplinary action taken against them. Users are personally responsible and liable, both civilly and criminally, for uses of Technology Resources not authorized by this Board Policy and its accompanying guidelines.

The Board designates the Superintendent, the Assistant Superintendent and Director of Technology as the administrators responsible for initiating, implementing, and enforcing this policy and its accompanying guidelines as they apply to staff members' use of Corporation Technology and Information Resources.

### **Social Media Use**

In addition, Federal and State confidentiality laws forbid schools and their employees from using or disclosing student education records without parent consent (see Board Policy 8330). Education records include a wide variety of information, and posting personally identifiable information about students is not permitted. Staff members who violate State and Federal confidentiality laws or privacy laws related to the disclosure of confidential student or employee information may be disciplined.

Nothing in this policy is intended to interfere with any school employee's rights under applicable law with respect to union organizing or collective bargaining.

This policy shall be posted on the Corporation's website.

P.L. 106-554 (2000), Children's Internet Protection Act

47 U.S.C. 254(h), (1), Communications Act of 1934, as amended (2003).

18 U.S.C. 1460

18 U.S.C. 2246

18 U.S.C. 2256

20 U.S.C. 6301 et seq., Part F, Elementary and Secondary Education Act of 1965, as amended (2003).

20 U.S.C. 6777, 9134 (2003)

47 C.F.R. 54.500 - 54.523

I.C. 20-26-5-40.5

I.C. 35-49-2-2

Revised 3/22/10

Revised 3/26/12

Revised 11/26/12

Revised 2/23/15

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Legal

P.L. 106-554 (2000), Children's Internet Protection Act

47 U.S.C. 254(h), (1), Communications Act of 1934, as amended (2003)

18 U.S.C. 1460

18 U.S.C. 2246

18 U.S.C. 2256

20 U.S.C. 6301 et seq., Part F, Elementary and Secondary Education Act of 1965, as amended (2003)

20 U.S.C. 6777, 9134 (2003)

47 C.F.R. 54.500 - 54.523

Book	Policy Manual
Section	Policies for the Board
Title	Revised Policy - Vol. 34, No. 1 - October 2021 - INFORMATION SECURITY
Code	po8305
Status	1st Reading

## 8305 - INFORMATION SECURITY

The School Corporation collects, classifies, and retains data/information from and about students, staff, vendors/contractors, and other individuals, about programs and initiatives undertaken by the school system, and about and related to the business of the Corporation. This information may be in hard copy or digital format, and may be stored in the Corporation or offsite with a third party provider.

Protecting Corporation data/information is of paramount importance. Information security requires everyone's active participation to keep the Corporation's data/information secure. This includes School Board members, staff members/employees, students, parents, contractors/vendors, and visitors who use Corporation Technology and Information Resources. **The Corporation will work to protect the data/information, computer network or system from attack vectors, or methods by which the computer network or system is attacked, infiltrated, or otherwise compromised.**

**A cybersecurity incident is a malicious or suspicious occurrence that consists of one (1) or more of the categories of attack vectors and are defined as websites that:**

- A. **jeopardize or may potentially jeopardize the confidentiality, integrity, or availability of an information system, an operational system, or the information that such systems process, store or transmit;**
- B. **jeopardizes or may potentially jeopardize the health and safety of the public; or**
- C. **violate security policies, security procedures, or acceptable use policies (See Policy 7540.03 - Student Acceptable Use Policy/Policy 7540.04 - Staff Acceptable Use Policy).**

**A cybersecurity incident may consist of one (1) or more of the following categories of attack vectors: 1) ransomware; 2) business email compromise; 3) vulnerability exploitation; 4) zero-day exploitation; 5) distributed denial of service; 6) website defacement; or other sophisticated attacks as defined by the Chief Information Officer (CIO) and identified by the Corporation on its website.**

Individuals who are granted access to data/information collected and retained by the Corporation must follow established procedures so that the information is protected and preserved. Board members, administrators, and all Corporation staff members, as well as contractors, vendors, and their employees, granted access to data/information retained by the Corporation are required to certify annually that they shall comply with the established information security protocols pertaining to Corporation data/information. Further, all individuals granted access to Corporation Confidential Data/Information retained by the Corporation must certify annually that they will comply with the information security protocols pertaining to Confidential Data/Information. Completing the appropriate section of the Staff Technology Acceptable Use and Safety form shall provide this certification.

All Board members, staff members/employees, students, contractors/vendors, and visitors who have access to Board-owned or managed data/information must maintain the **safety and** security of that data/information and the Corporation Technology Resources on which it is stored.

If an individual has any questions concerning whether this policy and/or its related administrative guidelines apply to him/her or how they apply to him/her, the individual should contact the Corporation's Technology Director or Information Technology Department/Office.

The Board authorizes the Superintendent to develop administrative guidelines that set forth the internal controls necessary to provide for the collection, classification, retention, access, and security of Corporation Data/Information. ~~Further, the Superintendent is authorized to develop procedures that would be implemented in the event of an unauthorized release of data/information. These procedures shall comply with the Corporation's legal requirements if such a breach of personally identifiable information occurs.~~ **Within the established administrative guidelines, the Superintendent will determine a method for maintaining a repository of cybersecurity incidents.**

**Further, the Superintendent is authorized to develop procedures that would be implemented in the event of an unauthorized release of data/information. These procedures shall comply with the Corporation's legal requirements if such a breach of personally-identifiable information occurs.**

The Superintendent shall require the participation of staff members in appropriate training related to the internal controls pertaining to the data/information that they collect, to which they have access, and for which they would be responsible for the security protocols.

Third-party contractors/vendors who require access to Corporation Confidential Data/Information will be informed of relevant Board policies that govern access to and use of Corporation Information Resources, including the duty to safeguard the confidentiality of such data/information.

Failure to adhere to this Policy and its related administrative guidelines ("AGs") may put Corporation data/information at risk. Employees who violate this policy and/or the administrative guidelines promulgated consistent with this policy may have disciplinary consequences imposed, up to and including termination of employment, and/or referral to law enforcement. Students who violate this Policy and/or AGs will be referred to the Corporation's disciplinary system and/or law enforcement. Contractors/vendors who violate this Policy and/or AGs may face termination of their business relationships with and/or legal action by the Corporation. Parents and visitors who violate this Policy and/or AGs may be denied access to Corporation Technology Resources.

The Superintendent shall conduct ( ) an annual (  ) a periodic **[END OF OPTION]** assessment of risk related to the access to and security of the data/information retained by the Corporation, as well as the viability of the Continuity of Organizational Operations Plan developed pursuant to Policy 8300.

**I.C. 4-13.1-1-1.3**

**I.C. 4-13.1-1-1.5**

**I.C. 4-13.1 -2-2**

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Legal	I.C. 4-13.1-1-1.3
	I.C. 4-13.1-1-1.5
	I.C. 4-13.1 -2-2



Book	Policy Manual
Section	Policies for the Board
Title	Copy of TRANSPORTATION
Code	po8600
Status	1st Reading
Adopted	February 28, 2006
Last Revised	March 22, 2021

#### 8600 - **TRANSPORTATION**

It is the policy of the School Board to provide transportation for students when the distance between their home and school makes the service advisable. This policy and any administrative guideline implementing it shall be implemented in compliance with Federal and State Law regulations of the Indiana State Board of Education and the State School Bus Committee.

Each September, the School Corporation must review the Corporation's school bus routes and school bus safety policies to improve the safety of students and adults.

School buses shall be purchased, housed, and maintained by the Board for the transportation of students between their home areas and the schools of the Corporation to which they are assigned. All use of tobacco-related products including smoking is prohibited on a school bus. A school bus is a motor vehicle that is designed and constructed for the accommodation of at least ten (10) passengers and used for the transportation of school children to and from school, school athletic games or contests, and other school functions. The term "school bus" does not include a privately owned automobile with a capacity of not more than five (5) passengers that is used for the purpose of transporting school children to and from school.

~~[ ] The Board may enter into a fleet contract with a fleet contractor under the provisions of Indiana law and such contracts may include a provision allowing the school bus drivers to be eligible for life and health insurance benefits and other fringe benefits available to other Corporation personnel.~~

~~[ ] The Board may enter into a fleet agreement with a transportation network company (TNC) to transport Corporation students if the Corporation conducts an expanded criminal history check and expanded child protection index check for every TNC driver who will transport Corporation students.~~

A special purpose bus is any motor vehicle designed and constructed for the accommodation of more than ten (10) passengers that meets the Federal school bus safety standards, except the requirement for stop arms and flashing lights, and that is used by the Board for transportation purposes not appropriate for school buses. A special purpose bus is not required to be constructed, equipped, or painted as specified for regular school buses.

A special purpose bus may not be used to provide transportation of school children between their residence and school (except for persons enrolled in a special program, i.e., for the habilitation or rehabilitation of students with developmental disabilities, orthopedic impairment, or multiple disabilities between their residence and the school).

A special purpose bus may be used to transport students and their supervisors, including coaches, managers, and sponsors to athletic, other extracurricular school activities, and field trips.

A special purpose bus may be used to transport homeless or foster students. If more than seven (7) students are being transported to schools in the same school corporation, a school bus or a special purpose bus must be used. If seven (7) or fewer students are being transported to schools in the same school corporation, a special purpose bus or an "appropriate vehicle" may be used to transport the students. The driver must meet the qualifications for the driver of a school bus or special purpose bus is used.

An "appropriate vehicle" is defined as a vehicle that:

- A. is owned by the School Corporation or contracted for by the Corporation and
- B. has a seating capacity of not more than eight (8) passengers including the driver. The term "appropriate vehicle" includes a car, truck, sport utility vehicle, or minivan.

A special purpose bus may be used to transport students for career and technical education programs. If more than seven (7) students are being transported to or from a career and technical education program, a school bus or a special purpose bus must be used. If seven (7) or fewer students are being transported to or from a career and technical education course an appropriate vehicle may be used to transport the students. The driver of the vehicle used to transport students to or from technical education programs must meet the qualifications for a driver of a school bus or special purpose bus set forth in State statute, as applicable, if a school bus or special purpose bus is used. A special purpose bus may be used to transport students from school to school or to/from school and a career and technical education program but may not be used to transport students between their residence and a career and technical education program.

An "appropriate vehicle" is defined as a vehicle that:

- A. is owned by the Corporation or contracted for by the Corporation; and
- B. has a seating capacity of not more than eight (8) passengers including the driver.

The term "appropriate vehicle" includes a car, truck, sport utility vehicle, or minivan.

If the special purpose bus has a capacity of less than sixteen (16) passengers, the operator must hold a valid operator's, chauffeurs, commercial drivers, or public passenger chauffeur's license. If the special purpose bus has a capacity of more than fifteen (15) passengers, or is used to provide transportation

- A. between an individual's residence and the school for an individual enrolled in a special program for the habilitation or rehabilitation of persons with a developmental or physical disability, and, if applicable, the individual's sibling;
- B. between an individual's residence and the preschool facility site for preschool children who attend preschool offered by the Corporation; or
- C. between an individual's residence and the program for persons with a developmental disability for persons with a developmental disability; the operator must meet the requirements of a regular school bus driver.

Transportation of eligible vocational or special education children between their home areas and schools outside the Corporation shall be arranged through the use of Corporation-owned vehicles, through cooperation with other Corporations, through commercial carriers, and/or by other means in the most efficient and economical manner.

The Board shall provide transportation to non-public school students with legal settlement in the Corporation when seats are available on a bus on an existing route. This transportation shall be provided without charge when the Board does not incur additional expense, and shall be to and from the students' non-public school or the point on an established bus route that is nearest or most easily accessible to the non-public school.

Vehicle routes shall be established so that an authorized vehicle stop is available within reasonable walking distance of the home of a student entitled to transportation services.

The Board authorizes the installation and use of video recording devices in the school buses to assist the drivers in providing for the safety and well-being of the students while on a bus.

If the vehicle is equipped with safety belts that meet the standards stated in Federal Motor Vehicle Safety Standard Number 208 (49 CFR 571.208) and are standard equipment installed by the manufacturer, then each occupant shall have a safety belt properly fastened around his/her body at all times when the vehicle is in forward motion, as required by State statute.

If a school bus driver must load or unload an elementary school student at a location that requires the student to cross a roadway that is a U.S. route or state route, the Superintendent shall present the school bus route to the Board for approval.

Revised 11/28/06

Revised 3/22/10

Revised 3/26/12

Revised 6/20/16

Revised 2/25/19

Revised 10/28/19

Revised 6/22/20

[.C. 9-13-2-161 \("school bus" defined\)](#)

[I.C. 9-19-10-2 \(use of safety belt by motor vehicle occupants\)](#)

[I.C. 9-21-12 \(school bus operation\)](#)

[I.C. 16-41-37-2.3 \("school bus" defined, smoking prohibited\)](#)

[I.C. 16-41-37-4 \("school bus" defined, smoking prohibited\)](#)

[I.C. 20-18-2-1.7 \(definition of appropriate vehicle\)](#)

[I.C. 20-26-5-4\(a\)\(5\) \(purchase of buses\) and \(8\) \(employ drivers\)](#)

[I.C. 20-27-3 \(State School Bus Committee\)](#)

[I.C. 20-27-5-6 \(definition of appropriate vehicle\)](#)

[I.C. 20-27-9 \(use of school buses\)](#)

[I.C. 20-27-11-1](#)

[I.C. 20-27-10-0.5](#)

[I.C. 20-27-12-0.1](#)

[I.C. 20-27-12-0.3](#)

[I.C. 20-27-12-5](#)

[Hoagland v. Franklin Township Community School Corporation, No. 49S02-1410-PL-643, 27](#)

[N.E.3d 737 \(Ind. 2015\) \(school corporation may discontinue transportation services for students\)](#)

[Archdiocese of Indpls. v. MSD of Lawrence Twp., 945 N.E.2d 757 \(Ind. App. 2011\); Frame v.](#)

[South Bend Schools, 480 N.E.2d 261 \(Ind. App. 1985\) \(transporting non-public school students\)](#)



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I.C. 16-41-37-2.3, 16-41-37-4 ("school bus" defined, smoking prohibited)

I.C. 9-13-2-161 ("school bus" defined)

I.C. 9-21-12 (school bus operation)

I.C. 20-26-5-4(a)(5) (purchase of buses) and (8) (employ drivers)

I.C. 20-27-3 (State School Bus Committee)

I.C. 20-27-9 (use of school buses)

I.C. 20-27-10-0.5

I.C. 20-27-11-1

I.C. 20-27-12-0.1

I.C. 20-27-12-0.3

I.C. 20-27-12-5

Hoagland v. Franklin Township Community School Corporation, No. 49S02-1410-PL-643, 27 N.E.3d 737 (Ind. 2015) (school corporation may discontinue transportation services for students)

Archdiocese of Indpls. v. MSD of Lawrence Twp., 945 N.E.2d 757 (Ind. App. 2011); Frame v. South Bend Schools, 480 N.E.2d 261 (Ind. App. 1985) (transporting non-public school students)



Book	Policy Manual
Section	Policies for the Board
Title	Copy of VACANCIES
Code	po0142.3
Status	1st Reading
Adopted	February 28, 2006
Last Revised	February 23, 2015

#### 0142.3 - **VACANCIES**

The position of a **School** Board member shall become vacant upon the occurrence of any one (1) of the following events:

- A. death of the member is certified by the clerk of the circuit court (I.C. 5-8-6 and I.C. 20-26-4-4.5(e))
- B. failure of a sufficient number of petitions for candidates for Board membership being filed for an election (I.C. 20-26-4-4(e))
- C. a member submits a written resignation from the Board to the clerk of the circuit court pursuant to I.C. 5-8-3.5-1(a)(4)
- D. a member is convicted of a felony
- E. a member's election or appointment is declared void by a competent tribunal
- F. the winner of an election fails to take the oath of office required by I.C. 20-26-4-3-2
- G. a member ceases to possess the legal qualifications for continuing to hold office
- H. a member ceases to be a resident of the Corporation (I.C. 20-23-4-30(e)) (applicable to community school corporations only)
- I. a member is removed from office by action of the Circuit Court pursuant to I.C. 5-8-1-35
- J. a court enters an order removing a member from office based upon a conviction for bribery or official misconduct under I.C. 35-50-5-1.1
- K. a member is convicted of any crime against the laws of the United States where the sentence imposed exceeds six (6) months, (evading the Selective Service Act), engaging in conspiracy or an attempt to defraud the government of the United States, or seditious utterances in violation of the laws of the United States (I.C. 5-8-3-1)
- L. a member voluntarily became intoxicated within the business hours of the Board, or is in the habit of becoming intoxicated by the use of intoxicating liquors and is removed from office under I.C. 34-17 (I.C. 5-8-2-1)

#### **Filling a Board Vacancy**

A vacancy shall be filled by the remaining members of the Board within thirty (30) days after the vacancy occurs. If a tie vote occurs among the remaining members of the Board or between candidates for the Board under I.C. 3-12-9-4, or the remaining members of the remaining Board members fail to fill a vacancy on the Board within thirty (30) days after any vacancy occurs, the judge of the circuit court shall make an appointment to fill the vacancy. (I.C. 20-23-4-30~~(d)~~(c)(1) & (2))

Revised 4/23/12

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Legal I.C. 5-8-1-35, 5-8-3.5-1  
I.C. 20-23-4-30



Book	Policy Manual
Section	Policies for the Board
Title	New Policy - Vol. 34, No. 2 - April 2022 - STAFF-STUDENT RELATIONS
Code	po1213.01
Status	1st Reading

## New Policy

### 1213.01 - STAFF-STUDENT RELATIONS

The School Board wants to maintain a safe and healthy educational environment for students attending the School Corporation. The interactions between Corporation employees and its students are of paramount concern. This policy addresses appropriate boundaries between Corporation employees and its students.

#### Sexual Relationships with Students Prohibited

Sexual conduct with or sexual relationships with students by a Corporation employee are prohibited. Any teacher, administrator, coach, school official, or staff member who engages in sexual conduct with a student may be disciplined, up to and including termination. That person's conduct also may constitute the crime of:

- A. "sexual battery," under I.C. 35-42-4-8; or
- B. "child molesting" under I.C. 35-42-4-3 in the case of a child under fourteen (14) years of age; or
- C. "sexual misconduct with a minor" under I.C. 35-42-4-9 in the case of a child between the ages of fourteen (14) and sixteen (16).

The issue of consent is irrelevant in regard to the latter two (2) criminal charges. Any conduct that may constitute a crime shall be reported to local law enforcement.

Any employee accused of sexual conduct or a sexual relationship with a student (  ) may (  ) will **[not recommended]** **[end of option]** be placed on leave until school administrative proceedings are completed. Proven sexual relationships with a student, regardless of the age of the student, will initiate the termination process for the employee.

#### Allegations Constituting Criminal Conduct or Child Abuse/Sexual Misconduct

The Corporation's administrators, including a Compliance Officer or designee, shall report to local law enforcement any conduct that may constitute a crime upon receiving a report of such conduct.

State law requires any teacher or school employee who knows or suspects that a child under the age of eighteen (18) is a victim of child abuse or neglect to report that knowledge or suspicion to the Department of Child Services ("DCS") immediately.

Allegations made during harassment investigations:

If, during the course of a harassment investigation, a Compliance Officer or a designee has reason to believe or suspect that the alleged conduct may constitute abuse or neglect of a child, a report must be made to DCS in accordance with State law and Board Policy.

If, during the course of a harassment investigation, a Compliance Officer or a designee has reason to believe or suspect that the conduct reported may constitute a crime, a report must be made to local law enforcement.

Reports made to DCS or to local law enforcement do not terminate a Compliance Officer's or a 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.

**[DRAFTING NOTE: PROVISIONS BELOW ARE OPTIONAL, AND THE BOARD MUST DECIDE WHAT TO INCLUDE]**

**Inappropriate Boundary Invasions by Corporation Employees**

The Board prohibits inappropriate boundary invasions by a Corporation employee into a student's personal space and personal life.

**[DRAFTING NOTE: The Board may elect to include no, some, or all examples of boundary invasions as identified below.]**

[ ] Examples of inappropriate boundary invasions include but are not limited to the following:

- A.  hugging, kissing, or other inappropriate physical conduct with a student;
- B.  telling sexual jokes to students;
- C.  engaging in talks containing sexual innuendo or banter with students;
- D.  talking about sexual topics that are not related to curriculum;
- E.  showing pornography to a student;
- F.  taking an undue interest in a student to develop a romantic or inappropriate personal relationship (i.e., having a "special friend" or "special relationship");
- G.  initiating or extending contact with students beyond the school day for personal purposes;
- H.  using email, text messaging, websites, or other social media services to discuss personal topics or interests with students;
- I.  giving students rides in the staff member's personal vehicle or taking students on personal outings without administrator approval;
- J.  invading a student's privacy (e.g., walking in on the student in the bathroom or locker room or asking about bra sizes or previous sexual experience);
- K.  going to a student's home or vice versa for romantic or inappropriate personal reason for non-educational purposes;
- L.  inviting students to the staff member's home without proper chaperones (i.e., another staff member or the student's parent);

- M.  giving gifts or money to a student for no educational purpose;
- N.  accepting gifts or money from a student for no legitimate educational purpose (this does not include gifts given at Christmas or at the end of the year as a "thank you" to the staff member);
- O.  being overly touchy with students;
- P.  favoring certain students by inviting them to come to the classroom at non-class times;
- Q.  pulling a student out of class to visit with the staff member;
- R.  providing advice to or counseling a student regarding a personal problem (e.g., problems related to sexual behavior, substance abuse, mental or physical health, or family relationships) unless properly licensed and authorized to do so;
- S.  talking to a student about problems that normally would be discussed with adults (e.g., marital issues);
- T.  being alone with a student behind closed doors without a legitimate educational purpose;
- U.  telling a student "secrets" and having "secrets" with a student;
- V.  other similar activities or behavior:
1.  \_\_\_\_\_;
  2.  \_\_\_\_\_;
  3.  \_\_\_\_\_.

Disciplinary action, up to and including termination, may result from the violation of the above-stated boundary invasions.

**[END OF OPTION]**

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

The Superintendent will report to the Indiana 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, in accordance with Policy 3121, will 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.

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Legal	I.C. 31-33-5
	I.C. 35-42-4-3
	I.C. 35-42-4-8
	I.C. 35-42-4-9



Book	Policy Manual
Section	Policies for the Board
Title	Copy of MANDATORY CURRICULUM
Code	po2221
Status	1st Reading
Adopted	February 28, 2006
Last Revised	February 25, 2019

## 2221 - MANDATORY CURRICULUM

In compliance with the Indiana Code, the School Board directs the Superintendent to prepare, implement, and supervise courses of instruction in the following areas as stipulated in the Indiana Code and the regulations of the State Department of Education:

- A. The Constitution of the United States and Indiana in grades 6 through 12
- B. the system of government in Indiana and the United States, methods of voting, party structures, election laws, and the responsibilities of citizen participation in government and in elections in grades 6 through 12
- C. American History in high school
- D. safety education in grade 8
- E. the principles of hygiene and sanitary science in grade 5, at a minimum
- F. the spread of disease by rats, flies, and mosquitoes, and its effects, and of disease prevention by the proper selection and consumption of food
- G. the nature of alcoholic beverages, tobacco, prescription drugs, ~~narcotics~~, **controlled substances**, and their effects on the human system and society at large in grades K through 12
- H. ~~Acquired Immune Deficiency Syndrome (AIDS)~~ **Human Immunodeficiency Virus (HIV)**, and to the extent possible, instruction on other ~~dangerous~~ **serious** communicable diseases
- I. instruction on human sexuality or sexually transmitted diseases
- J. instruction regarding breast and testicular cancer, including the significance of early detection through self-examination, and in the case of breast cancer, regularly-scheduled mammograms in high school
- K. career ~~awareness~~ **and career development** in grades 1 - 12
- L. human donor program and blood donor program as part of the high school health education curriculum
- M. good citizenship instruction

- N. personal financial responsibility in grades 6 through 12
- O. instruction in cardiopulmonary resuscitation and use of an automated external defibrillator as part of the high school health education curriculum
- P. bullying prevention instruction not later than October 15 of each school year in grades 1 through 12 (see also Policy 5517.01)
- Q. child abuse and child sexual abuse education ~~for grades 2 through 5 during the 2017—2018 school year, and~~ for grades K through 12 by December 15 of each school year ~~beginning with the 2018—2019 school year~~ (see also Policy 8462)
- R. safety and security while using e-mail, chat rooms, social media, and other forms of direct electronic communications (see Policy 7540.03)
- S. the dangers inherent with the online disclosure of personally identifiable information (see Policy 7540.03)
- T. the consequences of unauthorized access (e.g. "hacking"), cyberbullying and other unlawful or inappropriate activities by students online (see Policy 7540.03)
- U. morals instruction
- V. instruction in Language Arts, Mathematics, Social Studies **and Citizenship**, Sciences, Fine Arts, Health Education and Physical Fitness, and ~~beginning after June 30, 2021~~ **e**Computer **s**Science
- W. instruction in cardiopulmonary resuscitation and use of an automated external defibrillator as part of the high school health education curriculum
- X. daily physical activity, which may include recess for students in full day kindergarten programs and other students in elementary school
- Y. Indiana studies as an elective course in high school**
- Z. ethnic studies as an elective course in high school**
- AA. civics in grade 6, 7, or 8 for all students entering grade 6 beginning in the 2023-2024 school year**

The Superintendent shall prepare appropriate guidelines relative to the planning, teaching, and evaluation of these courses and ensure that each teacher present his/her instruction with special emphasis on honesty, morality, courtesy, obedience to the law, respect for the national flag, the constitutions of the United States and Indiana, respect for parents and the home, the dignity and necessity of honest labor, and other lessons of a steadying influence, which tend to promote and develop upright and desirable citizenry.

The Superintendent is prohibited from offering, supporting, or promoting any student program, class, or activity that provides student instruction that is contrary to a curriculum required to be provided to students under I.C. 20-30-5, set forth above.

When required by law, the Board shall approve the course of instruction.

Revised 3/22/10  
 Revised 10/27/14  
 Revised 2/23/15



Revised 6/20/16

Revised 2/26/18

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Legal

I.C. 20-19-3-10 and 11

I.C. 20-30-5

511 I.A.C. Article 6

Communications Act of 1934, as amended (2003)

15 U.S.C. §§ 6551, Title II of the Broadband Data Improvement Act (aka Protecting Children in the 21st Century Act)

18 U.S.C. 2246

18 U.S.C. 2256

20 U.S.C. 6801 et seq., Part F, Elementary and Secondary Education Act of 1965, as amended (2003)

20 U.S.C. 6777

20 U.S.C. 9134 (2003)

47 C.F.R. Part 54

Cross  
References

20 U.S.C. 7131, Internet Safety



Book	Policy Manual
Section	Policies for the Board
Title	Copy of NONDISCRIMINATION AND ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY
Code	po2260
Status	1st Reading
Adopted	February 28, 2006
Last Revised	November 22, 2021

## 2260 - **NONDISCRIMINATION AND ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY**

Any form of discrimination or harassment can be devastating to an individual's academic progress, social relationship, and/or personal sense of self-worth.

As such, the School Board of the New Prairie United School Corporation does not discriminate on the basis of race, color, national origin, sex (including gender status, sexual orientation or gender identity), disability, age,(except as authorized by law), religion, military status, ancestry, or genetic information (collectively, "Protected Classes") in it's educational programs or activities.

The Board also does not discriminate on the basis of Protected Classes in its employment policies and practices as they relate to students, and does not tolerate harassment of any kind.

The Corporation will identify, evaluate, and provide a free appropriate public education to students with disabilities who are determined eligible for special education and related services under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973 (Section 504).

Equal educational opportunities shall be available to all students, without regard to the Protected Classes, including age (unless age is a factor necessary to the normal operation or the achievement of any legitimate objective of the program/activity), place of residence within the boundaries of the Corporation, or social or economic background, to learn through the curriculum offered in this Corporation. Educational programs shall be designed to meet the varying needs of all students. Educational programs shall be designed to meet the varying needs of all students.

The Corporation's educational programs include the academic and nonacademic setting. Each qualified student with a disability shall be educated with students without disabilities to the maximum extent appropriate. In the nonacademic setting, a student with a disability shall participate with students without disabilities to the maximum extent appropriate.

Notice of the Board's policy on nondiscrimination and the identity of the Corporation's Compliance Officer(s) (see below) will be published on the Corporation's website, posted throughout the Corporation, and included in the Corporation's recruitment statements or general information publications.

### **Principal's Responsibilities**

Each Principal shall verify that the procedures used with students and parents for selection of and participation in any part of the Corporation's academic, co-curricular, or extra-curricular programs do not discriminate on the basis of the Protected Classes.

## **Superintendent's Responsibilities**

In order to achieve the aforesaid goal, the Superintendent shall:

### **A. Curriculum Content**

review current and proposed courses of study and textbooks to detect any bias based upon the Protected Classes ascertaining whether or not supplemental materials, singly or taken as a whole, fairly depict the contribution of both genders, various races, ethnic groups, etc. toward the development of human society;

### **B. Staff Training**

develop an ongoing program of in-service training for school personnel designed to identify and solve problems of bias based upon the Protected Classes in all aspects of the program;

### **C. Student Access**

1. review current and proposed programs, activities, facilities, and practices to verify that all students have equal access thereto and are not segregated on the basis of the Protected Classes in any duty, work, play, classroom, or school practice, except as may be permitted under State and Federal laws and regulations;
2. verify that facilities are made available, in accordance with Board Policy 7510 – Use of Corporation Facilities, for non-curricular student activities that are initiated by parents or other members of the community, including but not limited to any group officially affiliated with the Boy Scouts of America or any other youth group listed in Title 36 of the United States Code as a patriotic society;
3. verify that the educational programs of this Corporation are accessible to all students. All programs need to be designed and scheduled so the location or nature of the facility or area will not deny an otherwise qualified student with a disability the opportunity to participate in the academic or other school programs on the same basis as students without disabilities;
4. require that service animals for students who require this type of assistance shall be permitted access to all facilities, programs, and events of the Corporation.

### **D. Corporation Support**

verify that like aspects of the Corporation program receive like support as to staff size and compensation, purchase and maintenance of facilities and equipment, access to such facilities and equipment, and related matters;

### **E. Student Evaluation**

verify that tests, procedures, and guidance and counseling materials, which are designed to evaluate student progress, rate aptitudes, analyze personality, or in any manner establish or tend to establish a category by which a student may be judged, are not differentiated or stereotyped on the basis of the Protected Classes.

## **Definitions**

Words used in this policy shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.

**Complainant** is the individual who alleges or is alleged to have been subjected to unlawful discrimination/retaliation, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged discrimination/retaliation.

**Respondent** is the individual who is alleged to have engaged in unlawful discrimination/retaliation, regardless of whether the Reporting Party files a formal complaint or is seeking an informal resolution to the alleged discrimination/retaliation.

**Corporation community** means students, Corporation employees (i.e., administrators and professional and classified staff), and Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

**Third Parties** include but are not limited to guests and/or visitors on Corporation 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 Corporation community at school-related events/activities (whether on or off Corporation property).

**Day(s):** Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the Corporation office is open for normal operating hours, Monday – Friday, excluding State-recognized holidays).

**"Military status"** refers to a person's status in the uniformed services, which includes the performance of duty on a voluntary or involuntary basis in a uniformed service, including active duty, active duty for training, initial active duty for training, inactive duty for training, and full-time National Guard duty. It also includes the period of time for which a person is absent from school for the purpose of an examination to determine the fitness of the person to perform any duty listed above.

### **Corporation Compliance Officer(s)**

The Board designates the following individuals to serve as the Corporation's "Compliance Officers" (also known as "Civil Rights Coordinators") (hereinafter referred to as the "COs").

Superintendent  
5327 N Cougar Road  
New Carlisle, IN 46552  
574-654-7273

Superintendent's Designee  
5327 N Cougar Road  
New Carlisle, IN 46552  
574-654-7273

The names, titles, and contact information of these individuals will be published annually on the Corporation's website and on each individual school's website.

The COs are responsible for coordinating the Corporation's efforts to comply with applicable Federal and State laws and regulations, including the Corporation's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination, retaliation, or denial of equal access. The COs also shall verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and VII of the Civil Rights Act of 1964, 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. A copy of each of the Acts and regulations on which this notice is based may be found in the CO's office.

The Superintendent shall annually attempt to identify children with disabilities, ages 3-22, who reside in the Corporation but do not receive public education.

The Board is committed to educating (or providing for the education of) each qualified individual with a disability with individuals without disabilities to the maximum extent appropriate. Generally, the Corporation will place an individual with a disability in the general education environment unless it is demonstrated that the education of the individual in the general education environment, even with the use of supplementary aids and services, cannot be achieved satisfactorily. If the Board operates a separate class or facility that is identified as being provided for individuals with disabilities, the facility, program, and activities and services must be comparable to the facilities, programs, and activities and services offered to students without disabilities.

In addition, the Superintendent shall establish procedures to identify English Learner (EL) students, including immigrant children and youth, to assess their ability to participate in Corporation programs and develop and administer a program that meets the English language and academic needs of these students. This program shall include procedures for student placement, services, evaluation, and exit guidelines and shall be designed to provide students with effective instruction that leads to academic achievement and timely acquisition of proficiency in English. As a part of this program, the Corporation will evaluate the progress of students in achieving English language proficiency in the areas of listening, speaking, reading, and writing on an annual basis (see AG 2260F).

### **Reports and Complaints of Unlawful Discrimination and Retaliation**

Students and Corporation employees are required, and all other members of the Corporation community and Third Parties are encouraged, to promptly report incidents of unlawful discrimination and/or retaliation to an administrator, supervisor, or other Corporation official so that the Board may address the conduct. Any teacher, administrator, supervisor, or other Corporation employee or official who receives such a complaint shall file it with the CO within two (2) business days.

Members of the Corporation community, which includes students or Third Parties, who believe they have been unlawfully discriminated/retaliated against are entitled to utilize the complaint process set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the Complainant's employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints 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.

If during an investigation of alleged bullying, aggressive behavior and/or harassment in accordance with Policy 5517.01 - Bullying, the Principal believes that the reported misconduct may constitute unlawful discrimination based on a Protected Class, the Principal shall report the act to one of the COs, who shall investigate the allegation in accordance with this policy. While the CO investigates the allegation, the Principal shall suspend the Policy 5517.01 investigation to await the CO's written report. The CO shall keep the principal informed of the status of the Policy 2260 investigation and provide the Principal with a copy of the resulting written report.

The COs will be available during regular school/work hours to discuss concerns related to unlawful discrimination/retaliation. COs shall accept reports of unlawful discrimination/retaliation directly from any member of the Corporation community or a Third Party and reports that initially are made to another Corporation employee. Upon receipt of a report of alleged discrimination/retaliation, the CO will contact the Complainant and begin either an informal or formal complaint process (depending on the Complainant's request and the nature of the alleged discrimination/retaliation) or designate a specific individual to conduct such a process.

The CO will provide a copy of this policy to the Complainant and the Respondent. In the case of a formal complaint, the CO will prepare recommendations for the Superintendent or oversee the preparation of such recommendations by a designee. All members of the Corporation community must report incidents of discrimination/retaliation that are reported to them to the CO within two (2) business days of learning of the incident/conduct.

Any Corporation employee who directly observes unlawful discrimination/retaliation of a student is obligated, in accordance with this policy, to report such observations to one of the COs within two (2) business days. Additionally, any Corporation employee who observes an act of unlawful discrimination/retaliation is expected to intervene to stop the misconduct, unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Corporation employees and/or local law enforcement officials, as necessary, to stop the misconduct. Thereafter, the CO/designee must contact the Complainant if age eighteen (18) or older or the Complainant's parents/guardians if the student is under the age of eighteen (18) within two (2) school days to advise of the Board's intent to investigate the alleged wrongdoing.

### **Investigation and Complaint Procedures (see Form 2260 F2)**

Except for sex discrimination and/or Sexual Harassment that is covered by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities, any student who alleges to have been subjected to unlawful discrimination or retaliation may seek resolution of the complaint through the procedures described below. The formal complaint procedures involve an investigation of the

individual's claims of discrimination/retaliation and a process for rendering a decision regarding whether the charges are substantiated.

Due to the sensitivity surrounding complaints of unlawful discrimination or retaliation, timelines are flexible for initiating the complaint process; however, individuals are encouraged to file a complaint within thirty (30) calendar days after the conduct occurs. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) business days of the complaint being received).

The procedures set forth below are not intended to interfere with the rights of a student to pursue a complaint of unlawful discrimination or retaliation with the United States Department of Education Office for Civil Rights ("OCR") or the Indiana Civil Rights Commission ("ICRC"). The Chicago Office of the OCR can be reached at John C. Kluczynski Federal Building, 230 S. Dearborn Street, 37th Floor Chicago, IL 60604; Telephone: 312-730-1560; FAX: 312-730-1576; TDD: 800-877-8339; Email: OCR.Chicago@ed.gov; Web: <http://www.ed.gov/ocr>.

### **Informal Complaint Procedure**

The goal of the informal complaint procedure is to stop inappropriate behavior promptly and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student who alleges unlawful discrimination or retaliation. This informal procedure is not required as a precursor to the filing of a formal complaint. The informal process is available only when the Complainant and the Respondent mutually agree to participate in it.

The Complainant may proceed immediately to the formal complaint process, and individuals who participate in the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

All complaints involving a Corporation employee or any other adult member of the Corporation community and a student will be investigated formally.

As an initial course of action, if a Complainant feels comfortable and safe doing so, the individual should tell or otherwise inform the Respondent that the allegedly discriminatory/retaliatory conduct that it is inappropriate and must stop. The Complainant should address the alleged misconduct as soon after it occurs as possible. The COs are available to support and counsel the Complainant when taking this initial step or to intervene on behalf of the individual if requested to do so. A Complainant who is uncomfortable or unwilling to approach the Respondent directly about the inappropriate conduct may file an informal or a formal complaint.

In addition, with regard to certain types of unlawful discrimination (e.g., sex discrimination), the CO may advise against the use of the informal complaint process.

A Complainant who alleges unlawful discrimination/retaliation may make an informal complaint, either orally or in writing: 1) to a building administrator in the school the student attends; 2) directly to one of the COs; or 3) to the Superintendent or other Corporation-level employee.

All informal complaints must be reported to one of the COs, who either will facilitate an informal resolution as described below or appoint another individual to facilitate an informal resolution.

The Corporation's informal complaint procedure is designed to provide the Complainant with a range of options aimed at bringing about a prompt resolution of Complainant's concerns. Depending upon the nature of the complaint and the Complainant's wishes, informal resolution may involve, but is not limited to one or more of the following:

- A. Advising the Complainant about how to communicate concerns to the Respondent.
- B. Distributing a copy of Policy 2260 Nondiscrimination and Access to Equal Educational Opportunity to the individuals in the school building or office where the Respondent works or attends school.

- C. If both parties agree, the CO may arrange and facilitate a meeting or mediation between the Complainant and the Respondent to work out a mutual resolution.

While there are no set time limits within which an informal complaint must be resolved, the CO or designee is directed to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint.

If the Complainant is dissatisfied with the informal complaint process, the Complainant may proceed to file a formal complaint. And, as stated above, either party may request that the informal process be terminated at any time to move to the formal complaint process.

### **Formal Complaint Procedure**

If a complaint is not resolved through the informal complaint process, if one of the parties requested that the informal complaint process be terminated to move to the formal complaint process, the Complainant elects to file a formal complaint from the outset, or the CO determines the allegations are not appropriate for resolution through the informal process, the formal complaint process shall be implemented.

A Complainant may file a formal complaint, either orally or in writing, with a Principal, the CO, the Superintendent, or other Corporation-level official.

Due to the sensitivity surrounding complaints of unlawful discrimination, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a formal complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available. If a Complainant informs a teacher, Principal, or other Corporation official at the student's school, Superintendent, or other Corporation employee, either orally or in writing, about any complaint of discrimination/retaliation, that employee must report such information to the CO within two (2) business days.

Throughout the course of the process, the CO should keep the parties reasonably informed of the status of the investigation and the decision-making process.

All formal complaints must include the following information to the extent known: the identity of the Respondent; a detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); a list of potential witnesses; and the resolution sought by the Complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the CO shall ask for such details in an oral interview. Thereafter, the CO will prepare a written summary of the oral interview, and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the CO will consider whether any action should be taken in the investigatory phase to protect the Complainant from further discrimination or retaliation, including, but not limited to a change of work assignment or schedule for the Complainant and/or the person who allegedly engaged in the misconduct. In making such a determination, the CO should consult the Complainant to assess whether the individual agrees with the proposed action. If the Complainant is unwilling to consent to the proposed change, the CO still may take whatever actions are deemed appropriate in consultation with the Superintendent.

Within two (2) business days of receiving the complaint, the CO or designee will initiate a formal investigation to determine whether the Complainant has been subjected to unlawful discrimination/retaliation.

Simultaneously, the CO will inform the Respondent that a formal complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including Policy 2260-Nondiscrimination and Access to Equal Educational Opportunity. The Respondent also must be informed of the opportunity to submit a written response to the formal complaint within five (5) business days.

Although certain cases may require additional time, the CO or designee will attempt to complete an investigation into the allegations of discrimination/retaliation 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 reasonably may be expected to have any information relevant to the allegations;  
and,
- D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, CO or designee shall prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful discrimination/retaliation as provided in Board policy and State and Federal law as to whether the Respondent has engaged in unlawful harassment/retaliation of the Complainant. The COs recommendations must be based upon the totality of the circumstances, including the ages and maturity levels of those involved. In determining if unlawful discrimination or retaliation occurred, a preponderance of evidence standard will be used. The CO may consult with the Board's legal counsel before finalizing the report to the Superintendent.

Absent extenuating circumstances, within five (5) business days of receiving the report of the CO or designee, the Superintendent either must issue a decision regarding whether the charges have 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 must be completed within five (5) days. At the conclusion of the additional investigation, the Superintendent must issue a final written decision as described above.

If the Superintendent determines the Respondent engaged in unlawful discrimination/retaliation against the Complainant, the Superintendent must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the discrimination/retaliation. The corrective action should be reasonable, timely, age-appropriate, effective, and tailored to the specific situation.

A Complainant or Respondent who is dissatisfied with the final decision of the Superintendent may appeal through a signed written statement to the Board within five (5) business days of the party's receipt of the Superintendent's decision.

In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representatives within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting. The decision of the Board will be final.

The Board reserves the right to investigate and resolve a complaint or report of unlawful discrimination/retaliation regardless of whether the Complainant pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

The parties may be represented, at their own cost, at any of the above-described interviews/meetings.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies, such as the filing of a complaint with the OCR or the ICRC, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies.

### **Privacy/Confidentiality**



The Corporation will employ all reasonable efforts to protect the rights of the Complainant, the Respondent(s), and the witnesses as much as possible, consistent with the Corporation's legal obligations to investigate, take appropriate action, and comply with any discovery or disclosure obligations.

All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided the Complainant's identity.

During the course of a formal investigation, the CO or designee will instruct each person who is interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of an investigation is expected not to disclose to third parties any information that is learned or provided during the course of the investigation.

### **Remedial Action and Monitoring**

If warranted, appropriate remedial action shall be determined and implemented on behalf of the Complainant, including but not limited to counseling services, reinstatement of leave taken because of the discrimination, the opportunity to complete assignments missed due to absences related to the discrimination, or other appropriate action.

The Board may appoint an individual, who may be a Corporation employee, to follow up with the Complainant to ensure no further discrimination or retaliation has occurred and to take action to address any reported occurrences promptly.

### **Sanctions and Disciplinary Action**

The Board shall vigorously enforce its prohibitions against unlawful discrimination/retaliation by taking appropriate action reasonably calculated to stop and prevent further misconduct.

While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and the terms of any relevant collective bargaining agreement or student code of conduct.

When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the age and maturity level of any student involved. In those cases where unlawful discrimination/retaliation is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of any relevant collective bargaining agreement or student code of conduct.

Where the Board becomes aware that a prior disciplinary action has been taken against the Respondent, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effect.

### **Retaliation**

~~Retaliation against a person who (1) makes a report or files a complaint alleging unlawful discrimination occurring in the Corporation's educational opportunities, programs and/or activities, or, if initially occurring off Corporation grounds or outside the Corporation's educational opportunities, programs and activities, affecting the Corporation environment, or (2) participates as a witness in an investigation, is prohibited.~~

~~Specifically, the Board will not discriminate/retaliate against, coerce, intimidate, threaten or interfere with any individual because s/he opposed any act or practice made unlawful by Federal or State nondiscrimination laws, made a charge, testified, assisted or participated in any manner in an investigation, proceeding, or hearing under those laws, or exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws.~~

Retaliation against a person who makes a report or files a complaint alleging unlawful harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce or interfere with

any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, made a report, formal complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws or this policy, or exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws or this policy.

Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in the imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under this policy.

~~Individuals found to have engaged in retaliation shall be subject to disciplinary action, up to and including termination of employment or expulsion from school.~~

### Education and Training

~~The Compliance Officers also will oversee the training of Corporation employees so that all employees understand their rights and responsibilities under Federal and State law and are informed of the Board's policies and practices with respect to fully implementing and complying with the requirements of Federal and State law.~~

In support of this policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent shall provide appropriate information to all members of the Corporation community related to the implementation of this policy and shall provide training for Corporation students and staff where appropriate. All training and information provided regarding the Board's policy and discrimination in general will be age and content appropriate.

### Retention of Investigatory Records and Materials

The CO is responsible for overseeing the retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and received as part of an investigation, which may include but are not limited to:

- A. all written reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- B. any narratives that memorialize oral reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- C. any documentation that memorializes the actions taken by Corporation personnel or individuals contracted or appointed by the Board to fulfill its responsibilities related to the investigation and/or the Corporation's response to the alleged violation of this policy;
- D. written witness statements;
- E. narratives, notes from, and audio, video, or digital recordings of witness interviews/statements;
- F. e-mails, texts, and social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after-the-fact commentary about or media coverage of the incident);

- G. notes and summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;
- H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;
- I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of this policy;
- J. documentation of any supportive measures offered and/or provided to the Complainant or the Respondent, including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;
- K. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;
- L. copies of the Board policy and procedures/guidelines used by the Corporation to conduct the investigation and any documents used by the Corporation at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Code of Conduct and/or Employee Handbooks);
- M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination, or harassment, or retaliation;

**[DRAFTING NOTE: The following options should be selected if the Corporation concludes that the following items are not adequately encompassed in the preceding paragraphs.]**

- N.  (X) documentation of any training provided to Corporation personnel related to this policy, including but not limited to notification of the prohibitions and expectations of staff set forth in this policy and the role and responsibility of all Corporation personnel involved in enforcing this policy, including their duty to report alleged violations of this policy and/or conduct an investigation of an alleged violation of this policy; **[REMINDER: Documentation of training should be maintained regardless of whether there is an investigation of an alleged violation of this policy. It is best practice to maintain a log of all staff members who participate in a training, along with the date, time, and location of the training, the name and title (or credentials) of the presenter, and a copy of the materials reviewed or presented during the training.]**
- O.  (x) documentation that any rights or opportunities that the Corporation made available to one party during the investigation were made available to the other party on equal terms;
- P.  (x) copies of any notices sent to the Respondent of the allegations constituting a potential violation of this policy;
- Q.  (x) copies of any notices sent to the Complainant and the Respondent in advance of any interview or meeting;
- R.  (x) copies of any documentation or evidence used during informal and formal disciplinary meetings and hearings, including the investigation report, and any written responses submitted by the Complainant or the Respondent.

The information, documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State (e.g., I.C. 5-14-3-4) law, such as student records and confidential medical records.

The documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years and longer if required by the Corporation's records retention schedule.

## Notice

Notice of the Board's policy on nondiscrimination in educational programs and the identity of the Compliance Officers will be posted throughout the Corporation and published in any Corporation statement regarding the availability of educational opportunities, in any student handbooks, and in general information publications of the Corporation as required by Federal and State law and this policy.

The Superintendent shall annually attempt to identify children with disabilities, ages 3-22, who reside in the Corporation but do not receive public education. In addition, s/he shall establish procedures to identify students who are Limited English Proficient (LEP), including immigrant children and youth, to assess their ability to participate in Corporation programs, and develop and administer a program that meets the English language and academic needs of these students. This program shall include procedures for student placement, services, evaluation and exit guidelines and shall be designed to provide students with effective instruction that leads to academic achievement and timely acquisition of proficiency in English. As a part of this program, the Corporation will evaluate the progress of students in achieving English language proficiency in the areas of listening, speaking, reading and writing, on an annual basis. (see AG-2260F).

Revised 2/27/12

Revised 7/22/13

Revised 6/20/16

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Legal

I.C. 20-33-1-1

Fourteenth Amendment, U.S. Constitution

20 U.S.C. 1701 et seq., Equal Educational Opportunities Act of 1974

20 U.S.C. 7905, Boy Scouts of America Equal Access Act

29 U.S.C. 794, Section 504 of the Rehabilitation Act of 1973, as amended

42 U.S.C. 2000 et seq., Civil Rights Act of 1964

42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act of 1973, as amended

42 U.S.C. 12101 et seq., The Americans with Disabilities Act of 1990, as amended

42 U.S.C. 6101 et seq., Age Discrimination Act of 1975

29 C.F.R. Part 1635

34 C.F.R. Part 110, The Age Discrimination Act Regulations

Guidelines for Vocational Education Programs, Department of Education, Office for Civil Rights, March 21, 1979



Book	Policy Manual
Section	Policies for the Board
Title	Copy of FLEX PROGRAM
Code	po2370.02
Status	1st Reading
Adopted	February 28, 2006
Last Revised	March 22, 2021

### 2370.02 - FLEX PROGRAM

The School Board recognizes the normal instructional program might not be appropriate for all students, therefore it authorizes the Superintendent to provide a flexible school program for select students.

In order to qualify to be enrolled in this program the student must be in grade eleven (11) or grade twelve (12) and meet any of the following:

- A. failed the ~~ISTEP~~ **State-mandated** graduation exam ~~at least two (2) times~~ **before July 1, 2022, or is not on track to complete a postsecondary readiness competency;**
- B. been determined to be chronically absent by ~~amassing more than~~ **missing ten percent (10%) or more of a** ~~unexcused absent days in one (1)~~ **school year for any reason;**
- C. been determined to be a habitual truant;
- D. been significant behind in credits for graduation **as identified by the school principal;**
- E. previously undergone at least a second suspension from school during the same school year;
- F. previously been expelled from school; or
- G. been determined by the principal and the student's parent to benefit by participating in the school flex program.

An eligible student who participates in a school flex program must:

- A. attend at least three (3) hours of instructional time per school day;
- B. pursue a timely graduation;
- C. provide evidence of college or technical career education enrollment and attendance or proof of employment and labor that is aligned with the student's career academic sequence under rules established by the ~~Indian Bureau of Child Labor~~ **Bureau of Youth Employment;**
- D. not be suspended nor expelled while participating in the school flex program;

- E. pursue course and credit requirements for an Indiana diploma with a general designation; diploma; and
- F. maintain a ninety-five percent (95%) attendance rate.

The instructional day shall consist of a minimum of three (3) hours of instructional time.

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Legal I.C. 20-30-2-2

Cross  
References I.C.20-30-2-2.2



Book	Policy Manual
Section	Policies for the Board
Title	Copy of SCHOOL ACCOUNTABILITY
Code	po2600
Status	1st Reading
Adopted	February 28, 2006

#### 2600 - **SCHOOL ACCOUNTABILITY**

In keeping with its philosophy that the purpose of education is to facilitate the development of the potential of each student, the Board encourages the implementation of a strategic and continuous school improvement and achievement plan.

The principal of each school must coordinate the development of an initial three (3) year strategic and continuous school improvement and achievement plan and coordinate an annual review of the plan. The initial plan and annual review must be made with input from a committee of persons interested in the school including administrators, teachers, parents and community and business leaders. Members of the committee shall be appointed by the principal, except teacher representatives shall be appointed according to state statutes.

The committee must submit a school's initial plan to the Superintendent by March 1st prior to the school year of implementation. The Superintendent:

- A. shall review the plan to ensure it aligns with the School Corporation's goals, objectives, and expectations;
- B. may make written recommendation for modifications to the plan;
- C. return the plan and any recommendations to the committee by April 1st.

The school committee may modify the plan to comply with the recommendations of the Superintendent and submit the final recommended plan to the Superintendent for Board approval by May 1st.

The plan shall lay out objectives for a three (3) year period and must be reviewed annually and revised to accomplish the achievement objectives of the school. The achievement objectives must be consistent with State academic standards and include improvement in at least the following areas:

- A. attendance rate
- B. the percentage of students meeting academic standards under the ~~ISTEP~~ State-mandated assessment program
- C. the graduation rate

The plan must address the learning needs of all students, including programs and services for exceptional students.

The plan must specify how and to what extent the school expects to make continuous improvement in all educational areas where results are measured by setting benchmarks on an individual school basis.

The plan is to note specific areas where improvement is needed immediately.

In developing a school's plan, the school's committee shall consider methods to improve the cultural competency of the school's teachers, administrators, staff, parents, and students.

The committee shall:

- A. identify the racial, ethnic, language-minority, cultural, exceptional learning, and socioeconomic groups that are included in the school's population;
- B. incorporate culturally appropriate strategies for increasing educational opportunities and educational performance for each group in the school's plan;
- C. recommend areas in which additional professional development is necessary to increase cultural competency in the school's educational environment.

The committee shall update annually the information identified in (A) above.

If a school has developed materials that are substantially similar to a component of the State mandated plan, the school may substitute those materials for the component of the mandated plan.

The Superintendent shall establish administrative guidelines for use in the development of the strategic and continuous school improvement and achievement plan.

#### NEOLA 2022

Legal

I.C. 20-29-1-1, 20-32-2-2, 20-31-5-4





Book	Policy Manual
Section	Policies for the Board
Title	New Policy - Vol. 34, No. 2 - April 2022 - STAFF-STUDENT RELATIONS
Code	po3213.01
Status	1st Reading

## New Policy

### 3213.01 - STAFF-STUDENT RELATIONS

The School Board wants to maintain a safe and healthy educational environment for students attending the School Corporation. The interactions between Corporation employees and its students are of paramount concern. This policy addresses appropriate boundaries between Corporation employees and its students.

#### Sexual Relationships with Students Prohibited

Sexual conduct with or sexual relationships with students by a Corporation employee are prohibited. Any teacher, administrator, coach, school official, or staff member who engages in sexual conduct with a student may be disciplined, up to and including termination. That person's conduct also may constitute the crime of:

- A. "sexual battery," under I.C. 35-42-4-8; or
- B. "child molesting" under I.C. 35-42-4-3 in the case of a child under fourteen (14) years of age; or
- C. "sexual misconduct with a minor" under I.C. 35-42-4-9 in the case of a child between the ages of fourteen (14) and sixteen (16).

The issue of consent is irrelevant in regard to the latter two (2) criminal charges. Any conduct that may constitute a crime shall be reported to local law enforcement.

Any employee accused of sexual conduct or a sexual relationship with a student (  ) may (  ) will **[not recommended]** **[end of option]** be placed on leave until school administrative proceedings are completed. Proven sexual relationships with a student, regardless of the age of the student, will initiate the termination process for the employee.

#### Allegations Constituting Criminal Conduct or Child Abuse/Sexual Misconduct

The Corporation's administrators, including a Compliance Officer or designee, shall report to local law enforcement any conduct that may constitute a crime upon receiving a report of such conduct.

State law requires any teacher or school employee who knows or suspects that a child under the age of eighteen (18) is a victim of child abuse or neglect to report that knowledge or suspicion to the Department of Child Services ("DCS") immediately.

Allegations made during harassment investigations:

If, during the course of a harassment investigation, a Compliance Officer or a designee has reason to believe or suspect that the alleged conduct may constitute abuse or neglect of a child, a report must be made to DCS in accordance with State law and Board Policy.

If, during the course of a harassment investigation, a Compliance Officer or a designee has reason to believe or suspect that the conduct reported may constitute a crime, a report must be made to local law enforcement.

Reports made to DCS or to local law enforcement do not terminate a Compliance Officer's or a 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.

**[DRAFTING NOTE: PROVISIONS BELOW ARE OPTIONAL, AND THE BOARD MUST DECIDE WHAT TO INCLUDE]**

**Inappropriate Boundary Invasions by Corporation Employees**

The Board prohibits inappropriate boundary invasions by a Corporation employee into a student's personal space and personal life.

**[DRAFTING NOTE: The Board may elect to include no, some, or all examples of boundary invasions as identified below.]**

[ ] Examples of inappropriate boundary invasions include but are not limited to the following:

- A.  ~~hugging,~~ kissing, or other inappropriate physical conduct with a student;
- B.  telling sexual jokes to students;
- C.  engaging in talks containing sexual innuendo or banter with students;
- D.  talking about sexual topics that are not related to curriculum;
- E.  showing pornography to a student;
- F.  taking an undue interest in a student **to develop a romantic or inappropriate relationship** (i.e., having a "special friend" or "special relationship");
- G.  initiating or extending contact with students beyond the school day for personal purposes;
- H.  using email, text messaging, websites, or other social media services to discuss personal topics or interests with students;
- I.  giving students rides in the staff member's personal vehicle or taking students on personal outings without administrator approval;
- J.  invading a student's privacy (e.g., walking in on the student in the bathroom or locker room or asking about bra sizes or previous sexual experience);
- K.  going to a student's home **or vice versa for romantic or inappropriate personal reasons** ~~for non-educational purposes~~;
- L.  inviting students to the staff member's home ( ) without proper chaperones (i.e., another staff member or the student's parent);

- M.  giving gifts or money to a student for no educational purpose;
- N.  accepting gifts or money from a student for no legitimate educational purpose (this does not include gifts given at Christmas or at the end of the year as a "thank you" to the staff member);
- O.  being overly touchy with students;
- P.  favoring certain students by inviting them to come to the classroom at non-class times;
- Q.  pulling a student out of class to visit with the staff member;
- R.  providing advice to or counseling a student regarding a personal problem (e.g., problems related to sexual behavior, substance abuse, mental or physical health, or family relationships) unless properly licensed and authorized to do so;
- S.  talking to a student about problems that normally would be discussed with adults (e.g., marital issues);
- T.  being alone with a student behind closed doors without a legitimate educational purpose;
- U.  telling a student "secrets" and having "secrets" with a student;
- V.  other similar activities or behavior:
1.  \_\_\_\_\_;
  2.  \_\_\_\_\_;
  3.  \_\_\_\_\_.

Disciplinary action, up to and including termination, may result from the violation of the above-stated boundary invasions.

**[END OF OPTION]**

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

The Superintendent will report to the Indiana 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, in accordance with Policy 3121, will 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.

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Legal	I.C. 31-33-5
	I.C. 35-42-4-3
	I.C. 35-42-4-8
	I.C. 35-42-4-9



Book	Policy Manual
Section	Policies for the Board
Title	Copy of STAFF DRESS AND GROOMING
Code	po3216
Status	1st Reading
Adopted	February 28, 2006

### 3216 - STAFF DRESS AND GROOMING

The School Board believes that professional staff members set an example in dress and grooming for their students to follow. A professional staff member who understands this precept and adheres to it enlarges the importance of his/her task, presents an image of dignity, and encourages respect for authority. These factors act in a positive manner towards the maintenance of discipline.

The Board retains the authority to specify the following: **authorizes the development of standards for staff dress and grooming guidelines for staff that will prevent such matters from having an adverse impact on the educational process. All professional staff members shall, when assigned to Corporation duty: that promote a professional educational atmosphere that gives consideration to the impact on the educational process and the diversity of the School Corporation's staff.**

**[x ] When assigned to Corporation duty, all staff members shall:**

- A. be physically clean, neat, and well groomed;
- B. dress in a manner consistent with their professional responsibilities;
- C. dress in a manner that communicates to students a pride in personal appearance;
- D. dress in a manner that does not cause damage to Corporation property;
- E. be groomed in such a way that their hair style or dress does not disrupt the educational process nor cause a health or safety hazard.

The established standards for dress and grooming shall be upheld in a nondiscriminatory and uniform manner.

NEOLA 2022



Book	Policy Manual
Section	Policies for the Board
Title	New Policy - Vol. 34, No. 2 - April 2022 - STAFF-STUDENT RELATIONS
Code	po4213.01
Status	1st Reading

### **New Policy**

#### **4213.01 - STAFF-STUDENT RELATIONS**

The School Board wants to maintain a safe and healthy educational environment for students attending the School Corporation. The interactions between Corporation employees and its students are of paramount concern. This policy addresses appropriate boundaries between Corporation employees and its students.

#### **Sexual Relationships with Students Prohibited**

Sexual conduct with or sexual relationships with students by a Corporation employee are prohibited. Any teacher, administrator, coach, school official, or staff member who engages in sexual conduct with a student may be disciplined, up to and including termination. That person's conduct also may constitute the crime of:

- A. "sexual battery," under I.C. 35-42-4-8; or
- B. "child molesting" under I.C. 35-42-4-3 in the case of a child under fourteen (14) years of age; or
- C. "sexual misconduct with a minor" under I.C. 35-42-4-9 in the case of a child between the ages of fourteen (14) and sixteen (16).

The issue of consent is irrelevant in regard to the latter two (2) criminal charges. Any conduct that may constitute a crime shall be reported to local law enforcement.

Any employee accused of sexual conduct or a sexual relationship with a student (  ) may (  ) will **[not recommended]** **[end of option]** be placed on leave until school administrative proceedings are completed. Proven sexual relationships with a student, regardless of the age of the student, will initiate the termination process for the employee.

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

The Corporation's administrators, including a Compliance Officer or designee, shall report to local law enforcement any conduct that may constitute a crime upon receiving a report of such conduct.

State law requires any teacher or school employee who knows or suspects that a child under the age of eighteen (18) is a victim of child abuse or neglect to report that knowledge or suspicion to the Department of Child Services ("DCS") immediately.

Allegations made during harassment investigations:

If, during the course of a harassment investigation, a Compliance Officer or a designee has reason to believe or suspect that the alleged conduct may constitute abuse or neglect of a child, a report must be made to DCS in accordance with State law and Board Policy.

If, during the course of a harassment investigation, a Compliance Officer or a designee has reason to believe or suspect that the conduct reported may constitute a crime, a report must be made to local law enforcement.

Reports made to DCS or to local law enforcement do not terminate a Compliance Officer's or a 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.

**[DRAFTING NOTE: PROVISIONS BELOW ARE OPTIONAL, AND THE BOARD MUST DECIDE WHAT TO INCLUDE]**

**Inappropriate Boundary Invasions by Corporation Employees**

The Board prohibits inappropriate boundary invasions by a Corporation employee into a student's personal space and personal life.

**[DRAFTING NOTE: The Board may elect to include no, some, or all examples of boundary invasions as identified below.]**

Examples of inappropriate boundary invasions include but are not limited to the following:

- A.  hugging, kissing, or other inappropriate physical conduct with a student;
- B.  telling sexual jokes to students;
- C.  engaging in talks containing sexual innuendo or banter with students;
- D.  talking about sexual topics that are not related to curriculum;
- E.  showing pornography to a student;
- F.  taking an undue interest in a student to develop a romantic or inappropriate relationship (i.e., having a "special friend" or "special relationship");
- G.  initiating or extending contact with students beyond the school day for personal purposes;
- H.  using email, text messaging, websites, or other social media services to discuss personal topics or interests with students;
- I.  giving students rides in the staff member's personal vehicle or taking students on personal outings without administrator approval;
- J.  invading a student's privacy (e.g., walking in on the student in the bathroom or locker room or asking about bra sizes or previous sexual experience);
- K.  going to a student's home or vice versa for romantic or inappropriate personal reason for non-educational purposes;
- L.  inviting students to the staff member's home without proper chaperones (i.e., another staff member or the student's parent);

- M.  giving gifts or money to a student for no educational purpose;
- N.  accepting gifts or money from a student for no legitimate educational purpose (this does not include gifts given at Christmas or at the end of the year as a "thank you" to the staff member);
- O.  being overly touchy with students;
- P.  favoring certain students by inviting them to come to the classroom at non-class times;
- Q.  pulling a student out of class to visit with the staff member;
- R.  providing advice to or counseling a student regarding a personal problem (e.g., problems related to sexual behavior, substance abuse, mental or physical health, or family relationships) unless properly licensed and authorized to do so;
- S.  talking to a student about problems that normally would be discussed with adults (e.g., marital issues);
- T.  being alone with a student behind closed doors without a legitimate educational purpose;
- U.  telling a student "secrets" and having "secrets" with a student;
- V.  other similar activities or behavior:
1.  \_\_\_\_\_;
  2.  \_\_\_\_\_;
  3.  \_\_\_\_\_.

Disciplinary action, up to and including termination, may result from the violation of the above-stated boundary invasions.

**[END OF OPTION]**

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

The Superintendent will report to the Indiana 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, in accordance with Policy 3121, will 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.

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Legal	I.C. 31-33-5
	I.C. 35-42-4-3
	I.C. 35-42-4-8
	I.C. 35-42-4-9



Book	Policy Manual
Section	Policies for the Board
Title	Copy of SUPPORT STAFF DRESS AND GROOMING
Code	po4216
Status	1st Reading
Adopted	February 28, 2006

#### 4216 - **SUPPORT STAFF DRESS AND GROOMING**

The School Board believes that support staff members **set an example for the students in the School Corporation to follow.** ~~are an important and integral part of the Corporation. Also, since the support staff is a highly visible staff to the students, the professional staff and the public, the Board believes the support staff should at all times be well dressed and groomed. Support staff members who understand this precept and adhere to it enlarge the importance of their task, present an image of dignity, and encourage respect.~~

The Board ~~retains the authority to specify the following dress and grooming guidelines for support staff. All support staff members shall, when assigned to Corporation duty,:~~

**authorizes the development of standards for staff dress and grooming that promote a professional educational atmosphere that gives consideration to the impact on the educational process and the diversity of the School Corporation's staff.**

**[x ] When assigned to Corporation duty, all staff members shall:**

- A. be physically clean, neat, and well groomed;
- B. dress in a manner consistent with their support responsibilities;
- C. dress in a manner that communicates to others a pride in personal appearance;
- D. dress in a manner that does not cause damage to Corporation property;
- E. be groomed in such a way that ~~their dress or hair style~~ does not disrupt the educational process or cause a health or safety hazard.

**The established standards for dress and grooming shall be upheld in a nondiscriminatory and uniform manner.**

**NEOLA 2022**





Book	Policy Manual
Section	Policies for the Board
Title	Copy of DETERMINATION OF LEGAL SETTLEMENT AND ELIGIBILITY FOR ENROLLMENT OF STUDENTS WITHOUT LEGAL SETTLEMENT IN THE CORPORATION
Code	po5111
Status	1st Reading
Adopted	February 28, 2006
Last Revised	November 22, 2021

**5111 - DETERMINATION OF LEGAL SETTLEMENT AND ELIGIBILITY FOR ENROLLMENT OF STUDENTS WITHOUT LEGAL SETTLEMENT IN THE CORPORATION; PROOF OF INDIANA RESIDENCY**

The School Board establishes the following policy for determining student eligibility to attend the schools of this School Corporation.

- A. The Board will educate, tuition-free, students who have legal settlement in the Corporation, and students enrolled according to the requirements of I.C. 20-26-11.
- B. Where the legal settlement of a student cannot reasonably be determined by reference to the residence of the student's parent or legal guardian and the student is being supported by and living with a person whose residence is within the Corporation, the student may be enrolled without payment of tuition. If the parents are able to support the student and have placed the student in the home of another person primarily for the purpose of attending school in this Corporation without establishing legal guardianship as required by Indiana law, tuition will not be charged unless otherwise required by law.
- C. A child who is placed in foster care by a court of competent jurisdiction shall be admitted tuition-free, without regard to residency, to a school within the Corporation, as selected by the State Department of Human Services or the child placing agency responsible for placement of that child.
- D. Foreign students participating in a foreign-exchange program approved by the Indiana State Board of Education and living with a resident host family will be admitted tuition-free.
- E. The Corporation will provide a free education to those students who are considered by Federal law to be illegal aliens, if the student's parent or legal guardian has legal settlement within the Corporation, or considered to be homeless by criteria established by the State (see Policy 5111.01 and AG 5111.01 - Homeless Students).
- F. If a student's legal settlement is changed after the student has begun attending school in the Corporation in any school year, the effective date of withdrawal from the Corporation may, at the election of the parent, the student (if the student is at least eighteen years of age), or a juvenile court conducting a proceeding under IC 31-34-20-5, IC 31-34-21-10, IC 31-37-19-26, or IC 31-37-20-6 (or IC 31-6-4-18.5 before its repeal), be extended to the end of the semester in which the change of legal settlement occurred. At the discretion of the Superintendent, the effective date of withdrawal from the Corporation may be extended to the end of that school year.

Students who have completed the eleventh grade in this Corporation and have changed legal settlement to another school corporation may complete the twelfth grade in this Corporation.

- G. The School Corporation shall maintain proof of Indiana residency for each student enrolled in the Corporation whom the Corporation counts for membership in the ADM count. This documentation of Indiana residency shall be placed in the student's electronic or hard copy file. (See also Policy 6250 - Required ADM Counts for the Purpose of State Funding and Verification of Residency for Membership.)

Transportation from and to the site of the new legal settlement will not be provided by the School Corporation for a student whose effective date of withdrawal is extended beyond the date of the change of legal settlement, unless the student has an Individualized Education Program (IEP) in which transportation is required to be provided as a related service.

- H. A married student living with a spouse or a married or unmarried emancipated minor is eligible to attend school without payment of tuition if the student resides in the Corporation.

### **I. Children of Divorced Parents**

Children of divorced parents may attend school in this Corporation without the payment of tuition if one (1) parent resides in this Corporation and an election is made utilizing the "Custodial Statement and Agreement: Divorce, Separation, or Abandonment" form provided by the Indiana State Board of Education.

The parent with physical custody of the student or the student, if the student is at least eighteen (18) years of age, must notify the Superintendent of the school corporation in which the parents/student seek to have the student enrolled of their election to enroll the student in the Corporation. The election shall be made on a yearly basis and applies throughout the school year unless the student's parent no longer resides within the attendance area of the Corporation.

- J. If a student's parent fails to inform the Corporation of the expulsion or withdrawal to avoid expulsion or the student fails to follow the terms and conditions established for enrollment, the Corporation may withdraw consent and prohibit the student's enrollment during the period of the actual or proposed expulsion. Before consent is withdrawn, the student must be given an opportunity for an informal meeting with the principal. At the informal meeting, the student is entitled to:
1. a written or verbal statement of the reasons for the withdrawal of consent;
  2. a summary of the evidence against him/her;
  3. an opportunity to explain his/her conduct.
- K. Students whose parents do not have legal settlement within the Corporation but who present evidence that they will move into the Corporation within a short period of time may enroll in the schools of this Corporation as tuition students for the time not in residence.
- L. Students who do not have legal settlement may/will be enrolled in the special education program of this Corporation pursuant to the provisions of a Cooperative agreement.

### **Transfer Students**

#### **Transfer Student Whose Parent Is Employed by the Corporation:**

The Corporation shall accept a transferring student who does not have legal settlement in the Corporation and whose parent is a current employee of the Corporation who resides in Indiana if: 1) the parent/employee earns an annual salary of at least: a) \$8,000; or b) \$3,000 earned due to being included an employee in the extracurricular portion of the Corporation's collective

bargaining agreement; and 2) the Corporation has the capacity to accept the student. If the number of students who request to transfer to the Corporation under this section causes the Corporation to exceed its maximum student capacity, the Board shall determine which students will be admitted as transfer students by a random drawing in a public meeting.

### **Nonpublic School Transfer Student**

The Corporation shall accept a transferring student who resides in Indiana and who does not have legal settlement in the Corporation if:

- A. the student attended an accredited nonpublic elementary school located in the attendance area of the Corporation for at least two (2) school years immediately preceding the school year in which the student transfers to a high school in the Corporation under this section;
- B. the student is transferring because the accredited nonpublic school from which the student is transferring does not offer grades 9 through 12;
- C. the majority of the students in the same grade as the transferring student at the accredited nonpublic school have legal settlement in the Corporation and will attend a school under the authority of the Corporation; and
- D. the Corporation has the capacity to accept students.

If the number of students who request to transfer to the Corporation under this section causes the Corporation to exceed its maximum student capacity, the Board shall determine which students will be admitted as transfer students by a random drawing in a public meeting.

In addition to students with legal settlement in the Corporation, students without legal settlement in the Corporation (hereafter referred to as "transfer students") will be enrolled in compliance with I.C. 20-26-11-32 and the following procedure:

- A. By July 1st, the Board will establish the number of transfer students that can be accepted in each building and grade level.
- B. The Board will establish a date by which requests to enroll a transfer student must be submitted to the Superintendent. This date shall be submitted to the Indiana Department of Education and published on the Corporation Internet website.
- C. Requests to enroll a student without legal settlement in the Corporation shall not be denied if the student to be transferred:
  - 1. has been enrolled in the Corporation in the prior school year;
  - 2. is a member of a household in which any other member of the household is a student in the transferee school; or
  - 3. has a parent who is an employee of the Corporation who currently resides in Indiana and has a salary of at least \$8,000 or \$3,000 earned due to being included an employee in the extracurricular portion of the Corporation's collective bargaining agreement and the Corporation has the capacity to accept the student.
- D. If the number of requests to enroll in each building and grade level exceeds the number established by the Board reduced by the number of transfers that may not be denied as described in paragraph (C) above, the students to be enrolled in each building and grade level shall be determined by random selection in which each application submitted on or before the date established by the Board pursuant to paragraph (A) above has an equal chance of being selected.

Pursuant to State law, the Board may deny a student's application to transfer to the Corporation, discontinue enrollment of a transfer student currently attending, rescind approval of a student approved to attend in a subsequent year, or establish terms or conditions for enrollment or for continued enrollment in a subsequent school year, if:

- A. during the preceding twelve (12) months, the student has been suspended or expelled for:

1. ten (10) or more school days;
2. possession of a firearm, deadly weapon, or a destructive device;
3. causing physical injury to a student, school employee or visitor to the school; or
4. a violation of the Corporation's drug or alcohol rules.

B. the student has a history of ten (10) or more unexcused absences, and the Board believes that, based upon the location of the student's residence, attendance would be a problem for the student if the student is enrolled in the Corporation.

For purposes of computing the number of days of suspension of the student requesting enrollment, student discipline received from a teacher pursuant to I.C. 20-33-8-25(b)(7) and I.C. 20-26-11-32(j) shall be included in the calculation of the number of school days that a student has been suspended.

The Board delegates authority to the Superintendent to deny a student's application to transfer to the Corporation, discontinue enrollment of a transfer student currently attending, rescind approval of a student approved to attend in a subsequent year, or establish terms or conditions for enrollment or for continued enrollment in a subsequent school year if the student meets the criteria listed above.

Transportation will not be provided by the School Corporation for transfer students accepted for enrollment unless the transfer student has an Individualized Education Program (IEP) in which transportation is required to be provided as a related service.

No transfer student shall be accepted for enrollment for athletic reasons.

Transfer students will not be charged unless otherwise required by law.

**~~{NOTE: The primary purpose of HEA 1381 (2013) is to end perceived "cherry-picking". This objective is expressed most succinctly by the addition of I.C. 20-26-11-32(g) which states: "(g) Except as provided in subsections (i), (j), and (k), the governing body of a school corporation may not deny a request for a student to transfer into the school corporation based upon the student's academic record, scores on statewide assessment program tests, disciplinary record, or disability, or upon any other factor not related to the school corporation's capacity."}~~**

Revised 6/22/20

Revised 11/23/20

Revised 3/22/21

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Legal

- I.C. 20-18-2-11 (legal settlement defined)
- I.C. 20-33-2 (compulsory school attendance)
- I.C. 20-33-8-17 (expulsion for lack of legal settlement)
- I.C. 20-26-11-1 (residence defined)
- I.C. 20-26-11-2
- I.C. 20-26-11-2.5 (divorced parent election)
- I.C. 20-26-11-6(e) (option to not charge transfer tuition)
- I.C. 20-26-11-6.5 (children of school employees)
- I.C. 20-26-11-6.7 (nonpublic school students)
- I.C. 20-26-11-32 (student transfer requests, HEA 1381 – 2013; SEA 108 - 2017)

I.C. 20-26-11-33 (non-transfer student attending alternative education program)

Plyer v. Doe, 457 U.S. 202 (1982) (State Statute denying free public education to illegal immigrants violated the Equal Protection Clause of the Fourteenth Amendment)

Divorced Parents Agreement: <http://www.doe.in.gov/sites/default/files/legal/formiii.pdf>

Third Party Agreement:

<http://www.doe.in.gov/sites/default/files/legal/custodialstatementinstructions.pdf>



Book	Policy Manual
Section	Policies for the Board
Title	Copy of STUDENT CONCUSSIONS AND SUDDEN CARDIAC ARREST
Code	po5340.01
Status	1st Reading
Adopted	November 26, 2012
Last Revised	February 25, 2019

#### 5340.01 - **STUDENT CONCUSSIONS AND SUDDEN CARDIAC ARREST**

It is the policy of the School Board that the risk of student injury be considered and addressed in the planning and implementation of every student activity sponsored by the Board. The Board therefore directs and requires that before beginning practice for an interscholastic sports activity, including cheerleading, the coach of the activity shall provide the parent of each student athlete in grades 5 - 12 and each student athlete in grades 5 - 12 with the information sheet on Concussion and Head Injury and ~~acknowledgement~~ **acknowledgment** form issued by the Indiana Department of Education and shall require the student's parent and the student to sign and return the form acknowledging the receipt of the information from the Indiana Department of Education on Concussion and Head Injury. If the coach of an intramural sports activity elects to or is required to comply with I.C. 20-34-7, s/he shall provide the parent of each student athlete in grades 5-12 and each student athlete in grades 5-12 with the information sheet on Concussion and Head Injury and ~~acknowledgement~~ **acknowledgment** form issued by the Indiana Department of Education and shall require the student's parent and the student to sign and return to the coach the form acknowledging the receipt of the information from the Indiana Department of Education on Concussion and Head Injury.

The Board also directs and requires that before beginning practice for an interscholastic sports activity or cheerleading, the coach of the activity shall provide to each student athlete and his/her parent or legal guardian (unless the student is at least age eighteen (18) or is an emancipated minor) the information sheet on Sudden Cardiac Arrest and ~~acknowledgement~~ **acknowledgment** form issued by the Indiana Department of Education and require the student athlete and his/her parent or legal guardian (unless the student is at least age eighteen (18) or is an emancipated minor) to sign and return to the coach the form acknowledging the receipt of the information from the Indiana Department of Education on Sudden Cardiac Arrest.

Additionally, the Board directs and requires that:

- A. before beginning practice for any interscholastic or intramural sports activity, including cheerleading, the coach of the activity shall provide the parent of each student participating in the activity and the student participating in the activity with the information sheet on Concussion and Head Injury and ~~acknowledgement~~ **acknowledgment** form issued by the Indiana Department of Education and shall require the student's parent and the student to sign and return to the coach the form acknowledging the receipt of the information from the Indiana Department of Education on Concussion and Head Injury.
- B. before beginning practice for any interscholastic or intramural sports activity, including cheerleading, the coach of the activity shall provide the parent or legal guardian of each student participating in the activity (unless the student is at least age eighteen (18) or is an emancipated minor) and the student participating in the activity with the information sheet on Sudden Cardiac Arrest and ~~acknowledgement~~ **acknowledgment** form issued by the Indiana Department of Education and shall require

the student's parent or legal guardian (unless the student is at least age eighteen (18) or is an emancipated minor) and the student to sign and return to the coach the form acknowledging the receipt of the information from the Indiana Department of Education on Sudden Cardiac Arrest.

The coach/sponsor shall maintain an original of each signed ~~acknowledgement~~ acknowledgment form for each student and shall not allow the student athlete to participate in the sport until the signed ~~acknowledgement~~ acknowledgment form(s) from the parent (as required above) and student is/are properly executed and returned.

A student athlete in grades 5 - 12 who participates in an interscholastic sport, including cheerleading, and is suspected of sustaining a concussion or head injury in a practice or game shall be removed from play at the time of the injury and may not return to play until s/he has been seen and evaluated by a licensed health care provider trained in the evaluation and management of concussions and head injuries, the coach receives a written clearance from the licensed healthcare provider who evaluated the student athlete that the ~~s/he~~ student can safely return to participation in the sport or activity, and not less than twenty-four (24) hours have passed since s/he was removed from play.

Additionally, the Board directs and requires that:

- A. A student athlete of any age who participates in any interscholastic or intramural sports activity, including cheerleading, and is suspected of sustaining a concussion or head injury in a practice or game shall be removed from play at the time of the injury and may not return to play until s/he has been seen and evaluated by a licensed health care provider trained in the evaluation and management of concussions and head injuries, the coach receives a written clearance from the licensed healthcare provider who evaluated the student athlete that s/he can safely return to participation in the sport or activity, and not less than twenty-four (24) hours have passed since s/he was removed from play.
- B. A coach shall maintain the original of the written clearance from the health care provider for the student athlete to return to play for no less than three (3) years after the student reaches age eighteen (18).

A student participating in an interscholastic sports activity or cheerleading who is suspected of experiencing a symptom of sudden cardiac arrest in a practice for an interscholastic sports activity or cheerleading or in an interscholastic sports activity or cheerleading shall be removed from practice or play at the time that the symptom is identified, and the parent or legal guardian of the student athlete shall be notified of the student athlete's symptoms (unless the student is at least age eighteen (18) or is an emancipated minor). A student athlete who has been removed from practice or play may not return to practice or play until the coach has received verbal permission from a parent or legal guardian of the student (or from the student if the student is at least age eighteen (18) or is an emancipated minor) for him/her to return to practice and play. Within twenty-four (24) hours after giving verbal permission of the student athlete to return to practice and play, the parent or legal guardian (or the student if the student is at least age eighteen (18) or is an emancipated minor) must provide the coach with a written statement that the student has permission to return to practice and play.

Additionally, the Board directs and requires that:

- A. A student athlete of any age who participates in any interscholastic or intramural sports activity, including cheerleading, and is suspected of experiencing a symptom of sudden cardiac arrest in a practice or game shall be removed from practice or play at the time that the symptom is identified, and the parent or legal guardian of the student athlete shall be notified of the student athlete's symptoms (unless the student is at least age 18 or is an emancipated minor). A student athlete who has been removed from practice or play may not return to practice or play until the coach has received verbal permission from a parent or legal guardian of the student (or from the student if the student is at least age eighteen (18) or is an emancipated minor) for him/her to return to practice and play. Within twenty-four (24) hours after giving verbal permission of the student athlete to return to practice and play, the parent or legal guardian (or the student if the student is at least age eighteen (18) or is an emancipated minor) must provide the coach with a written statement that the student has permission to return to practice and play.
- B. A coach shall maintain the original of the written statement that the student has permission to return to practice and play for no less than three (3) years after the student reaches age eighteen (18).

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I.C. 20-34-7, 20-34-8





Book	Policy Manual
Section	Policies for the Board
Title	Copy of GRADUATION REQUIREMENTS
Code	po5460
Status	1st Reading
Adopted	February 28, 2006
Last Revised	November 23, 2020

#### 5460 - **GRADUATION REQUIREMENTS**

It shall be the policy of the School Board to acknowledge each student's successful completion of the instructional program appropriate to the achievement of Corporation goals and objectives as well as personal proficiency by the awarding of a diploma at fitting graduation ceremonies.

The Superintendent is directed to provide each student in grade 12 and the parent of each student in grade 12 a notice regarding the existence of the Free Application for Federal Student Aid (FAFSA) and a description of the process and benefits of completing the FAFSA. This notice also shall include approximate annual tuition costs of each State educational institution of higher education in the Indiana and State scholarships, grants, or other assistance available to students in Indiana. The Superintendent may use the model notice prepared by the commission of higher education or develop a local notice containing the required information.

The Board shall award a high school diploma to every student enrolled in this Corporation who meets the requirements of graduation established by this Board as provided by the State. ~~Students enrolled in the Corporation shall have the opportunity to earn the standard Indiana high school diploma with any of the designations approved by the Indiana State Board of Education.~~

To earn a standard Indiana high school diploma, students in the graduating class of 2023, and each graduating class thereafter must satisfy all three of the graduation pathway requirements established by the State. To be eligible to receive a diploma a student shall: 1) meet the credit requirements of the State as provided by the Indiana Department of Education (IDOE) ( ) and listed in AG 5460. 2) learn and demonstrate employability skills through one of three methods as defined by the IDOE ( ) and given in AG 5460A. 3) demonstrate postsecondary-ready competencies through one of the several methods provided for by the IDOE ( ) and enumerated in AG 5460A.

Students enrolled in the Corporation shall have the opportunity to earn the standard Indiana high school diploma with any of the designations approved by the Indiana State Board of Education.

The Corporation may award a standard Indiana high school diploma with a general designation, Core 40 designation, a Core 40 with Academic Honors designation, or a Core 40 with Technical Honors designation.

The Board shall issue a diploma for a deceased student at the request of a parent (as defined in I.C. 20-18-2-13) of the student if the student:

- A. died while enrolled in grade 12 of a school in the school corporation; and

B. was academically eligible or on track to meet the requirements for the diploma at the time of death.

A student who is issued a diploma pursuant to this provision may not be considered a graduate for purposes of I.C. 20-26-13.

Students with disabilities who have completed and are ready to exit their programs may participate in graduation activities and shall be awarded, as appropriate, an alternate diploma for students with significant cognitive disabilities.

The Corporation shall not require students with disabilities to complete locally required credits that exceed State credit requirements to receive a diploma unless otherwise required as part of the student's individualized education program (IEP). The Board shall award a certificate of achievement to a student who is on a nondiploma track as determined by that student's case conference committee and indicated on the student's IEP.

The Board shall award an alternate diploma to students with significant cognitive disabilities who meet the criteria established by the State Board. Not more than one percent (1%) of students of a cohort may be awarded an alternate diploma.

The Board shall award a certificate of course completion to a student who completes the minimum courses required for high school graduation but does not pass the Graduation Qualifying Examination **satisfy all three (3) of the Graduation Pathway Requirements** unless the student meets the criteria for waiver under State law, in which case the Board shall award a diploma to the student.

The Board shall award a high school equivalency certificate to any individual who meets the criteria established by State law.

#### **Additional Requirements for Students with Disabilities**

During the student's annual case review held when a student with a disability is enrolled in 8th grade, the case conference committee shall review and discuss with the student's parent (and the student, if appropriate):

- A. the types of designations available for the high school diploma students may receive in the State of Indiana;
- B. the course requirements for each type of designation; and
- C. employment and career options for the student and the type of academic, technical, and vocational preparation necessary to achieve the employment or career.

The student's IEP must include the type of designation for the diploma the student will seek and courses that will allow the student to progress toward the diploma in a timely manner.

Beginning in grade 9 and in addition to the annual case review, the student's teacher of record shall communicate at least once each grading period with the student's parent concerning the student's progress toward the diploma with the selected designation. If the parent requests a meeting with the teacher of record to discuss the student's progress, the teacher must meet with the parent in a timely manner. Such a meeting does not constitute a case conference committee meeting, and a request for such a meeting does not abrogate a parent's right to call for a meeting of the case conference committee at any time.

Each student is required to meet:

- A. the academic standards tested in the graduation examination;
- B. the course and credit requirements adopted by the State Department of Education;
- C. additional graduation requirements established by the Board of School Trustees.

Upon the request of the student's parents, the student may be exempted from the Core 40 curriculum requirements and be required to complete the general curriculum to graduate as required by State law. Also, school officials may initiate a discussion with the parents about exempting a student from the Core 40 curriculum if the student does not pass at least three (3) courses required under the Core 40 curriculum or if the student scores in the twenty-fifth percentile or lower the first time the student takes the graduation exam. If the parent makes the decision to exempt the student from the Core 40 requirement, the student will be required to complete the general curriculum as required by State law.

Commencement exercises will include those students who have met the State of Indiana and local course graduation requirements. No student who has completed the requirements for graduation shall be denied a diploma as a disciplinary measure. A student may be denied participation in the ceremony of graduation when personal conduct so warrants.

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I.C. 20-19-2-21

I.C. 20-26-5-37

I.C. 20-32-4-1.5 through 14



Book	Policy Manual
Section	Policies for the Board
Title	Copy of DRESS AND GROOMING
Code	po5511
Status	1st Reading
Adopted	February 28, 2006

#### 5511 - DRESS AND GROOMING

The School Board recognizes that each student's mode of dress and grooming is a manifestation of personal style and individual preference. The Board will not interfere with the right of students and their parents to make decisions regarding their appearance, except when their choices interfere with the educational program of the ~~schools~~ School Corporation.

Accordingly, the Superintendent shall establish such grooming guidelines as are necessary to promote discipline, maintain order, secure the safety of students, and provide a healthy environment conducive to academic purposes. Such guidelines shall prohibit student dress or grooming practices which:

- A. present a hazard to the health or safety of the student ~~himself/herself~~ or to others in the school;
- B. interfere with school work, create disorder, or disrupt the educational program;
- C. cause excessive wear or damage to ~~school~~ Corporation property;
- D. prevent the student from achieving his/her own educational objectives because of blocked vision or restricted movement.

Such guidelines shall establish the dress requirements for members of the athletic teams, bands, and other school groups when representing the Corporation at a public event.

The Superintendent shall develop administrative guidelines to implement this policy.



Book	Policy Manual
Section	Policies for the Board
Title	Copy of SCHOOL-SPONSORED PUBLICATIONS AND PRODUCTIONS
Code	po5722
Status	1st Reading
Adopted	February 28, 2006

### ~~5722 SCHOOL-SPONSORED PUBLICATIONS AND PRODUCTIONS~~

~~The School Board may sponsor student publications and productions as means by which students learn, under adult direction, the rights and responsibilities of public expression in a free society.~~

~~For purposes of this policy, "publications" shall include any audio, visual, or written materials such as tapes, banners, films, pamphlets, notices, newspapers, books, or other like materials. "Productions" shall include theatrical performances as well as impromptu dramatic presentations.~~

~~Such publications and productions also play a vital role in the school program by:~~

- ~~A. interpreting students and the school to the community;~~
- ~~B. serving as a public relations media;~~
- ~~C. developing skills in communication via the mass media;~~
- ~~D. developing acceptable methods for preserving the constitutional provision of free speech.~~

~~In sponsoring a student publication or production, the Board is mindful of the fact that it could be available to any student attending this school, and must, therefore, generally be suitable for all students.~~

~~Issues on which opposing points of view have been promulgated by responsible opinion may be introduced in a school sponsored publication provided equal opportunity is given to present each view and provided further that the material generally is acceptable to this community.~~

~~Advertising is permitted in school newspapers, yearbooks, programs, etc. which are published by student organizations. Permission should be given by the building principal.~~

~~The Board reserves the right to designate and prohibit the publications or productions which are not protected by the right of free expression because they violate the rights of others. Such unprotected materials are those which:~~

- ~~A. are grossly prejudicial to an ethnic, religious, racial, or other delineated group;~~
- ~~B. libel any specific person or persons;~~
- ~~C. seek to establish the supremacy of a particular religious denomination, sect, or point of view over any other religious denomination, sect, or point of view;~~
- ~~D. advocate the use or advertise the availability of any substance or material which may reasonably be believed to:
 
  - ~~1. constitute a direct and substantial danger to the health of students;~~
  - ~~2. contain obscenity or material otherwise deemed to be harmful to impressionable students who may receive them;~~
  - ~~3. incite violence, advocate the use of force, or urge the violation of law or school regulations.~~~~

~~The Board also prohibits publications and productions which:~~

- ~~A. fail to identify the student or organization responsible for distribution;~~
- ~~B. solicit funds for nonschool organizations or institutions when such solicitations have not been approved by the Board;~~
- ~~C. promote, favor, or oppose any candidate for election to the Board or the adoption of any bond issue, proposal, or question submitted at any election.~~

~~The decision as whether or not something is published or produced shall be made by the advisor with appeal to the principal and Superintendent.~~

## 5722 - SCHOOL-SPONSORED STUDENT PUBLICATIONS AND PRODUCTIONS

The School Board sponsors student publications and productions as means by which students learn, under adult direction/supervision, the rights and responsibilities inherent when engaging in the public expression of ideas and information in our democratic society.

For purposes of this policy, "school-sponsored student media" shall include both student publications and productions. School-sponsored student media does not include student expression related to classes that are not directly associated with student publications/productions. The term "publication" shall include distribution, transmission, and dissemination of a student publication, regardless of its medium. "Student publications" shall include any written materials, (including, but not limited to, banners, flyers, posters, pamphlets, notices, newspapers, playbills, yearbooks, literary journals, books, and t-shirts and other school-sponsored clothing) (  ), as well as material in electronic or online form including but not limited to Apps and Services (as defined in Bylaw 0100), webpages/sites, web logs ("Blogs"), video or audio clips, (  ) postings of Social Media (as defined in Bylaw 0100), and newsletters of announcements transmitted by e-mail, (  ) text, wireless broadcast, or other similar distribution/dissemination. **[end of options]** (  ) The Board expressly prohibits the use of Social Media related to student publications.

The "term performance" shall include presentation and broadcast of a student production. "Student productions" shall include vocal, musical, and/or theatrical performance, impromptu dramatic presentation, or any electronic media (including but not listed to radio and television programs, videoblogs ("vlogs"), podcast, (  ) Social Media (as defined in Bylaw 0100) and other video or audio productions that are recorded for re-broadcast or broadcast in real time using any available broadcast technology). (  ) and other video or audio productions that are recorded for re-broadcaster broadcast in real time using any available broadcast technology). **[end of option]** (  ) The Board expressly prohibits the use of Social Media related to student productions.

**[DRAFTING NOTE: The Board should select the following option only if it selected the first option under "student publication" or either or both of the first two options under "student production."]**

Only Corporation-approved social media (as defined in Bylaw 0100) may be used to host school-sponsored student media, in accordance with Policy 7544. School-sponsored student media also must comply with Policy 7540.02.

For purposes of this policy, "school community" is defined to include students, School Corporation employees (i.e., administrators and professional and classified staff), parent/family members (  ) and other individuals who are (  ) invited by the Superintendent (  ) authorized or otherwise permitted by the Superintendent [end of option] to view a performance or receive directly from the Corporation a publication (  ) and those who have been issued credentials to access the Corporation's secure portal. **[end of option]**

The following speech is unprotected and prohibited in all school-sponsored student publications and productions: speech that is defamatory, libelous, obscene or harmful to minors as that term is defined in the Children's Internet Protection Action (CIPA); speech that is reasonably likely to cause substantial disruption of or material interference with school activities or the educational process; speech that infringes upon the privacy or rights of others; speech that violates copyright law; speech that promotes activities, products or services that are unlawful (illegal) as to minors as defined by State or Federal law; and speech that otherwise violates school policy

and/or State or Federal law. The Board authorizes the administration to engage in prior review and restraint of school-sponsored publications and productions to prevent the publication or performance of unprotected speech.

Student expression relates to classrooms or educational settings not otherwise directly associated with school-sponsored student publications/productions are nonpublic forums. As nonpublic forums, the content of such student expression can be regulated for legitimate pedagogical school-related reasons. School officials shall routinely and systematically review and, if necessary, restrict the content of these student expressions prior to publication/performance in a reasonable manner that is neutral as to the viewpoint of the speaker.

**[DRAFTING NOTE: With respect to student expression related to classrooms or educational settings not otherwise directly associated with school-sponsored student publications/productions, select Option 1, Option 2, Option 3, Option 4, or Option 5.]**

**[ ] Option #1**

[ ] Nonpublic forum student expression may be published/performed outside the school community (i.e., to the general public). ( ) See Board Policy 9160 – Public Attendance at School Events.

**[END OF OPTION #1]**

**[ ] Option #2**

[ ] While nonpublic forum student expression generally may be published/performed outside the school community (i.e., to the general public), the following nonpublic forum student expression may be published/performed only to members of the school community:

**[identify] ( )**. See Board Policy 9160 – Public Attendance at School Events.

**[END OF OPTION #2]**

**[x ] Option #3**

[x ] While ordinarily nonpublic forum student expression may be published/performed only to members of the school community, the Superintendent may authorize specific nonpublic forum student expression to be published/performed outside the school community (i.e., to the general public). A teacher, student, or group of students who wish to have nonpublic forum student expression published/performed outside the school community must submit to the Superintendent a request for prior written approval for such publication/performance. ( ) See Board Policy 9160 – Public Attendance at School Events.

**[END OF OPTION #3]**

**[ ] Option #4**

**[DRAFTING NOTE: The Board should select either Option 2 or Option 3 if it has authorized the limited use of Corporation-approved Social Media to publish/perform nonpublic forum student expression.]**

While ordinarily nonpublic forum student expression may be published/performed only to members of the school community, the following nonpublic forum student expression may be published/performed outside the school community (i.e., to the general public):  [identify]. ( ) See Board Policy 9160 – Public Attendance at School Events.

**[END OF OPTION #4]**

**Option #5**

**[DRAFTING NOTE: The Board should select this option if it has prohibited the use of Corporation-approved Social Media to publish/perform nonpublic forum student media, with the exception of nonpublic forum student media that is disseminated through Corporation-approved Social Media that employs a secure portal that restricts access to members of the school community through the use of a User ID and Password (or other form of biometric authentication security).]**

Nonpublic forum student expression may be published/performed only to members of the school community. ( ) See Board Policy 9160 – Public Attendance at School Events.

**[END OF OPTION#5]**

**[DRAFTING NOTE: PLEASE CHOOSE ONE (1) OF THE FOLLOWING FOUR (4) OPTIONS (A-D). The order in which the below four (4) options are listed is not meant to convey a preference or recommendation. Boards should select the option that best reflects their current practice or a new practice they wish to follow. As they consider the following options, the Board and administrators are encouraged to consult the accompanying Toolkit for a discussion of the different types of forums - e.g., nonpublic forum and limited public forum.]**

**Option A [Select if the Board intends to designate all school-sponsored student media to be limited-purpose public forums (i.e., not subject to prior review/restraint) and generally allows them to be published/performed outside the school community. This is the most permissive of the options.]**

The Board designates all school-sponsored student media as limited-purpose public forums where students can address matters of concern and/or interest to their readers/viewers. All school-sponsored student media may be published/performed outside the school community. The student journalists, content-creators and/or performers involved in these publications/productions have the right to determine the content of the student media.

The content may address general matters of public concern and is open to the public at large for comment at the discretion of the student journalists/content-creators/performers. School officials will not review or restrict the content of school-sponsored student media prior to publication/performance, except with respect to unprotected speech. ( ) Each medium should provide a full opportunity for students to inquire, question, and exchange ideas. ( ) Content should reflect all areas of student interest and may include topics about which there may be dissent and/or controversy. **[end of options]**

All school-sponsored student media shall contain a notice to the reader/viewer that the material, while school-sponsored, is student directed and not subject to prior review. Given all student publications and/or productions have been designated as limited-purpose public forums, the school assumes no liability for their content. With editorial control comes responsibility. Student



journalists, content-creators, and performers are expected to establish and enforce standards for their publications/productions that are consistent with professional journalism/artistic/theatrical/broadcast standards.

**[END OF OPTION A]**

**[ ] Option B [Select if the Board intends to identify specific school-sponsored student publications/productions to be limited-purpose public forums (i.e., not subject to prior review/restraint), which may be published/performed outside the school community. School-sponsored student publications/productions not listed are considered nonpublic forums and will be subject to routine and systematic prior review and restraint. This is the second most permissive option, only permits prior review/restraint of nonpublic forums, and generally allows limited-purpose public forums to be generally published/performed outside the school community.]**

The Board designated the following official, school-sponsored student media to be limited-purpose public forums:

**[List all publications so designated:]**

[Redacted list area]

As limited-purpose public forums the student journalists, content-creators, or performers associated with the above-listed publications and/or productions may address matters of concern and/or interest to their readers/viewers. The student journalists, content-creators, and/or performers involved in the above-listed publications/productions have the right to determine the content of this student media.

[ ] The content may address general matters of public concern and is open to the public at large for comment at the discretion of the student journalists/content-creators/performers.

School officials will not routinely and systematically restrict content of the publications and/or productions listed above prior to their publication/performance, except with respect to unprotected speech. ( ) Each medium should provide a full opportunity for students to inquire, question, and exchange ideas. ( ) Content should reflect all areas of student interest and may include topics about which there may be dissent and/or controversy. **[end of options]**

The above-listed publications and/or productions shall contain a notice to the reader/viewer that the material, while school-sponsored, is student-directed and not subject to prior review. Given the listed student publications and/or productions have been designated as limited-purpose public forums, the school assumes no liability for their content, and with editorial control comes responsibility. Student journalists, content-creators and performers are expected to establish and enforce standards for their publications/productions that are consistent with professional journalism/ artistic/theatrical/broadcast standards.

All other school-sponsored student media including classroom and/or other curricular, co-curricular, or extra-curricular/club-related publications and/or productions, are nonpublic forums. As nonpublic forums, the content of these other student publications and productions can be regulated for legitimate pedagogical school-related reasons. School officials shall routinely and systematically review and, if necessary, restrict the content of all school-sponsored student media, except for those publications/productions listed above, prior to publication/performance in a reasonable manner that is neutral as to the viewpoint of the speaker. **[DRAFTING NOTE: It is critical that the school officials actually engage in prior review/restraint and not just "reserve" the right to engage in such review/restraint. If the school officials fail to routinely and consistently exercise this authority, a court reviewing a student challenge to a review/restraint may hold that this policy is not being implemented as written, and therefore the Board may be found to have lost the authority it attempted to preserve for its administrators. The Board shall provide school officials with guidance and training in order to implement this duty of review/restrain effectively and legally.]**

**[DRAFTING NOTE: Select Option B1, Option B-2, Option B-3, Option B-4, or Option B-5.]**

**[DRAFTING NOTE: The Board should select this option only if it has prohibited all nonpublic forum school-sponsored student publication/performance on Social Media, with the exception of nonpublic forum school-sponsored student media that is disseminated through Corporation-approved Social Media that employs a secure portal that restricts access to members of the school community through the use of a User ID and Password (or other form of biometric authentication security).]**

Nonpublic forum school-sponsored student media may be published/performed only to members of the school community.

**[END OF OPTION B-1]**

**[DRAFTING NOTE: The Board should select either Option B-2 or Option B-3 if it has authorized the limited use of Corporation-approved Social Media to publish/perform nonpublic forum school-sponsored student media; as mentioned above, it is critically important that school officials routinely and consistently exercise their limited authority to engage in prior review/restraint with respect to the publication/performance of all nonpublic forum school-sponsored student media.]**

**[ ] Option B-2**

While ordinarily nonpublic forum school-sponsored student media may be published/performed only to members of the school community, the following nonpublic forum student media may be published/performed outside the school community (i.e., to the general public): \_\_\_\_\_ **[identify] ( ) high school newspaper [could substitute with the name of the newspaper] ( ) high school yearbook \_\_\_\_\_ [could substitute with the name of the yearbook] ( ) \_\_\_\_\_ [insert name(s) of specific school-sponsored student publications/productions]. ( ) See Board Policy 9160.**

**[END OF OPTION B-2]**

**[ ] Option B-3**

While ordinarily nonpublic forum school-sponsored student media may be published/performed only to members of the school community, the Superintendent may authorize specific nonpublic forum student media to be published/performed outside the school community (i.e., to the general public). A student or group of students who wish to have his/her/their nonpublic forum student media published/performed outside the school community must submit to the Superintendent a request for prior written approval for such publication/performance.

**[END OF OPTION B-3]**

**Option B-4**

While nonpublic forum school-sponsored student media generally may be published/performed outside the school community (i.e., to the general public), the following nonpublic forum student media may be published/performed only to members of the school community: \_\_\_\_\_ **[identify]**. ( ) See Board Policy 9160.

**[END OF OPTION B-4]**

**Option B-5**

Nonpublic forum school-sponsored student media may be published/performed outside the school community (i.e., to the general public). ( ) See Board Policy 9160.

**[END OF OPTION B-5]**

**[END OF OPTION B]**

**Option C [Select if the Board intends to identify specific student publications/productions to be limited-purpose public forums but wants to retain the authority to engage in limited and consistent prior review/restraint on the basis of four (4) identified reasons. School-sponsored publications/productions not listed are considered nonpublic forums and will be subject to routine prior review and restraint. This is the second most restrictive and permits some prior review/restraint involving what are otherwise limited-purpose public forums.]**

The Board designates the following official, school-sponsored student media to be limited-purpose public forums:

**[List all publications so designated]**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

As limited-purpose public forums, the student journalist, content-creators or performers associated with the above-listed publications and/or productions may address matters of concern and/or interest to their readers/viewers. The student journalists, content-creators and/or performers involved in the above-listed publications/productions have the right to determine the content of this student media. ( ) While designated as limited-purpose public forums, the listed publications/productions are not intended to address general matters of public concern and are not open to public comment.

School officials will not routinely and systematically restrict content of the publications and/or productions listed above prior to their publication/performance; however, school officials may review the content and reject an article/posting/publication/production due to one (1) of the following four (4) reasons:

1. where poor grammar or writing is evident;
2. where a legitimate question of age appropriateness of the material exists;
3. where matters beyond the limited scope of the forum are included; and/or
4. where the content involves unprotected speech.

[ ] The above-listed school-sponsored student publications/productions, while limited-purpose public forums, are not intended to address general matters of public concern and therefore are not open to public comment.

The listed publications and or production shall contain a notice to the reader/viewer that the material, while school-sponsored, is student directed and subject only to limited prior review. Given the listed student publications and/or productions have been designated as limited-purpose public forums, the school assumes no liability for the content beyond that covered by the school officials' limited prior review, and with editorial control comes responsibility. Student journalists, content-creators and performers are expected to establish and enforce standards for their publications/productions that are consistent with professional journalism/artistic/theatrical/broadcast standards.

**[DRAFTING NOTE: Select Option C-1, Option C-2, Option C-3, Option C-4, or Option C-5.]**

**[ ] Option C-1**

**[DRAFTING NOTE: The Board should select this option only if it has prohibited all school-sponsored student publication/performance on Social Media, with the exception of school-sponsored student media that is disseminated through Corporation-approved Social Media that employs a secure portal that restricts access to members of the school community through the use of a User ID and Password (or other form of biometric authentication security).]**

[ ] School-sponsored student media may be published/performed only to members of the school community.

**[END OF OPTION C-1]**

**[DRAFTING NOTE: The Board should select either Option C-2 or Option C-3 if it has authorized the limited use of Corporation-approved Social Media to publish/perform school-sponsored student media; as mentioned below, it is critically important that school officials routinely and consistently exercise their limited authority to engage in prior review/restraint with respect to the publication/performance of all school-sponsored student media.]**

**[ ] Option C-2**

[ ] While ordinarily school-sponsored student media may be published/performed only to members of the school community, the following student media may be published/performed outside the school community (i.e., to the general public): \_\_\_\_\_ **[identify]** ( ) high school newspaper **[could substitute with the name of the newspaper]** ( ) high school yearbook **[could substitute with the name of the yearbook]** ( ) \_\_\_\_\_ **[insert name(s) of specific school-sponsored student publications/productions]**. ( ) See Board Policy 9160.

**[END OF OPTION C-2]**

**[ ] Option C-3**

[ ] While ordinarily school-sponsored student media may be published/performed only to members of the school community, the Superintendent may authorize specific student media to be published/performed outside the school community (i.e., to the general public). A student or group of students who wish to have his/her/their student media published/performed outside the school community must submit to the Superintendent a request for prior written approval for such publication/performance.

**[END OF OPTION C-3]**

**[ ] Option C-4**

[ ] While school-sponsored student media generally may be published/performed outside the school community (i.e., to the general public), the following student media may be published/performed only to members to the school community: \_\_\_\_\_ **[identify]**. ( ) See Board Policy 9160.

**[END OF OPTION C-4]**

**[ ] Option C-5**

[ ] School-sponsored student media may be published/performed outside the school community (i.e., to the general public). ( ) See Board Policy 9160.

**[END OF OPTION C-5]**

All other school-sponsored student publications and productions, including classroom and/or other curricular or extra-curricular/club-related publications and/or productions, are nonpublic forums. As nonpublic forums, the content of these other student publications and productions can be regulated for legitimate pedagogical school-related reasons. School officials shall routinely and systematically review and, if necessary, restrict the content of all school-sponsored student media except those publications/productions listed above, prior to publication/performance in a reasonable manner that is neutral as to the viewpoint of the speaker. **[DRAFTING NOTE: It is**

**critical that the school officials actually engage in prior review/restraint and not just "reserve" the right to engage in such review/restraint. If the school officials fail to routinely and consistently exercise this authority, a court reviewing a student challenge to a review/restraint may hold that this policy is not being implemented as written, and therefore the Board may be found to have lost the authority it attempted to preserve for its administrators. The Board should provide school officials with guidance and training in order to implement this duty of review/restraint effectively and legally.]**

**[END OF OPTION C]**

**[ ] Option D [Select if the Board intends all school-sponsored student media (i.e., publications/production) to be nonpublic forums - i.e., subject to routine prior review/restraint. This is the most restrictive option.]**

**[DRAFTING NOTE: for Options D-1 through D-5: It is critical that the school officials actually engage in prior review/restraint and not just "reserve" the right to engage in such review/restraint. If the school officials fail to routinely and consistently exercise this authority, a court reviewing a student challenge to a review/restraint may hold that this policy is not being implemented as written, and therefore the Board will be considered to have lost the authority it attempted to preserve for its administrators. The Board should provide school officials with guidance and training in order to implement this duty of review/restraint effectively and legally.]**

All school-sponsored student media are nonpublic forums. While students may address matters of interest or concern to their readers/viewers, as nonpublic forums, the style and content of the student publications and productions can be regulated for legitimate pedagogical, school-related reasons. School officials shall routinely and systematically review and, if necessary, restrict the type and/or content of all school-sponsored student media prior to publication/performance in a reasonable manner that is neutral as to the viewpoint of the speaker. Legitimate pedagogical concerns are not confined to academic issues but include the teaching by example of the shared values of a civilized social order, which consists of not only independence of thought and frankness of expression but also discipline, courtesy/civility, and respect for authority. School officials may prohibit further speech that is grammatically incorrect, poorly written, inadequately researched, biased or prejudiced, vulgar, profane, or unsuitable for immature audiences.

**[DRAFTING NOTE: Select Option D-1, Option D-2, Option D-3, Option D-4, or Option D-5.]**

**[x ] Option D-1**

**[DRAFTING NOTE: The Board should select this option only if it has prohibited all school-sponsored student publication/performance on Social Media, with the exception of school-sponsored student media that is disseminated through Corporation-approved Social Media that employs a portal that restricts access to members of the school community through the use of a User ID and Password (or other form of biometric authentication security).]**

**[ ] School-sponsored student media may be published/performed only to members of the school community.**

**[END OF OPTION D-1]**

**[DRAFTING NOTE: The Board should select either Option D-2 or Option D-3 if it has authorized the limited use of Corporation-approved Social Media to publish/perform school-sponsored media; as mentioned above, it is critically important that school officials routinely and consistently exercise their authority to engage in prior review/restraint with respect to the publication/performance of all school-sponsored student media.]**

**[x ] Option D-2**

[ ] While ordinarily school-sponsored student media may be published/performed only to members of the school community, the following student media may be published/performed outside the school community (i.e., to the general public): \_\_\_\_\_ **[identify]** ( ) high school newspaper **[could substitute with the name of the newspaper]** ( ) high school yearbook **[could substitute with the name of the yearbook]** ( ) \_\_\_\_\_ **[insert name(s) of specific school-sponsored student publications/productions]**. ( ) See Board Policy 9160.

**[END OF D-2]**

**[x ] Option D-3**

[ ] While ordinarily school-sponsored student media may be published/performed only to members of the school community, the Superintendent may authorize specific student media to be published/performed outside the school community, (i.e., to the general public). A student or group of students who wish to have his/her/their student media published/performed outside the school community must submit to the Superintendent a request for prior written approval for such publication/performance.

**[END OF OPTION D-3]**

**[x ] Option D-4**

[ ] While school-sponsored student media generally may be published/performed outside the school community (i.e., to the general public), the following student media may be published/performed only to members of the school community: \_\_\_\_\_ **[identify]**. ( ) See Board Policy 9160.

**[END OF OPTION D-4]**

**[ ] Option D-5**

[ ] School-sponsored student media may be published/performed outside the school community (i.e., to the general public). ( ) See Board Policy 9160

**[END OF OPTION D-5]**

**[END OF OPTION D]**

**[END OF OPTIONS A THROUGH D]**

**[NOTE: The following paragraph is optional.]**

Students  staff will monitor comments posted to social media platforms/sites that have been approved under Policy 7544 for use as school-sponsored student media. Comments will be monitored to verify the age-appropriateness of the material, whether unprotected speech is involved, and whether there is compliance with posted rules for use of the forum and the platform's/site's applicable terms of service. Comments that are not age-appropriate for the student-audience for the school-sponsored publication, constitute unprotected speech, and/or violate the posting rules for the use of the forum and/or the platform's/site's applicable terms of service will be removed. The review of posted comments will be conducted in a viewpoint neutral manner and consistent with State and Federal law.

Students shall not be disciplined and/or retaliated against for exercising and/or asserting their free speech rights as defined in this policy. Nothing in this policy, however, restricts the Board's ability to impose post-publication/performance discipline related to a student engaging in the impermissible publication/performance of unprotected speech.

**[DRAFTING NOTE: CHOOSE ONE (1) OF THE FOLLOWING THREE (3) OPTIONS RE: ADVERTISING.]**

**Option #1 [Select if the Board intends to permit advertising in some or all school-sponsored student media but requires a school employee/official to pre-approve the advertisements.]**

Advertising is permitted in  all school-sponsored student media  the following school-sponsored student publication/productions: [identify publications/productions]

[Redacted area]

Any advertisements must be consistent with Policy 9700.01  AG 9700B.

Advertisements submitted for publication or inclusion in a production shall be reviewed by  the class/activity advisor  the building principal  the Superintendent  school officials **[end of options]** for a determination that they are appropriate for juveniles. The  Superintendent  Board retains the final authority to determine whether an advertisement is appropriate and will be included in a publication/production. Advertisements may be rejected for legitimate pedagogical school-related reasons unrelated to the viewpoint of the advertiser (e.g., the advertisement encourages action that would endanger the health and safety of students).

**Option #2 [Select if the Board intends to permit advertising in some or all school-sponsored student media that are designated to be limited-purpose public forums, and the students involved in the specific publications/productions will be responsible for accepting or rejecting the advertisements.]**

Advertising is permitted in  all school-sponsored student media that have been designated as limited-public forums.  the following school-sponsored student media that have been designated as limited-purpose public forums: **[identify publications/productions]**

[Redacted area]



Any advertisements must be consistent with Policy 9700.01 ( ) and AG 9700B.

The students in the class(es)/activity(ies) associated with ( ) all school-sponsored student media that have been designated as limited-purpose public forums ( ) the above-listed student media **[end of option]** will determine whether to include advertisements in the publications/productions. Acceptance or rejection of specific advertisements is within the control of the publication/production staff, which may except those for activities, products, or services that are illegal for students and/or that violate State or Federal law.

[ ] The publication/production staff is encouraged to consider the age appropriateness of the ads they select.

**[ ] Option #3 [Select if the Board intends to prohibit advertisements in all student publications/productions.]**

Advertising is not permitted in school-sponsored student media.

**[END OF OPTIONS RE: ADVERTISING]**

### **General Prohibitions**

Regardless of their status as non-public or limited-purpose public forums, the Board prohibits publications, productions, and advertisements that:

1. promote, favor, or oppose any candidate for election or the adoption of any bond issue, proposal, or question submitted at any election;
2. ( ) fail to identify the student or organization responsible for the publication/performance;
3. ( ) solicit funds for non-school organizations or institutions when such solicitation has not been approved by the Board.

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Book	Policy Manual
Section	Policies for the Board
Title	Copy of GRANT FUNDS
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#### 6110 - **GRANT FUNDS**

It is the objective of the School Board to provide equal educational opportunities for all School Corporation students. Government agencies, as well as foundations, businesses, and individuals, periodically offer both human and material resources to the Corporation that benefit students and the educational program. Therefore, it is the intent of the Board to consider grant proposals and applications for their potential to enhance the educational opportunities, the educational environment, and the physical and mental growth for each student.

The Superintendent shall review new Federal education legislation and prepare proposals for programs s/he deems would be of aid to the students of this Corporation. The Superintendent shall approve each such proposal prior to its submission, and the Board shall approve all grants resulting from such proposals.

The Board regards available Federal funds of aid to local school corporations and communities as a public trust. It forbids the use of Federal monies for partisan political activities and for any use that would not be in accord with Federal regulations and guidelines.

No Federal funds received by the Corporation shall be used to:

- A. develop or distribute materials or operate programs or courses of instruction directed at youth that are designed to promote or encourage sexual activity, whether homosexual or heterosexual;
- B. distribute or aid in the distribution by any organization of legally obscene materials to minors on school grounds or at school sponsored activities;
- C. provide sex education or HIV-prevention education in schools unless that instruction is age appropriate and includes the health benefits of abstinence; or
- D. operate a program of contraceptive distribution in schools.

**The Superintendent shall review grant opportunities and authorize the development of proposals.**

#### **Grant Proposal Development**

- A. All grant proposals must support at least one (1) Corporation goal or priority.

- B. For projects where grant funds will not cover the entire cost of project implementation, additional fund sources must be identified, documented, and approved during the internal review process.

### Grant Proposal Internal Review

Each grant proposal shall be reviewed and approved by the Superintendent prior to submission to the funding source.

**The Superintendent may identify a project director prior to proposal submission.**

### Grant Administration

- A. The administration of grants will adhere to all applicable Federal, State, local, and grantor rules and regulations, including the terms and conditions of the Federal awards as well as Board policies and administrative guidelines.
- B. The Superintendent is responsible for the efficient and effective administration of grant awards through the application of sound management practices.
- C. The Superintendent is responsible for administering grant funds in a manner consistent with underlying agreements, applicable statutes, regulations, and objectives, and the terms and conditions of the grant award.
- D. The Corporation, in recognition of its unique combination of staff, facilities, and experience, shall employ internal controls, including the organizational and management strategies necessary to assure proper and efficient administration of grant awards.
- E. All Federal funds received by the Corporation will be used in accordance with the applicable Federal law and regulations and the terms and conditions of the Federal award. The Superintendent shall require that each draw of Federal monies be aligned with the Corporation's payment process (whether reimbursement, cash advance, or a combination). If funds are permitted to be drawn in advance, all draws will be as close as administratively feasible to the related program expenditures and that, when restricted, such monies are used to supplement programs and funding and not to supplant or replace existing programming or current funding.

**Maintenance of Effort (MOE) and Maintenance of Equity (MOEquity) requirements of the Federal program will be met in accordance with the requirements of the specific funded program. The Corporation shall maintain appropriate documentation and records to substantiate compliance or to justify allowable exceptions, exemptions, or waivers.**

- F. The Superintendent is authorized to sign related documents for grant administration, including documents required for submittal of grant proposals.
- G. ~~Employee positions established through the use of grant funding shall terminate if and when the related grant funding ceases.~~

### Financial Management

The financial management of grant funds shall be in compliance with all applicable Federal, State, local, and grantor rules, regulations, and assurances as well as Corporation policies and administrative guidelines.

The Corporation shall provide for the following:

- A. Identification, in Corporation accounts, of all grant awards received and expended and the programs under which they were received. For Federal programs and awards, identification shall include the Catalog of Federal Domestic Assistance (CFDA) title and number, Federal award identification number and year, name of the Federal agency and name of the pass-through entity, as applicable.

- B. Accurate, current, and complete disclosure of the financial results of each Federal award or program in accordance with the reporting requirements of the grant.
- C. Records that identify adequately the source and application of funds provided for Federally-funded activities. These records must contain information pertaining to Federal awards, authorizations, obligations, unobligated balances, assets, expenditures, income and interest and be supported by source documentation.
- D. Effective control over, and accountability for, all funds, property, and other assets. The Corporation must adequately safeguard all assets and assure that they are used solely for authorized purposes.

Further, the Corporation must:

- 1. establish and maintain effective internal control over the Federal award that provides reasonable assurance that the Corporation is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award;
  - 2. comply with Federal statutes, regulations and the terms and conditions of the Federal award;
- E. Comparison of expenditures with budget amounts for each Federal award
  - F. Recordkeeping and written procedures to the extent required by Federal, State, local, and grantor rules and regulations pertaining to the grant award and accountability, including, but not limited to, the following areas:
    - 1. cash management
    - 2. allowability
    - 3. conflict of interest
    - 4. procurement
    - 5. equipment management
    - 6. conducting technical evaluations of proposals and selecting recipients
    - 7. compensation and fringe benefits
    - 8. travel
  - G. Disclosure of any potential conflict of interest and all mandatory violation disclosures potentially affecting the Federal award/grant to the Federal awarding agency or pass through agency in accordance with applicable Federal policy.
  - H. Insurance coverage for real property and equipment, if applicable, equivalent to such property owned by the Corporation.

### **Program Income**

Program income means gross income earned by a grant recipient that is directly generated by a supported activity or earned as a result of the Federal award during the grant's period of performance.

It includes, but is not limited to, income from fees for services performed, the use or rental of real or personal property acquired under Federal awards, the sale of commodities or items fabricated under a Federal award, license fees and royalties on patents and copyrights, and principal and interest on loans made with Federal award funds. Interest earned on advances of Federal funds is not program income. Except as otherwise provided in Federal statutes, regulations or the terms and conditions of the Federal award,

program income does not include rebates, credits, discounts and interest earned on any of them. Additionally, taxes, special assessments, levies, fines and other such revenues raised by a recipient are not program income unless the revenues are specifically identified in the Federal award or Federal awarding agency regulations as program income. Finally, proceeds from the sale of real property, equipment or supplies are not program income.

Unless it has received prior approval to use a different method or the terms and conditions of the grant authorize a different method, the Corporation uses the deduction method of accounting for program income. Under the deduction method, program income is deducted from total allowable costs to determine the net allowable costs. Program income will be used only for current costs unless the Corporation is otherwise directed by the Federal awarding agency or pass-through entity.

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Legal

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Compliance Supplement for Single Audits of State and Local Governments

20 U.S.C. 7906

Education Department General Administrative Regulations (EDGAR)

34 C.F.R. 75.707, 76.563, 76.565, 76.707

2 C.F.R. 200.56, 200.71, 200.77, 200.80, 200.112, 200.302, 200.307

2 C.F.R. 200.309, 200.310, 200.313, 200.318-.320, 200.343(b)&(e)



Book	Policy Manual
Section	Policies for the Board
Title	Copy of COST PRINCIPLES - SPENDING FEDERAL FUNDS
Code	po6114
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#### 6114 - **COST PRINCIPLES - SPENDING FEDERAL FUNDS**

The Superintendent is responsible for the efficient and effective administration of grant funds through the application of sound management practices. Such funds shall be administered in a manner consistent with all applicable Federal, State and local laws, the associated agreements/assurances, program objectives and the specific terms and conditions of the grant award.

#### **Cost Principles**

Except where otherwise authorized by statute, costs shall meet the following general criteria in order to be allowable under Federal awards:

- A. Be necessary and reasonable for proper and efficient performance and administration of the Federal award and be allocable thereto under these principles.

To determine whether a cost is reasonable, consideration shall be given to:

1. whether a cost is a type generally recognized as ordinary and necessary for the operation of the School Corporation or the proper and efficient performance of the Federal award;
2. the restraints or requirements imposed by such factors as sound business practices, arm's length bargaining, Federal, State, local, tribal and other laws and regulations;
3. market prices for comparable goods or services for the geographic area;
4. whether the individuals concerned acted with prudence in the circumstances considering their responsibilities; and
5. whether the cost represents any significant deviation from the established practices or School Board policy which justifiably may increase the expense.

While Federal regulations do not provide specific descriptions of what satisfies the "necessary" element beyond its inclusion in the reasonableness analysis above, whether a cost is necessary is determined based on the needs of the program. Specifically, the expenditure must be necessary to achieve an important program objective. A key aspect in determining whether a cost is necessary is whether the Corporation can demonstrate that the cost addresses an existing need, and can prove it.

When determining whether a cost is necessary, consideration may be given to whether:

1. the cost is needed for the proper and efficient performance of the grant program;
2. the cost is identified in the approved budget or application;
3. there is an educational benefit associated with the cost;
4. the cost aligns with identified needs based on results and findings from a needs assessment; and
5. the cost addresses program goals and objectives and is based on program data.

A cost is allocable to the Federal award if the goods or services involved are chargeable or assignable to the Federal award in accordance with the relative benefit received. This standard is met if the cost: 1) is incurred specifically for the Federal award; 2) benefits both the Federal award and other work of the Corporation and can be distributed in proportions that may be approximated using reasonable methods; 3) and is necessary to the overall operation of the Corporation and is assignable to the Federal award in accordance with cost principles mentioned here.

- B. Conform to any limitations or exclusions set forth in the cost principles in Part 200 or in the terms and conditions of the Federal award, **including prohibitions regarding costs incurred for telecommunications and video surveillance services or equipment.**
- C. Be consistent with policies and procedures that apply uniformly to both Federally-financed and other activities of the Corporation.
- D. Be accorded consistent treatment. A cost cannot be assigned to a Federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to a Federal award as an indirect cost under another award.
- E. Be determined in accordance with generally accepted accounting principles.
- F. Be representative of actual cost, net of all applicable credits or offsets.
- The term "applicable credits" refers to those receipts or reductions of expenditures that operate to offset or reduce expense items allocable to the Federal award. Typical examples of such transactions are: purchase discounts; rebates or allowances; recoveries or indemnities on losses; and adjustments of overpayments or erroneous charges. To the extent that such credits accruing to or received by the State relate to the Federal award, they shall be credited to the Federal award, either as a cost reduction or a cash refund, as appropriate.
- G. Not be included as a match or cost-share, unless the specific Federal program authorizes Federal costs to be treated as such.
- H. Be adequately documented:
1. in the case of personal services, the Superintendent shall implement a system for Corporation personnel to account for time and efforts expended on grant funded programs to assure that only permissible personnel expenses are allocated;
  2. in the case of other costs, all receipts and other invoice materials shall be retained, along with any documentation identifying the need and purpose for such expenditure if not otherwise clear.
- I. Be incurred during the approved budget period.

The budget period means the time interval from the start date of a funded portion of an award to the end date of that funded portion during which recipients are authorized to carry out authorized work and expend the funds awarded, including any

funds carried forward or other revisions pursuant to the law. Prior written approval from the Federal awarding agency or State pass-through entity may be required to carry forward unobligated balances to subsequent budget periods unless waived.

### **Selected Items of Cost**

The Corporation shall follow the rules for selected items of cost at 2 C.F.R. Part 200, Subpart E when charging these specific expenditures to a Federal grant. When applicable, Corporation staff shall check costs against the selected items of cost requirements to ensure the cost is allowable. In addition, State, Corporation and program-specific rules, including the terms and conditions of the award, may deem a cost as unallowable, and Corporation personnel shall follow those rules as well.

### **The following rules of allowability must apply to equipment and other capital expenditures:**

1. Capital expenditures for general purpose equipment, buildings, and land are unallowable as direct charges, except with the prior written approval of the Federal awarding agency or pass-through entity.
2. Capital expenditures for special purpose equipment are allowable as direct costs, provided that items with a unit cost of \$5,000 or more have the prior written approval of the Federal awarding agency or pass-through entity.
3. Capital expenditures for improvements to land, buildings, or equipment which materially increase their value or useful life are unallowable as a direct cost except with the prior written approval of the Federal awarding agency, or pass-through entity.
4. **All Federally-funded contracts in excess of \$2,000 related to construction, alteration, repairs, painting, decorating, etc. must comply with Davis-Bacon prevailing wage requirements.**
5. Allowability of depreciation on buildings, capital improvements, and equipment shall be in accordance with 2 CFR 200.436 and 2 CFR 200.465.
6. When approved as a direct cost by the Federal awarding agency or pass-through entity under Sections A - C, capital expenditures will be charged in the period in which the expenditure is incurred, or as otherwise determined appropriate and negotiated with the Federal awarding agency.
7. If the Corporation is instructed by the Federal awarding agency to otherwise dispose of or transfer the equipment, the costs of such disposal or transfer are allowable.

### **Cost Compliance**

The Superintendent shall require that grant program funds are expended and are accounted for consistent with the requirements of the specific program and as identified in the grant application. Compliance monitoring includes accounting for direct or indirect costs and reporting them as permitted or required by each grant. Costs incurred for the same purpose in like circumstances shall be treated consistently as either direct or indirect costs, but may not be double charged or inconsistently charged as both

### **Determining Whether a Cost is Direct or Indirect:**



- A. Direct costs are those costs that can be identified specifically with a particular final cost objective, such as a Federal award, or other internally or externally funded activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy.

These costs may include: salaries and fringe benefits of employees working directly on a grant-funded project; purchased services contracted for performance under the grant; travel of employees working directly on a grant-funded project; materials, supplies, and equipment purchased for use on a specific grant; program evaluation costs or other institutional service operations; and infrastructure costs directly attributable to the program (such as long distance telephone calls specific to the program, etc.). **Direct costs may also include capital expenditures if approved by the Federal awarding agency or pass-through entity, as well as capital expenditures for special purpose equipment with a unit cost of less than \$5,000.**

- B. Indirect costs are those that have been incurred for a common or joint purpose benefiting more than one cost objective and are not readily assignable to the cost objectives specifically benefited without effort disproportionate to the results achieved. Costs incurred for the same purpose in like circumstances shall be treated consistently as either direct or indirect costs.

These costs may include: general data processing, human resources, utility costs, maintenance, accounting, etc.

Federal education programs with supplement not supplant provisions must use a restricted indirect cost rate. In a restricted rate, indirect costs are limited to general management costs. General management costs do not include divisional administration that is limited to one component of the Corporation, the governing body of the Corporation, compensation of the Superintendent, compensation of the chief executive officer of any component of the Corporation, and operation of the immediate offices of these officers.

The salaries of administrative and clerical staff normally should be treated as indirect costs. Direct charging of these costs may be appropriate only if all of the following conditions are met:

1. Administrative or clerical services are integral to a project or activity.
2. Individuals involved can be specifically identified with the project or activity.
3. Such costs are explicitly included in the budget or have the prior written approval of the Federal awarding agency.
4. The costs are not also recovered as indirect costs.

Where a Federal program has a specific cap on the percentage of administrative costs that may be charged to a grant, that cap shall include all direct administrative charges as well as any recovered indirect charges.

Effort should be given to identify costs as direct costs whenever practical, but allocation of indirect costs may be used where not prohibited and where indirect cost allocation is approved ahead of time by the Indiana Department of Education (IDOE) or the pass-through entity (Federal funds subject to 2 C.F.R. Part 200 pertaining to determining indirect cost allocation).

**Equipment and other capital expenditures are unallowable as indirect costs.**

### **Timely Obligation of Funds**

Financial obligations are orders placed for property and services, contracts and subawards made, and similar transactions

This term is used when referencing a recipient's or subrecipient's use of funds under a Federal award.

The following table illustrates when funds are determined to be obligated under the U.S. Department of Education regulations:

If the obligation is for:

- A. Acquisition of property - on the date which the Corporation makes a binding written commitment to acquire the property.
- B. Personal services by an employee of the Corporation - when the services are performed.
- C. Personal services by a contractor who is not an employee of the Corporation - on the date which the Corporation makes a binding written commitment to obtain the services.
- D. Performance of work other than personal services - on the date when the Corporation makes a binding written commitment to obtain the work.
- E. Public utility services - when the Corporation receives the services.
- F. Travel - when the travel is taken.
- G. Rental of property - when the Corporation uses the property.
- H. A pre-agreement cost that was properly approved by the Secretary under the cost principles in 2 C.F.R. Part 200, Subpart E - Cost Principles - on the first day of the project period.

### **Period of Performance**

All financial obligations must occur during the period of performance. Period of performance means the total estimated time interval between the start of an initial Federal award when the Corporation is permitted to carry out the work authorized by the grant and the planned end date. The period of performance may include one or more funded portions or budget periods. The period of performance is dictated by statute and will be indicated in the grant award notification ("GAN"). As a general rule, State-administered Federal funds are available for obligation within the year that Congress appropriates the funds for. However, given the unique nature of educational institutions, for many Federal education grants, the period of performance is twenty-seven (27) months. This maximum period includes a fifteen (15) month period of initial availability, plus a twelve (12) month period for carryover. For direct grants, the period of performance is generally identified in the GAN.

In the case of a State-administered grant, financial obligations under a grant may not be made until the whichever is later. In the case of a direct grant, a grantee may use grant funds only for obligations it makes during the grant period unless an agreement exists with the awarding agency or the pass-through entity (e.g., Indiana Department of Education) to reimburse for pre-approval expenses.

If a Federal awarding agency or pass-through entity approves an extension, or if the Corporation extends under C.F.R. 200.308(e) (2), the Period of Performance will be amended to end at the completion of the extension. If a termination occurs, the Period of Performance will be amended to end upon the effective date of termination. If a renewal is issued, a distinct Period of Performance will begin.

For both State-administered and direct grants, regardless of the period of availability, the Corporation shall liquidate all financial obligations incurred under the award not later than ninety (90) days after the end of the funding period unless an extension is authorized. Any funds not obligated within the period of performance or liquidated within the appropriate timeframe are said to lapse and shall be returned to the awarding agency. Consequently, the Corporation shall closely monitor grant spending throughout the grant cycle.

2 C.F.R. 200.403-407  
 2 C.F.R. 200.413(a)-(c)  
 2 C.F.R. 200.430(a)  
 2 C.F.R. 200.431(a)  
 2 C.F.R. 200.439(b)(2)  
 2 C.F.R. 200.458  
 2 C.F.R. 344(b)

34 C.F.R. 75.703  
34 C.F.R. 76.707  
34 C.F.R 76.708(a)

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Legal                    2 C.F.R. 344(b) 34 C.F.R. 75.703 34 C.F.R. 76.707 34 C.F.R 708(a)  
                              2 C.F.R. 200.403-407  
                              2 C.F.R. 200.403-.407;2 C.F.R. 344(b);34 C.F.R. 75.703 34 C.F.R. 76.707 34 C.F.R. 708(a)  
                              2 C.F.R. 200.403-.406, 200.413(a)-(c), 200.430(a), 200.431(a), 200.458



Book	Policy Manual
Section	Policies for the Board
Title	Copy of PROCUREMENT – FEDERAL GRANTS/FUNDS
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### 6325 - PROCUREMENT – FEDERAL GRANTS/FUNDS

Procurement of all supplies, materials, equipment, and services paid from Federal funds or School Corporation matching funds shall be made in accordance with all applicable Federal, State, and local statutes and/or regulations, the terms and conditions of the Federal grant, and School Board policies and administrative procedures.

The Superintendent shall have and use a procurement and contract administration system in accordance with the USDOE requirements (2 CFR 200.317-.326), including affirmative steps for small and minority businesses and women's business enterprises, for the administration and management of Federal grants and Federally-funded programs. The Corporation shall maintain oversight that requires contractors to perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. Except as otherwise noted, procurement transactions shall conform to the provisions of the Corporation's documented general purchasing Policy 6320 and AG 6320.

**All Federally-funded contracts in excess of \$2,000 related to construction, alteration, repairs, painting, decorating, etc. of public buildings or public works must comply with Davis-Bacon and Related Acts prevailing wage requirements.**

All Corporation employees, officers (that is, Board members), and agents who have purchasing authority shall abide by the standards of conduct covering conflicts of interest and governing the actions of its employees, officers, and agents engaged in the selection, award, and administration of contracts as established in Policy 1130, Policy 3113 and Policy 4113 – Conflict of Interest.

The Corporation shall avoid acquisition of unnecessary or duplicative items. Additionally, consideration shall be given to consolidating or breaking out procurements to obtain a more economical purchase. And, where appropriate, an analysis shall be made of lease versus purchase alternatives and any other appropriate analysis to determine the most economical approach. These considerations are given as part of the process to determine the allowability of each purchase made with Federal funds.

To foster greater economy and efficiency, the Corporation may enter into State and local intergovernmental agreements, where appropriate, for procurement or use of common or shared goods and services.

### Competition

All procurement transactions for the acquisition of property or services required under a Federal award paid for from Federal funds or Corporation matching funds shall be conducted in a manner that encourages full and open competition and is in accordance with good administrative practice and sound business judgment. In order to promote objective contractor performance and eliminate unfair competitive advantage, the Corporation shall exclude any contractor that has developed or drafted specifications, requirements, statements of work, or invitations for bids or requests for proposals from competition for such procurements.

Some of the situations considered to be restrictive of competition include, but are not limited to, the following:

- A. unreasonable requirements on firms in order for them to qualify to do business;
- B. unnecessary experience and excessive bonding requirements;
- C. noncompetitive pricing practices between firms or between affiliated companies;
- D. noncompetitive contracts to consultants that are on retainer contracts;
- E. organizational conflicts of interest;
- F. specification of only a "brand name" product instead of allowing for an "*or equal*" product to be offered and describing the performance or other relevant requirements of the procurement; and
- G. any arbitrary action in the procurement process.

Further, the Corporation shall not use statutorily or administratively imposed State, local, or tribal geographical preferences in the evaluation of bids or proposals unless 1) an applicable Federal statute expressly mandates or encourages a geographic preference; or the Corporation is contracting for architectural and engineering services, in which case geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

To the extent that the Corporation uses a pre-qualified list of persons, firms or products to acquire goods and services that are subject to this policy, the pre-qualified list includes enough qualified sources as to ensure maximum open and free competition. The Corporation allows vendors to apply for consideration to be placed on the list at any time.

The Corporation shall require that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to provide maximum open and free competition. The Corporation shall not preclude potential bidders from qualifying during the solicitation period.

#### **Solicitation Language (Purchasing Procedures)**

The Corporation shall have written procurement procedures that require that all solicitations made pursuant to this policy incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, shall set forth those minimum essential characteristics and standards to which it shall conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible.

When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a "brand name or equivalent" description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which shall be met by offers shall be clearly stated; and the solicitation shall identify all requirements which the offerers shall fulfill and all other factors to be used in evaluating bids or proposals.

The Board will not approve any expenditure for an unauthorized purchase or contract.

#### **Procurement Methods**

The Corporation shall have and use documented procedures, consistent with the standards described above, for the following methods of procurement:

## A. Informal Procurement Methods

When the value of the procurement for property or services under a Federal award does not exceed the simplified acquisition threshold or a lower threshold established by the State, formal procurement methods are not required. The Corporation may use informal procurement methods to expedite the completion of its transactions and minimize the associated administrative burden and cost. The informal methods used for procurement of property or services at or below the simplified acquisition threshold include:

### 1. Micro-purchases

Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed \$10,000.00. To the maximum extent practicable, the Corporation should distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be made without soliciting competitive quotations if the Purchasing Agent identified in Policy 6320 considers the price to be reasonable based on research, experience, purchase history, or other relevant information and documents are filed accordingly. The Corporation shall maintain evidence of this reasonableness in the records of all purchases made by this method.

### 2. Small Purchases

Corporations are responsible for determining an appropriate simplified acquisition threshold based on internal controls, an evaluation of risk, and its documented procurement procedures which must not exceed the threshold established in the Federal Acquisition Regulations (FAR). When applicable, a lower simplified acquisition threshold used by the non-Federal entity must be authorized or not prohibited under State, local, or tribal laws or regulations.

## B. Formal Procurement Methods

When the value of the procurement for property or services under a Federal award exceeds the simplified acquisition threshold, or a lower threshold established by the State, formal procurement methods are required. Formal procurement methods require following documented procedures. Formal procurement methods also require public advertising unless a non-competitive procurement method can be used in accordance with the standards on competition in 200.319 or non-competitive procurement. The formal methods of procurement are:

### 1. Sealed Bids

Sealed, competitive bids shall be obtained when the purchase of, and contract for, single items of supplies, materials, or equipment amounts to more than \$250,000 and when the Board determines to build, repair, enlarge, improve, or demolish a school building/facility the cost of which will exceed the amount allowed by Indiana statute.

In order for sealed bidding to be feasible, the following conditions shall be present:

- a. a complete, adequate, and realistic specification or purchase description is available;
- b. two (2) or more responsible bidders are willing and able to compete effectively for the business; and
- c. the procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.

When sealed bids are used, the following requirements apply:

- a. Bids shall be solicited in accordance with the provisions of State law and Policy 6320. Bids shall be solicited from an adequate number of qualified suppliers, providing sufficient response time prior to the date set for the opening of bids. The invitation to bid shall be publicly advertised.
- b. The invitation for bids shall include product/contract specifications and pertinent attachments and shall define the items and/or services required in order for the bidder to properly respond.

- c. All bids shall be opened at the time and place prescribed in the invitation for bids; bids shall be opened publicly.
- d. A firm fixed price contract award shall be made in writing to the lowest responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts may be used to determine the low bid only when prior experience indicates that such discounts are usually taken.
- e. The Board reserves the right to reject any or all bids for sound documented reason.

## 2. Proposals

Procurement by proposals is a method in which either a fixed price or cost-reimbursement type contract is awarded. Proposals are generally used when conditions are not appropriate for the use of sealed bids or in the case of a recognized exception to the sealed bid method. Indiana law stipulates a threshold for which sealed bids are required. (See Policy 6320.)

If this method is used, the following requirements apply:

- a. Requests for proposals shall be publicized and identify all evaluation factors and their relative importance. Any response to the publicized requests for proposals shall be considered to the maximum extent practical.
- b. Proposals shall be solicited from an adequate number of sources.
- c. The Corporation shall use its written method for conducting technical evaluations of the proposals received and for selecting recipients.
- d. Contracts shall be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.

The Corporation may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can be used only in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.

## 3. Noncompetitive Procurement

Procurement by noncompetitive proposals allows for solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:

- a. micro-purchases
- b. the item is available only from a single source
- c. the public exigency or emergency for the requirement will not permit a delay resulting from publicizing a competitive solicitation
- d. the Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the Corporation
- e. after solicitation of a number of sources, competition is determined to be inadequate

### **Domestic Preference for Procurement**

As appropriate and to the extent consistent with law, the Corporation shall, to the extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States. Such requirements shall be included in all subawards including all contracts and purchase orders for work or products under the Federal award.

### **Contract/Price Analysis**

The Corporation shall perform a cost or price analysis in connection with every procurement action in excess of \$250,000, including contract modifications. A cost analysis generally means evaluating the separate cost elements that make up the total price, while a price analysis means evaluating the total price without looking at the individual cost elements.

The method and degree of analysis is dependent on the facts surrounding the particular procurement situation; however, the Corporation shall come to an independent estimate prior to receiving bids or proposals.

When performing a cost analysis, the Corporation shall negotiate profit as a separate element of the price. To establish a fair and reasonable profit, consideration is given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

### **Time and Materials Contracts**

The Corporation uses a time and materials type contract only (1) after a determination that no other contract is suitable; and (2) if the contract includes a ceiling price that the contractor exceeds at its own risk. Time and materials type contract means a contract whose cost to the Corporation is the sum of the actual costs of materials and direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, the Corporation sets a ceiling price for each contract that the contractor exceeds at its own risk. Further, the Corporation shall assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

### **Suspension and Debarment**

The Corporation shall award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of the proposed procurement. All purchasing decisions shall be made in the best interests of the Corporation and shall seek to obtain the maximum value for each dollar expended. When making a purchasing decision, the Corporation shall consider such factors as (1) contractor integrity; (2) compliance with public policy; (3) record of past performance; and (4) financial and technical resources.

The Superintendent shall have the authority to suspend or debar a person/corporation, for cause, from consideration or award of further contracts. The Corporation is subject to and shall abide by the nonprocurement debarment and suspension regulations implementing Executive Orders 12549 and 12689, 2 CFR Part 180.

Suspension is an action taken by the Corporation that immediately prohibits a person from participating in covered transactions and transactions covered under the Federal Acquisition Regulation (48 CFR chapter 1) for a temporary period, pending completion of an agency investigation and any judicial or administrative proceedings that may ensue. A person so excluded is suspended. (2 CFR Part 180 Subpart G)

Debarment is an action taken by the Superintendent to exclude a person from participating in covered transactions and transactions covered under the Federal Acquisition Regulation (48 CFR Chapter 1). A person so excluded is debarred. (2 CFR Part 180 Subpart H)

The Corporation shall not subcontract with or award subgrants to any person or company who is debarred or suspended. For contracts over \$25,000, the Corporation shall confirm that the vendor is not debarred or suspended by either checking the Federal government's System for Award Management, which maintains a list of such debarred or suspended vendors at [www.sam.gov](http://www.sam.gov);



collecting a certification from the vendor; or adding a clause or condition to the covered transaction with that vendor. (2 CFR Part 180 Subpart C)

### **Bid Protest**

The Corporation maintains the following protest procedures to handle and resolve disputes relating to procurements and, in all instances, discloses information regarding the protest to the awarding agency.

A bidder who wishes to file a bid protest shall file such notice and follow procedures prescribed by the Request For Proposals (RFPs) or the individual bid specifications package for resolution. Bid protests shall be filed in writing with the Superintendent within seventy- two (72) hours of the opening of the bids in protest.

Within five (5) days of receipt of a protest, the Superintendent shall review the protest as submitted and render a decision regarding the merits of the protest and any impact on the acceptance and rejection of bids submitted. Notice of the filing of a bid protest shall be communicated to the Board and shall be so noted in any subsequent recommendation for the acceptance of bids and awarding of contracts.

Failure to file a notice of intent to protest or failure to file a formal written protest within the time prescribed shall constitute a waiver of proceedings.

### **Maintenance of Procurement Records**

The Corporation shall maintain records sufficient to detail the history of all procurements. These records shall include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price (including a cost or price analysis).

### **Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms.**

- A. The child Nutrition Program Sponsor must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.
- B. Affirmative steps must include:
  - 1. Placing qualified small and minority businesses and women's business enterprises are solicited whenever they are potential sources;
  - 2. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
  - 3. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
  - 4. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
  - 5. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
  - 6. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this section.

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2 C.F.R. 200.520 2 C.F.R. Appendix II to Part 200

I.C. 5-22-2-21, 5-22-2-30, 5-22-2-38

I.C. 5-22-3-3

I.C. 5-22-6-1 and 5-22-6-2

I.C. 5-22-7-1 et seq.

I.C. 5-22-8-2, 5-22-8-3

I.C. 5-22-10-1 et seq.

I.C. 5-22-16-1, 5-22-16-2

I.C. 20-26-4-6, 20-26-4-8

I.C. 20-26-5-4

2 C.F.R. 200.317 - .326



Book	Policy Manual
Section	Policies for the Board
Title	Copy of STUDENT RECORDS
Code	po8330
Status	1st Reading
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### 8330 - **STUDENT RECORDS**

In order to provide appropriate educational services and programming, the School Board must collect, retain, and use information about individual students. Simultaneously, the Board recognizes the need to safeguard student's privacy and restrict access to student's personally identifiable information.

Student "personally identifiable information" ("PII") includes, but is not limited to: the student's name; the name of the student's parent or other family members; the address of the student or student's family; a personal identifier, such as the student's social security number, student number, or biometric record; other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name; other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or information requested by a person whom the School Corporation reasonably believes knows the identity of the student to whom the education record relates.

A social security number of a student contained in the records of the Corporation may be disclosed if the record is specifically required by a State or a Federal Statute or is ordered by a court under the rules of discovery.

PII concerning students shall be protected against theft, unauthorized access, alteration, disclosure, misuse, or invasion of privacy. Unless specifically authorized by the Superintendent or produced pursuant to a request under the Indiana Access to Public Records Act, PII concerning students shall not be left unprotected, shared or transferred from Corporation records to any place not within the control of the Corporation. This includes any laptop computer or portable storage medium.

The Board is responsible for maintaining records of all students attending schools in this Corporation. In addition to records mandated by the Federal Government, the State of Indiana requires that the Corporation record or include in the official high school transcript for each high school student the following information:

- A. attendance records
- B. the students' latest ~~ISTEP/GOE test~~ State-mandated testing results
- C. any secondary level and postsecondary level certificates of achievement earned by the student
- D. immunization information from the student's immunization record
- E. any dual credit courses taken that are included in the core transfer library under I.C. 21-42-5-4

- F. a functional workplace Spanish designation on the student's transcript if the student successfully completed a Spanish language course that meets the requirements of I.C. 20-32-4-12(b)

The Board also authorizes the collection of other student information including, but not limited to:

- A. observations and ratings of individual students by professional staff members acting within their sphere of competency;
- B. samples of student work;
- C. information obtained from professionally acceptable standard instruments of measurement such as interest inventories and aptitude tests, vocational preference inventories, achievement tests, and standardized intelligence tests;
- D. verified reports of serious or recurrent behavior patterns;
- E. rank in class and academic honors earned;
- F. psychological tests;
- G. custodial arrangements.

In all cases, permitted, narrative information in student records shall be objectively-based on the personal observation or knowledge of the originator.

Student records shall be available only to students and their parents, eligible students, designated school officials and designated school personnel, who have a legitimate educational interest in the information, or to other individuals or organizations as permitted by law.

The term "parents" includes legal guardians or other persons standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child). The term "eligible student" includes any student who is eighteen (18) years of age or older, or who is enrolled in a postsecondary institution regardless of his/her age.

In situations in which a student has both a custodial and a noncustodial parent, both shall have access to the student's educational records unless stated otherwise by court order. In the case of an eligible student, that is a student who is (eighteen (18) years of age or older), parents will be allowed access to the records without the student's consent, provided the student is considered a dependent under Section 152 of the Internal Revenue Code.

A "school official" is a person employed by the Board as an administrator, supervisor, teacher/instructor (including substitutes), school psychologist, therapist, or support staff member (including health or medical staff and law enforcement unit personnel); and a person serving on the Board. The Board further designates the following individuals and entities as "school officials" for purposes of FERPA:

- A. persons or companies with whom the Board has contracted to perform a specific task (such as an attorney, auditor, insurance representative, or medical consultant)
- B. school psychologists, whether employed by a special education cooperative, interlocal, joint services organization, or an outside contractor, for purposes of the referral, evaluation and identification of students suspected to have a disability
- C. contractors, consultants, volunteers or other parties to whom the Board has outsourced a service or function otherwise performed by Board employees (e.g. a therapist, authorized information technology (IT) staff, and approved online educational service providers)

The above-identified outside parties must (a) perform institutional services or functions for which the Board would otherwise use its employees, (b) be under the direct control of the Board with respect to the use and maintenance of education records, and (c) be subject to the requirements of 34 C.F.R. 99.33(a) governing the use and re-disclosure of PII from education records.

Finally, a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks (including volunteers) is also considered a "school official" for purposes of FERPA provided s/he meets the above-referenced criteria applicable to other outside parties. "Designated school personnel" may include but is not limited to employees or agents of an insurance carrier providing a defense to the Corporation or its employees or agents and Corporation legal counsel.

In the case of a health or safety emergency, "appropriate officials" include local or State law enforcement officials, Department of Child Services (DCS) officials, trained medical personnel, and school administrators whose knowledge of PII in a student's education records is necessary to protect the health or safety of students or other persons on Corporation property. The term "school administrator" includes a principal, an assistant principal, a superintendent, and an assistant superintendent.

"Legitimate educational interest" shall be defined as a "direct or delegated responsibility for helping the student achieve one (1) or more of the educational goals of the Corporation" or if the record is necessary in order for the designated school personnel official to perform an administrative, supervisory or instructional task for the Corporation or to perform a service or benefit for the student or the student's family or to provide a defense to the Corporation with respect to any of these tasks. The Board directs that reasonable and appropriate methods (including but not limited to physical and/or technological access controls) are utilized to control access to student records and to make certain that school officials obtain access to only those education records in which they have a legitimate educational interest.

The Board authorizes the administration to:

- A. forward student records including disciplinary records with respect to suspensions and expulsions upon request to a private or public school or school corporation in which a student of this Corporation seeks or intends to enroll, or is instructed to enroll, on a full-time or part-time basis, upon condition that:
  1. a reasonable attempt is made to notify the student's parent or eligible student of the transfer (unless the disclosure is initiated by the parent or eligible student; or the Board's annual notification - Form 8330 F9 - includes a notice that the Board will forward education records to other agencies or institutions that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer);
  2. the parent or eligible student, upon request, receives a copy of the record; and
  3. the parent or eligible student, upon request, has an opportunity for a hearing to challenge the content of the record;
- B. provide disclose, or report on the education records of a student, including PII contained in the education records, without the consent of the student's parent or eligible student, to appropriate officials and the parents of an eligible student whose knowledge of the information is necessary to protect the health or safety of the student or other individuals if school administrators determine there is an articulable and significant threat to the health or safety of a student or other individuals, considering the totality of the circumstances;

Information concerning any suspicious activity or potential criminal activity related to a child that is shared between a law enforcement officer and the Corporation or an appropriate official shall not be stored or maintained in any type of database.

- C. request each person or party requesting access to a student's record to abide by the Federal and State regulations concerning the disclosure of information to a third party;

- D. report a crime committed by a child to appropriate authorities, and, with respect to reporting a crime committed by a student with a disability, to transmit copies of the student's special education and disciplinary records to the authorities for their consideration;
- E. disclose personally identifiable information from education records, without consent, to organizations conducting studies "for, or on behalf of" the Corporation for purposes of developing, validating or administering predictive tests, administering student aid programs, or improving instruction;

Information disclosed under this exception must be protected so that students and parents cannot be personally identified by anyone other than representative(s) of the organization conducting the study, and must be destroyed when no longer needed for the study. In order to release information under this provision, the Corporation will enter into a written agreement with the recipient organization that specifies the purpose of the study. (See Form 8330 F14.) Further, the following personally identifiable information will not be disclosed to any entity: a student or his/her family member's social security number(s); religion; political party affiliation; voting history; or biometric information.

- F. disclose personally identifiable information from education records without consent, to authorized representatives of the Comptroller General, the Attorney General, and the Secretary of Education, as well as state and local educational authorities;

The disclosed records must be used to audit or evaluate a Federal or State supported education program, or to enforce or comply with Federal requirements related to those education programs. A written agreement between the parties is required under this exception (see Form 8330 F16).

The Corporation will verify that the authorized representative complies with FERPA regulations.

- G. disclose or report educational records to a State or local juvenile agency when the disclosure or reporting relates to the ability of the juvenile justice system to serve, before adjudication, the student whose records are being released; and the juvenile justice agency receiving the information certifies, in writing, that the agency or individual receiving the information has agreed not to disclose it to a third party, other than other juvenile justice agency, without the consent of the child's parent, guardian, or custodian.

A disclosure or reporting of educational records concerning a child who has been adjudicated as a delinquent child shall be treated as related to the ability of the juvenile justice system to serve the child before adjudication if the agency provides documentation to the Corporation that the agency seeks the information in order to identify and intervene with the child as a juvenile at risk of delinquency rather than to obtain information solely related to the supervision of the child as an adjudicated delinquent child.

The juvenile court may grant a school access to all or a portion of the juvenile court records of a child who is a student at the school if the Superintendent submits a written request establishing that the juvenile court records are necessary for the school to serve the educational needs of the child whose records are requested or to protect the safety or health of a student, an employee, or a volunteer at the school.

The school shall keep the records confidential. However, the confidentiality order does not prohibit the school from forwarding the juvenile records to another school or a person if a parent, guardian, or custodian of the child consents to the release of the juvenile court records to the person.

The Corporation will comply with a legitimate request for access to a student's records within a reasonable period of time but not more than forty-five (45) days after receiving the request or within such shorter period as may be applicable to students with disabilities.

Upon the request of the viewer, a record shall be reproduced, unless said record is copyrighted, and the viewer may be charged a fee equivalent to the cost of handling and reproduction. Based upon reasonable requests, viewers of education records will receive explanation and interpretation of the records.

The Corporation shall maintain a record of those persons to whom information about a student has been disclosed. Such disclosure records will indicate the student, person viewing the record, information disclosed, date of disclosure, and date parental/eligible student consent was obtained (if required).

Only "directory information" regarding a student shall be released to any person or party, other than the student or his/her parent, without the written consent of the parent; or, if the student is an eligible student, the written consent of the student, except those persons or parties stipulated by the Corporation's policy and administrative guidelines and/or those specified in the law.

## **DIRECTORY INFORMATION**

Each year the Superintendent shall provide public notice to students and their parents of the Corporation'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; e-mail address; photograph; major field of study; grade level; participation in officially recognized activities and sports; height and weight, if a member of an athletic team; dates of attendance; date of graduation; type of diploma awarded; awards received; honor rolls; scholarships.

The Board designates school-assigned email accounts as "directory information" for the limited purpose of facilitating students' registration for access to various online educational services, including mobile applications/apps that will be utilized by the student for educational purposes. School assigned email accounts shall not be released as directory information beyond this limited purpose and to any person or entity but the specific online educational service provider.

Directory information shall not be provided to any organization for profit-making purposes. The Superintendent may allow access to a school campus or give students' directory information to organizations that make students aware of educational or occupational options.

In accordance with Federal law, the Board may comply with FERPA when releasing students information to a recruiting officer for any branch of the United States Armed Forces or an institution of higher education who requests such information.

Parents and eligible students may refuse to allow the Corporation to disclose any or all of such "directory information" upon written notification to the Corporation within thirty (30) days after receipt of the Superintendent's annual public notice.

Whenever consent of the parent(s)/eligible student is required for the inspection and/or release of a student's health or educational records or for the release of directory information, either parent may provide such consent unless specifically stated otherwise by court order.

The Corporation may disclose "directory information" on former students without consent of the parent(s)/eligible student, unless the parent or eligible student previously submitted a request that such information not be disclosed without their prior written consent.

## **Student Mental and Behavioral Health Services Records**

Student Mental and Behavioral Health Services (SMBHS) records are documents relating to mental health or behavioral health services provided to students by (1) a provider certified or licensed by the State to provide mental or behavioral health services who is contracted or employed by the Corporation or a special education cooperative of which the Corporation is a member or (2) a community mental health center established under State law with whom the Corporation or a special education cooperative of which the Corporation is a member has entered into a memorandum of understanding. SMBHS records include but are not limited to mental health records, reports, notes, diagnosis(es) and/or appointments relating to a student who was referred by Corporation officials to receive mental or behavioral health services pursuant to State law or under a memorandum of understanding between the Corporation and a community mental health center established under State law or a provider certified or licensed by the state to provide mental or behavioral health services to students. SMBHS records are to be considered medical records and are confidential. SMBHS records that include any reports, notes, diagnosis(es) or appointments that result from a student's participation in any treatment relating to mental or behavioral health services provided by a community mental health center or appropriate provider that is contracted and paid for by the Corporation or a special education cooperative of which the

Corporation is a member shall not be maintained in a student's permanent educational file/cumulative file. SMBHS records kept by a provider employed or contracted by the Corporation or a special education cooperative of which the Corporation is a member shall be maintained in separate student folders in a secured file under the control of the provider. Sharing of any reports or notes resulting from a conference with the student and the student's parent to address the student's potential need for and benefit from mental or behavioral health services with other Corporation officials is strictly prohibited.

### **Disclosure of Lists of Students for Political or Commercial Purposes**

It is the policy of the Board not to release the lists of students for commercial or political purposes. This policy shall be equally applied to similarly situated organizations and persons. (I.C. 5-14-3-3(f))

### **Inspection of Information Collection Instrument**

The parent of a student or an eligible student has the right to inspect upon request any instrument used in the collection of personal information before the instrument is administered or distributed to a student. Personal information for this section is defined as individually identifiable information including a student or parent's first and last name, a home or other physical address (including street name and the name of the city or town), a telephone number, or a Social Security identification number. In order to review the instrument, the parent or eligible student must submit a written request to the building principal at least seven (7) business days before the scheduled date of the activity. The instrument will be provided to the parent or eligible student within five (5) business days of the principal receiving the request.

The Superintendent shall directly notify the parent(s) of a student and eligible students, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when such activities are scheduled or expected to be scheduled.

This section does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:

- A. college or other postsecondary education recruitment, or military recruitment
- B. book clubs, magazine, and programs providing access to low-cost literary products
- C. curriculum and instructional materials used by elementary and secondary schools
- D. tests and assessments used by elementary and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments
- E. the sale by students of products or services to raise funds for school-related or education-related activities
- F. student recognition programs

The Superintendent shall prepare procedures to ensure that students and parents are adequately informed each year regarding their rights to:

- A. inspect and review the student's education records;
- B. request amendments if the record is inaccurate, misleading, or otherwise in violation of the student's privacy rights;
- C. consent to disclosures of personally-identifiable information contained in the student's education records, except disclosures allowed without parental consent;



- D. challenge Board noncompliance with a parent's request to amend the records through a hearing;
- E. file a complaint of Corporation noncompliance with the United States Department of Education;
- F. obtain a copy of the Corporation's policy and administrative guidelines on student records.

The Board authorizes the use of the microfilm process or electromagnetic processes of reproduction for the recording, filing, maintaining, and preserving of records.

No liability shall attach to any member, officer, or employee of this Corporation specifically as a consequence of permitting access or furnishing students' records in accordance with this policy and administrative guidelines.

Any entity receiving personally identifiable information pursuant to a study, audit, evaluation or enforcement/compliance activity must comply with all FERPA regulations. Further, such an entity must enter into a written contract with the Board delineating its responsibilities in safeguarding the disclosed information. Specifically, the entity must demonstrate the existence of a sound data security plan or data stewardship program, and must also provide assurances that the personally identifiable information will not be redisclosed without prior authorization from the Board. Further, the entity conducting the study, audit, evaluation, or enforcement/compliance activity is required to destroy the disclosed information once it is no longer needed or when the time frame for the activity has ended, as specified in its written agreement with the Board. See Form 8330 F14 and Form 8330 F16 for additional contract requirements.

#### **Violation of this Policy**

As provided for by State law, an employee or agent of the Board who intentionally, knowingly, or recklessly discloses or fails to protect information classified as confidential by this policy may be disciplined or terminated.

Additionally, State law provides that a person who recklessly, knowingly, or intentionally destroys or damages any public record commits a Level 6 felony unless the destruction is pursuant to a record retention scheduled adopted by the County Public Records Commission.

Revised 9/17/07  
 Revised 1/28/08  
 Revised 3/22/10  
 Revised 11/26/12  
 Revised 2/23/15  
 Revised 6/20/16  
 Revised 4/24/17  
 Revised 10/30/17  
 Revised 2/26/18

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Legal	I.C. 5-14-3-3(f)
	I.C. 5-14-3-4(a)(3) and (12) I.C. 5-14-3-4(c)
	I.C. 5-14-3-10
	I.C. 5-15-6-8
	I.C. 20-32-4-12
	I.C. 20-33-2-13
	I.C. 20-33-7-1 et seq.

I.C. 31-39-2-13.8

511 I.A.C. 7-38-1 et seq.

26 U.S.C. 152

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g

Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq.

20 U.S.C. 7165(b)

20 U.S.C. 7908

34 C.F.R. Part 99

34 C.F.R. Part 300



Book	Policy Manual
Section	Policies for the Board
Title	Copy of PROTECTIVE FACIAL COVERINGS DURING PANDEMIC/EPIDEMIC EVENTS
Code	po8450.01
Status	1st Reading
Adopted	November 23, 2020

#### 8450.01 - **PROTECTIVE FACIAL COVERINGS DURING PANDEMIC/EPIDEMIC EVENTS**

During times of elevated communicable disease community spread (pandemic or epidemic), the Superintendent will issue periodic guidance through School Board plans/resolution(s) in alignment with Federal, State, and local public health officials and/or in accordance with governmental edicts or guidelines. In the case of health and safety emergencies, when there is a pandemic or epidemic, the School Corporation will follow the Pandemic and Epidemic Plan as established in Policy 8420.01 allowing for continuity of operations and establish necessary procedures and plans for re-opening to provide for a safe and healthy school environment.

School settings can be a source of community spread. Pursuant to the Centers for Disease Control (CDC), wearing **Wearing** face masks/coverings is important during these times and can help mitigate the risk of exposure from person to person.

These re-opening plans will address matters of dress related to health, such as the wearing of face masks or face coverings. As such, during times of elevated communicable disease community spread, all Corporation staff, students, volunteers, and visitors (including vendors) must wear appropriate face masks/coverings on school grounds unless:

- A. not mandated by governmental guidelines or the Corporation-approved re-opening plan;
- B. it is unsafe to do so;
- C. doing so would significantly interfere with the Corporation's educational or operational processes; or
- D. an employee's Section 504 plan or a student's individualized education program ("IEP") or Section 504 plan provides otherwise.

Face masks/shields will be provided by the Corporation to employees. Alternatively, employees may elect to wear their own face coverings if they meet the requirements the Corporation-approved re-opening plan, as well as any requirements issued by State or local health departments.

All face masks/coverings shall meet the requirements of the appropriate dress/staff grooming policies.

When face masks/coverings are required by the Board, and no exception included in the Corporation-approved re-opening plan has been applied, staff members who violate this policy shall be subject to disciplinary action in accordance with policies of the Board.

Face masks/coverings should:

- A. Fully cover the mouth, nose, and chin;

- B. Fit snugly against the side of the face so there are no gaps;
- C. Not create difficulty breathing while worn;
- D. Be held securely through either a tie, elastic, earloops, etc. to prevent slipping.

**Exceptions include: Removal of face masks/face coverings may be considered when:**

- A. Face masks/coverings in the school setting are prohibited by law or regulation;
- B. Face masks/coverings are in violation of documented industry standards;
- C. Face masks/coverings are not advisable for health reasons;
- D. Face masks/coverings are in violation of the school's documented safety policies;
- E. Face masks/coverings are not required when the staff works alone in an assigned work area; or
- F. There is a functional (practical) reason for a staff member or volunteer not to wear a face mask/covering in the workplace.;
- A. Face masks/coverings are not advisable based on a health issue as documented by a licensed Indiana physician, psychologist, ( ) \_\_\_\_\_; or
- B. Necessary to accommodate a student with a disability.

The Board may be required to provide written justification to local health officials upon request explaining why a staff member is not required to wear a face mask/covering in the school. Therefore, if any exceptions are made to the requirement for face masks/coverings, the request for such exception must be submitted in writing to the individual's supervisor, and a decision on the request will be provided in writing.

### Face Shields

Face shields that wrap around the face and extend below the chin can be considered as an alternative to face masks/coverings. Some situations where face shields would be useful include:

- A. When interacting with students, such as those with disabilities, where communication could be impacted;
- B. When interacting with English-language learners or when teaching a foreign language;
- C. Settings where face masks/coverings might present a safety hazard (i.e. science labs); or
- D. For individuals who have difficulty wearing a face mask/covering.

If individuals receive approval from the Corporation administration after discussing their request not to wear a face mask/covering/shield due to a physical, mental or developmental health condition, and/or if wearing a face mask/covering/shield would lead to a medical emergency or would introduce significant safety concerns, Corporation administration also may discuss other possible accommodations for the staff member. Such discussion shall follow Board policies and guidelines under Section 504 of the Rehabilitation Act of 1973 ("Section 504") and the Americans with Disabilities Act ("ADA").

School nurses or staff who care for individuals with symptoms must use appropriate personal protective equipment (PPE), provided by the Corporation, in accordance with OSHA standards.





Book	Policy Manual
Section	Policies for the Board
Title	Copy of FOOD SERVICES
Code	po8500
Status	1st Reading
Adopted	February 28, 2006
Last Revised	November 22, 2021

### 8500 - **FOOD SERVICES**

The School Board shall provide cafeteria or serving facilities in all schools where space and facilities permit, and will provide food service for the purchase and consumption of lunch for all students.

The Board also will provide a breakfast program in accordance with procedures established by the State Department of Education.

The Board does not discriminate on the basis of race, color, national origin, sex (including sexual orientation or gender identity), disability, age (except as authorized by law), religion, military status, ancestry, ~~or~~ genetic information, **or any other legally protected category** (collectively, "Protected Classes") in its educational programs or activities, including the Food Service program. Students and all other members of the School Corporation community and third parties are encouraged to promptly report incidents of unlawful discrimination and/or retaliation related to the Food Service program to a teacher, administrator, supervisor, or other Corporation official so that the Board may address the conduct. See Policy 2260 – Nondiscrimination and Access to Equal Educational Opportunity.

The Food-Service program will comply with Federal and State regulations pertaining to the selection, preparation, consumption, and disposal of food and beverages as well as to the fiscal management of the program. In addition, as required by law, a food safety program that is based on the principles of the Hazard Analysis and Critical Control Point (HACCP) system shall be implemented with the intent of preventing food-borne illnesses. For added safety and security, access to the facility and the food stored and prepared therein shall be limited to food service program staff and other authorized persons.

Further, the Food Service program shall comply with the School Lunch Fund provisions of Chapter 4 of the State Board of Accounts *Uniform Compliance Guidelines for Indiana Public School Corporations*.

#### **Dietary Modifications**

A request for substitutions to the standard meal requirements due to food allergies shall be accommodated, when requested by an adult student with a disability or the parent of a student with a disability, without delay and at no additional charge. The adult student with a disability or the parent of a student with disability making such a request of the Nutrition Service Director shall be informed that medical certification that the student has a disability that restricts his/her diet, in accordance with the criteria set forth in 7 C.F.R. Part 15b must be submitted within five (5) school days from a health care provider who has prescriptive authority in the State of Indiana or the dietary modification may be discontinued until such statement is received.

The medical certification must identify:

- A. the child's physical or mental impairment and why the student's disability or medical condition necessitates such a restriction of the child's diet;
- B. an explanation of what the Food Service Program must do to accommodate the child's disability; and
- C. the food(s) to be omitted from the student's diet and the recommended food or choice of foods that must be substituted (e.g., caloric modifications or use of liquid nutritive formula).

After a request for a dietary modification is submitted to the Director of Food Service (Director), the Director shall, in turn, notify the Principal, school nurse, and the members of the student's IEP or 504 Team that the dietary modification shall be made for the student, pending the receipt of the required medical certification.

If deemed necessary by the student's IEP or 504 Team, the dietary modification shall be included in the student's IEP or 504 plan.

An adult student with a disability or the parent of a student with a disability who believes the accommodation requested is not being appropriately addressed may access the processes and assistance described in Policy 2260 and/or Policy 2260.01 by contacting the Corporation's Compliance Coordinator named in those policies.

A request for substitutions to the standard meal requirements due to food allergies shall be accommodated, when requested by an adult student who is not identified as having a disability or the parent of a student who is not identified as having a disability, without delay and at no additional charge. An adult student who is not identified as having a disability or the parent of a student who is not identified as having a disability making such a request of the Nutrition Service Director shall be informed that a signed medical statement from a health care provider who has prescriptive authority in the State of Indiana that the student cannot consume certain food items due to a medical condition or some other special dietary need must be submitted within five (5) school days or the dietary modification may be discontinued until such statement is received.

To qualify for continuing consideration and substitutions the medical statement must identify:

- A. the medical or dietary need that restricts the student's diet;
- B. an explanation of what the Food Service Program must do to address the student's medical or dietary restriction; and
- C. the food(s) to be omitted from the student's diet and the recommended food or choice of foods that must be substituted (e.g., caloric modifications or use of liquid nutritive formula).

The request for such dietary modifications shall be submitted to the Director, who shall, in turn, notify the Principal and school nurse that the dietary modification shall be made for the student. Upon request of the parent or adult student, a meeting of a team including the parent, the Director of Food Service, school nurse, and Principal shall be convened to determine the specific substitution(s) that will be made to the standard meal pattern for the student.

For students who need a nutritionally equivalent milk substitute, only a signed request by a parent or guardian is required.

The Food Service Program shall not accommodate a student's request for specific substitutions to the standard meal pattern requirements that is based solely on religious or lifestyle choices.

### **Operation and Supervision of the Food Service Program**

The operation and supervision of the Food-Service program is the responsibility of the Nutrition Service Director. Food services will be operated on a self-supporting basis with revenue from students, staff, Federal reimbursement, and government commodities. The Board will assist the program by furnishing available space, initial major equipment, and utensils.

### **Meal Charges**

Lunches sold by the Corporation may be purchased by students, staff members and community residents in accordance with the procedures established by the Superintendent.

The Superintendent shall recommend and the Board shall approve the cost of meals for elementary, middle, and high schools annually.

The Board recognizes that circumstances may result in a student's need to charge lunch or breakfast on occasion and shall permit such charges.

Adult community residents shall not be permitted to charge meals.

The Superintendent shall develop procedures regarding meal charges, which shall be implemented by the Nutrition Service Director. The procedures will provide direction so that deposits into a student's account are not considered income to the child nutrition program until the student charges a meal to his/her account. Further, the procedures will: 1) provide direction so that students attending Corporation schools who do not have funds in their account or on-hand to cover the cost of their meal at the time of service are treated consistently, 2) address feeding students with unpaid meal balances without stigmatizing them, 3) provide for notification of parents when a student charges a meal, and 4) establish a plan to collect the charges made by students so that the unpaid charges are not classified as "bad debt" at the end of the school year.

Significant negative lunch account balances shall not be permitted. A significant negative lunch account balance is any balance owed in excess of \$10.00.

If a student has a significant negative lunch account balance, s/he shall be provided a regular reimbursable meal that follows the USDA meal pattern, the cost of which shall be absorbed by the Angel Fund, at which time parent/guardian will be notified of the use of the fund via e-mail.

Furthermore, if a student shall have a significant negative lunch account balance, the student not be permitted to charge any à la carte food or beverage items.

Any significant negative lunch account balance should be pursued for collection before it is determined to be uncollectible pursuant to Policy 6151.

The Board's policy and Superintendent's procedure related to meal charges shall be distributed in writing to all households at the start of each school year and to households transferring to the school or Corporation during the school year. Additionally, the Board's policy and Superintendent's procedure related to meal charges shall be distributed to all Corporation staff responsible for policy enforcement, including Corporation food service employees, accounting staff, and all other staff involved in enforcing any aspect of the meal charge policy. If the Corporation contracts with any third party to provide food services, the Board policy and Superintendent's procedure also must be distributed to the contractor and its employees working in the Corporation schools.

A lunch account becomes inactive after fifty-two (52) weeks with no deposits or withdrawals. An inactive lunch account that has a positive balance of \$10.00 or less may be receipted back into the school lunch fund where the School Lunch Program funds are maintained. An inactive lunch account that has a nominal negative account balance of \$10.00 or less may be offset against the positive balances in the Fund; provided, however, that if the parent requests and can document entitlement to the positive balance in the account, the parent is entitled to a refund of that amount.

### **Bad Debt/Uncollectible Debt**

Significant negative lunch account balances that are not collected in the year when the debt was incurred shall be classified as bad debt. Bad debt incurred through the inability to collect lunch payment from students is not an allowable cost chargeable to any Federal program. Once classified as bad debt, non-Federal funding sources shall reimburse the school lunch program account for the total amount of the bad debt. If funds to reimburse the Corporation for this bad debt are not available from another source, such as school or community organizations (like the PTA) or any other non-Federal source, the funds to reimburse the school lunch program shall be transferred from the Corporation operations fund or other State or local funding to make that reimbursement.



Once the uncollectible/delinquent debt charges are converted to bad debt, records relating to those charges must be maintained in accordance with the record retention requirements in 7 C.F.R. 210.9(b)(17) and 7 C.F.R. 210.15(b). Any related collection costs, including legal costs, arising from such bad debt after they have been determined to be uncollectible also are unallowable.

Bad debt may be removed from accounts receivable in accordance with Policy 6151.

### **Additional Compliance**

In accordance with Federal law, the Nutrition Service Director will take such actions as are necessary to obtain a minimum of two (2) food safety inspections per school year, which are conducted by the State or local governmental agency responsible for food safety inspections. The report of the most recent inspection will be posted in a publicly visible location, and a copy of the report will be available upon request.

A periodic review of the Food-Service accounts will be made by the Nutrition Service Director.

Any surplus funds from the National School Lunch Program will be used to reduce the cost of the service to students or to purchase cafeteria equipment. Surplus funds from à la carte foods may accrue to the Food Service program.

With regard to the operation of the Corporation Food Service program, the Superintendent shall require the:

- A. maintenance of sanitary, neat premises free from fire and health hazards;
- B. preparation of food that complies with Federal food safety regulations;
- C. planning and execution of menus in compliance with USDA requirements;
- D. purchase of food and supplies in accordance with State and Federal law, USDA regulations, and Board policy; (see Policy 1130, Policy 1214, Policy 3113, Policy 3214, Policy 4113, Policy 4214, and Policy 6460);
- E. compliance with food holds and recalls in accordance with USDA regulations
- F. accounting and disposition of food-service funds pursuant to Federal and State law and USDA regulations;
- G. safekeeping and storage of food and food equipment pursuant to USDA regulations;
- H. regular maintenance and replacement of equipment;
- I. compliance with the Corporation's time and effort record-keeping policy by all Corporation employees whose salaries are paid from USDA funds or with non-Federal funds used to meet a match or cost share requirement. (See Policy 6116)

The Corporation's Food Service program will serve only food items and beverages as determined by the Food Service Department to be in compliance with the current USDA Dietary Guidelines for Americans. Any competitive food items and beverages that are available for sale to students' à la carte in the dining area between midnight and thirty (30) minutes after the close of the instructional day shall also comply with the current USDA *Nutrition Standards for the National School Lunch and School Breakfast Programs* and the USDA's Smart Snacks in Schools regulations. Foods and beverages unassociated with the food-service program may be vended subject to the rules and regulations set forth in Policy 8540.

The Superintendent will require that the Food Service program serve foods in the schools of the Corporation that are wholesome and nutritious and reinforce the concepts taught in the classroom.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: [www.usda.gov/sites/default/files/documents/Complain\\_combined-6-8-23-608.pdf](http://www.usda.gov/sites/default/files/documents/Complain_combined-6-8-23-608.pdf), or at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

1. Mail: U.S. Department of Agriculture  
Director, Center for Civil Rights Enforcement  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410;
2. Fax: (202) 690-7442; or
3. E-mail: [program.intake@usda.gov](mailto:program.intake@usda.gov).

This institution is an equal opportunity provider.

All verbal or written civil rights complaints regarding the school nutrition programs that are filed with the Corporation must be forwarded to the Civil Rights Division of USDA Food and Nutrition Service within three (3) days.

Revised 11/28/06  
Revised 10/27/14  
Revised 12/14/15  
Revised 10/30/17  
Revised 2/25/19  
Revised 10/28/19  
Revised 3/22/21

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Legal

Healthy, Hunger-Free Kids Act of 2010 and Richard B. Russell National School Lunch Act, 42 U.S.C. 1751 et seq.

Child Nutrition Act of 1966, 42 U.S.C. 1771 et seq.

7 CFR Parts 15b, 210, 215, 220, 225, 226, 227, 235, 240, 245, 3015

2 C.F.R. Part 200

USDA Smart Snacks in School Food Guidelines (effective July 1, 2014)

SP 32-2015 Statements Supporting Accommodations for Children with Disabilities in the Child Nutrition Programs

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794

34 CFR Part 104

Uniform Compliance Guidelines for Indiana Public School Corporations (Indiana State Board of Accounts)



Book	Policy Manual
Section	Policies for the Board
Title	Copy of SCHOOL VISITORS
Code	po9150
Status	1st Reading
Adopted	February 28, 2006
Last Revised	March 26, 2013

#### 9150 - **SCHOOL VISITORS**

The School Board ~~welcomes and encourages visits to school by parents, other adult residents of the community, and interested educators. But~~ understands that parents or other persons with legitimate educational purposes may visit the school; however, in order for the educational program to continue undisturbed when visitors are present and to prevent the intrusion of disruptive persons into the schools, it is necessary to invoke visitor controls.

The Superintendent or principal has the authority to prohibit the entry of any person to a school of this Corporation or to expel any person when there is reason to believe the presence of such person would be detrimental to the good order of the school. If such an individual refuses to leave the school grounds or creates a disturbance, the principal is authorized to request from the local law enforcement agency whatever assistance is required to remove the individual.

Persons who have been entered into the State Sex and Violent Offender Registry or the equivalent Federal registry will not be permitted access to school grounds, except as otherwise required to comply with State or Federal law. **[END OF OPTION]**

Persons who meet the definition of Serious Sex Offender under Indiana law will not be permitted access to school grounds, except as otherwise required to comply with State or Federal law.

**[SELECT ONE OF THE TWO FOLLOWING OPTIONS:]**

**Option 1:**

**Visits by persons other than parents, including but not limited to outside therapists, doctors or other service providers, are not permitted in classroom settings.**

**[END OF OPTION 1]**

**Option 2:**

**Visits by persons other than parents, including but not limited to outside therapists, doctors or other service providers, are subject to administrative guidelines established by the Superintendent.**

**[END OF OPTION 2]**

The Superintendent shall promulgate such administrative guidelines as are necessary for the protection of students and employees of the Corporation from disruption to the educational program or the efficient conduct of their assigned tasks.

Except as set forth in Corporation policy or in the case of "service animals" required for use by a person with a disability, no other animals may be on school premises at any time.

Rules regarding entry of persons other than students, staff, and faculty upon school grounds or premises shall be posted conspicuously at or near the entrance to such grounds or premises if there are no formal entrances, and at the main entrance to each school building.

Individual Board members who are interested in visiting schools or classrooms on an unofficial basis shall make the appropriate arrangements with the principal. In keeping with Board bylaws, such Board member visits shall not be considered to be official unless designated as such by the President.

The Board member shall be visiting as an interested individual in a similar capacity of any parent or citizen of the community. These visits should not be considered to be inspections nor as supervisory in nature.

If, during a visit to a school or program, a Board member observes a situation or condition which causes concern, s/he **the Board member** should discuss the situation first with the Superintendent as soon as convenient or appropriate. Such a report or discussion shall not be considered an official one from the Board.

If the Board member believes the situation or condition serious enough, s/he **the Board member** may wish to ~~also~~ inform the Superintendent **in addition to the principal**.

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Legal I.C. 20-26-5-4

Cross  
References I.C. 35-42-4-14



Book Policy Manual  
 Section Volume 34, No. 2 - April 2022  
 Title Policy Disposition Sheet  
 Code 00 Disposition Sheet  
 Status From Neola

**DISPOSITION OF NEW/REVISED/REPLACEMENT**

**POLICIES FOR BOARD APPROVAL**

**VOLUME 34, NO. 2 - APRIL 2022**

**DATE:**

**Coding for District-Specific Edits**

**\*1** = drafted by District staff

**\*2** = if the material was a work for hire, that is, the material the District paid someone else to develop but from whom the District purchased the rights to publish

**\*3** = if the material is copyrighted to someone else from whom the District has secured permission to publish the material

(No code is needed for accepting Neola's vetted material)

Policy Number	Date Adopted	District-Specific Edits (1, 2, or 3)	Date Tabled	Date Rejected
po0142.3 (w/codes)				
po0167.3				
po1213.01 (new)				
po1216 (new)				
po2221 (w/codes)				
po2260				
po2370.02 (w/codes)				



<b>Policy Number</b>	<b>Date Adopted</b>	<b>District-Specific Edits (1, 2, or 3)</b>	<b>Date Tabled</b>	<b>Date Rejected</b>



Book	Policy Manual
Section	Policies for the Board
Title	Copy of BYLAWS AND POLICIES
Code	po0131.1
Status	1st Reading
Adopted	February 28, 2006
Last Revised	December 14, 2015

### 0131.1 - **BYLAWS AND POLICIES**

The Board shall adopt bylaws and policies for the organization and operation of this Board and the Corporation.

The bylaws and policies may be adopted, amended, and repealed at any meeting of the Board, provided the proposed adoption, amendment, or repeal shall have been proposed at a previous Board meeting and, once proposed, shall have remained on the agenda of each succeeding Board meeting until approved or rejected except that the Board may, upon a vote and where compelling reasons exist, cause to suspend at any time the operation of a bylaw or policy herein contained, provided the suspension does not conflict with law, and such suspension shall terminate at the next meeting of the Board or at such earlier time as is specified in the motion to suspend.

These bylaws and policies may be adopted or amended by resolution at a single meeting of the Board in an emergency. An emergency shall be defined for purposes of this rule as any situation or set of circumstances which the Board has reason to believe will close the schools or jeopardize the safety or welfare of the students or employees of the Corporation.

Any resolution adopted under emergency conditions shall expire automatically at the first public meeting of the Board following the abatement of the emergency unless the Board moves to adopt said resolution as a bylaw or a policy.

Bylaws shall be adopted, amended, repealed, or suspended by a two-thirds (2/3's) recommended vote of the full Board (physically present). Policies shall be adopted, amended, or repealed by a majority vote of the full Board (~~physically present~~ **in a manner authorized by law**). (Two-thirds (2/3's) of a five (5) member Board is four (4) members.)

The adoption, modification, repeal, or suspension of a Board bylaw or policy shall be recorded in the minutes of the Board. All bylaws and policies shall be published in the Board policy manual.

Any policy or part of a policy that is superseded by a term in a negotiated agreement shall no longer be in force and effect as a policy.

Further, any policy or part of a policy that is inconsistent with the law or with a decision rendered by a court or competent jurisdiction shall no longer be in force and effect as a policy.

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Legal I.C. 20-26-5-4





Book	Policy Manual
Section	Policies Vol 35 No 1 for Supt. Review
Title	Copy of OATH
Code	po0142.2
Status	Superintendents Review
Adopted	February 28, 2006

#### 0142.2 - OATH

Each newly elected, re-elected, appointed or re-appointed Board member shall take an oath of office administered by a notary public or other qualified person not later than thirty (30) days after the beginning of the term of office. **Each Board member shall also take** ~~to which s/he was elected or appointed as well as~~ other oaths which may be required for transactions connected with or related to the educational program of the Corporation. ~~(I.C. 33-16-4-1)~~

The oath must be signed by the Board member and the person who administers it and filed in the circuit court clerk's office of the county containing the greatest percentage of the population of the ~~s~~School ~~e~~C Corporation. ~~(I.C. 20-33-4-27 or 4-35)~~

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Book	Policy Manual
Section	Policies for the Board
Title	Copy of PERSONAL BACKGROUND CHECKS, REFERENCES, AND MANDATORY REPORTING OF CONVICTIONS AND SUBSTANTIATED CHILD ABUSE AND ARRESTS
Code	po1521
Status	1st Reading
Adopted	September 17, 2007
Last Revised	February 25, 2019

**1521 - PERSONAL BACKGROUND CHECKS, REFERENCES, AND MANDATORY REPORTING OF CONVICTIONS AND SUBSTANTIATED CHILD ABUSE AND ARRESTS**

To protect students and staff members, the School Board requires an inquiry into the personal background of each applicant the Superintendent recommends for employment on the School Corporation's administrative staff.

The Superintendent shall establish the necessary procedures for obtaining personal background information on each applicant recommended for employment as an administrator which shall include the following:

- A. an expanded criminal history check as defined by I.C. 20-26-2-1.5
- B. an Indiana expanded child protection index check as defined by I.C. 20-26-2-1.3
- C. an expanded child protection index check in other states where live or work
- D. a search of the national sex offender registry maintained by the United States Department of Justice
- E. beginning July 1, 2017, a search of the State child abuse registry
- F. telephone inquiry with former employer(s)
- G. explanations of any employment gaps to ensure the candidate has not omitted an employer where an offense occurred
- H. verification of the applicant's eligibility to work using the E-Verify database maintained by the Federal government as required by I.C. 12-32-1
- I. a detailed background history including all prior employment and volunteer positions
- J. an Indiana Bureau of Motor Vehicles driver history if the position involves driving

The Board may deny employment to an applicant who is: The Board requires that an expanded criminal history check be conducted for each applicant for employment who is likely to have direct, ongoing contact with children within the scope of his/her employment before or not later than thirty (30) days after the start of the applicant's employment by the Corporation.

The Board requires that an Indiana expanded child protection index check be conducted for each applicant for employment who is likely to have direct, ongoing contact with children within the scope of his/her the applicant's employment before or not later than sixty (60) days after the start of the applicant's employment by the Corporation.

The Board requires that all references and, if applicable, the most recent employer provided by an applicant be contacted before the Corporation may hire the applicant.

The Board shall deny employment to a person who has been convicted of an offense requiring license revocation per I.C. 20-28-5-8(c), unless the conviction has been reversed, vacated, or set aside on appeal. In implementing this requirement, the Corporation shall conduct the updated expanded criminal history checks for Corporation employees over a period not to exceed five (5) years by annually conducting updated expanded criminal history checks for at least twenty percent (20%) of employees who are employed by the Corporation on July 1, 2017.

The employee shall bear costs associated with first checks upon employment.

The Corporation shall pay the costs associated with conducting the expanded criminal history check for all employees each subsequent five (5) years, provided the exclusive representatives of the Corporation's employees do not object.

The Board requires that an expanded child protection index check be obtained for each Corporation employee every five (5) years. The Corporation shall pay the costs associated with obtaining the expanded child protection index check for employees.

In implementing this requirement, the Corporation shall obtain the updated expanded child protection index checks for Corporation employees over a period not to exceed five (5) years by annually obtaining updated child protection index checks for at least twenty percent (20%) of employees who are employed by the Corporation on July 1, 2017.

The Corporation may obtain an expanded criminal history check or an expanded child protection index check at any time if the Corporation has reason to believe that the applicant or employee:

- A. is the subject of a substantiated report of child abuse or neglect or
- B. has been charged with or convicted of one (1) of the following crimes:
  1. Murder (I.C. 35-42-1-1).
  2. Causing suicide (I.C. 35-42-1-2).
  3. Assisting suicide (I.C. 35-42-1-2.5).
  4. Voluntary manslaughter (I.C. 35-42-1-3).
  5. Reckless homicide (I.C. 35-42-1-5).
  6. Battery (I.C. 35-42-2-1) unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
  7. Aggravated battery (I.C. 35-42-2-1.5).
  8. Kidnapping (I.C. 35-42-3-2).
  9. Criminal confinement (I.C. 35-42-3-3).
  10. A sex offense under I.C. 35-42-4. (including criminal deviate conduct, I.C. 35-42-4-2, before its repeal).

11. Carjacking (I.C. 35-42-5-2) (before its repeal).
12. Arson (I.C. 35-43-1-1), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
13. Incest (I.C. 35-46-1-3).
14. Neglect of a dependent as a Class B felony (for a crime committed before July 1, 2014) or a Level 1 felony or Level 3 felony (for a crime committed after June 30, 2014) (I.C. 35-46-1-4(b)(2) and (3)), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
15. Child selling (I.C. 35-46-1-4(d)).
16. Contributing to the delinquency of a minor (I.C. 35-46-1-8), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
17. An offense involving a weapon under I.C. 35-47 or I.C. 35-47.5, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
18. An offense relating to controlled substances under I.C. 35-48-4, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
19. An offense relating to material or a performance that is harmful to minors or obscene under I.C. 35-49-3, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
20. An offense relating to operating a motor vehicle while intoxicated under I.C. 9-30-5, unless five (5) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
21. Domestic battery (I.C. 35-42-2-1.3), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is latest.
22. An offense that is substantially equivalent to any of the offenses listed in this subsection in which the judgment of conviction was entered under the law of any other jurisdiction.
23. **Public indecency (I.C. 35-45-4-1) committed: (A) after June 30, 2003; or (B) before July 1, 2003, if the person committed the offense by, in a public place: (i) engaging in sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5); (ii) appearing in a state of nudity with the intent to arouse the sexual desires of the person or another person, or being at least eighteen (18) years of age with the intent to be seen by a child less than sixteen (16) years of age; or (iii) fondling the person's genitals or the genitals of another person.**

During the course of his/her employment with the School Corporation, each administrator shall be required to report the arrest or the filing of criminal charges against the employee; conviction of the employee for a crime; and substantiated report of child abuse or neglect of which the employee is the subject to the Superintendent within two (2) business days of the occurrence. The Superintendent shall obtain a review of each reported conviction or substantiated report of child abuse or neglect and shall recommend appropriate action to the Board considering the risk to members of the school community presented by the continued employment of the administrator who was convicted or the subject of a substantiated report of child abuse or neglect.

Revised 3/22/10

Revised 4/23/12

Revised 6/20/16

Revised 4/24/17

Revised 2/26/18

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I.C. 5-2-22

I.C. 10-13-3

I.C. 20-26-2-1.3

I.C. 20-26-2-1.5

I.C. 20-26-5-10, -10.5, -11 and -11.5

I.C. 20-28-5-8



Book	Policy Manual
Section	Policies for the Board
Title	Copy of INTERSCHOLASTIC ATHLETICS
Code	po2431
Status	1st Reading
Adopted	February 28, 2006

### 2431 - **INTERSCHOLASTIC ATHLETICS**

The School Board recognizes the value to the **School** Corporation and to the community of a program of interscholastic athletics for as many students as feasible.

The program of interscholastic athletics should provide students the opportunity to exercise and test their athletic abilities in a context greater and more varied than that which can be offered by a school or the School Corporation alone.

The program should foster the growth of school loyalty with the student body as a whole and stimulate community interest in athletics.

Game activities and practice sessions should provide many opportunities to teach the values of competition and good sportsmanship.

The Board subscribes to the administrative guidelines of the Indiana High School Athletic Association so long as the Association complies with the requirements of I.C. 20-26-14-5 but maintains responsibility for enforcement of all rules. The Board believes that it is the purpose of an interscholastic program to provide the benefits of an athletic experience to as large a number of students as feasible within the Corporation.

Since the primary purpose of the athletic program is to enhance the education of participating students as indicated in this policy, the Board places top priority on maximum student participation and the values of good sportsmanship, team play, and fair competition, rather than on winning, particularly at sub-varsity levels. The Superintendent is to develop guidelines for coaches to follow which will ensure that as many students as possible have the opportunity to play so they have the opportunity to benefit from the learning experience.

The Superintendent shall develop appropriate administrative guidelines for the operation of the Athletic Program and a Code of Conduct for those who participate. Such guidelines should provide for the following safeguards:

- A. Prior to enrolling in the sport, each participant shall submit to a thorough physical examination by a Corporation-approved physician; and parents shall report any past or current health problems along with a physician's statement that any such problems have or are being treated and pose no threat to the student's participation.
- B. Any student who is found to have a life-threatening health condition such as a heart defect, respiratory dysfunctions, and the like, must have authorization in writing by the student's physician and parents in order to participate in any athletic activities.

- C. Any student who incurs an injury requiring a physician's care is to have the written approval of a physician prior to the student's return to participation.

In order to minimize health and safety risks to student-athletes and maintain ethical standards, school personnel, coaches, athletic trainers, and lay coaches should never dispense, supply, recommend, or permit the use of any drug, medication, or food supplement solely for performance-enhancing purposes.

The Superintendent is also to and then review periodically guidelines so that sportsmanship, ethics, and integrity characterize the manner in which the athletic program is conducted and the actions of students who participate. Such guidelines should provide a set of behavioral expectations for each type of participant. The Superintendent is authorized to implement suitable disciplinary procedures against those who do not abide by these expectations.

~~Grievances regarding the alleged violation of I.C. 20-33-13 concerning the participation of transgender girls on athletic teams or sports may be filed under Policy 2432—Grievance Procedure for Violation of State Law Limiting Participation of Transgender Girls in Athletics.~~

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I.C. 20-26-5.4, 20-26-14-5, 20-30-15-6,7,8



Book	Policy Manual
Section	Policies for the Board
Title	Copy of PROGRAMS FOR HIGH ABILITY STUDENTS
Code	po2464
Status	1st Reading
Adopted	September 21, 2009

#### 2464 - PROGRAMS FOR HIGH ABILITY STUDENTS

In accordance with State law, the **School Board of School Trustees** shall develop **and periodically update** a plan to provide appropriate educational experiences to high ability students in the School Corporation in grades kindergarten through **grade twelve (12)**.

The plan must include the following components:

- A. **A broad based planning committee that meets periodically to review the Corporation's plan for high ability students with committee representatives selected from diverse groups representing the school and community.**
  - B. **A student identification system's that is multifaceted assessments to ensure students not identified by traditional assessments due to economic disadvantage, cultural background, underachievement, or disabilities are included. The assessments must identify students with high abilities in the general intellectual domain and specific academic domains. and includes performance based assessment, potential based assessment, and alternative assessment**
  - C. **Professional development.**
  - D. **Development and implementation of local services for high ability students including appropriately differentiated curriculum and instruction in core academic areas for each grade.**
  - E. **Evaluation of the local program for high ability students. systematic program assessment**
  - F. **Best practices to increase the number of participants in high ability student programs who are from racial and ethnic groups that have been underrepresented in those programs.**
- The program must be approved by the School Board and the plan must be available for public inspection as well as filed with the Indiana Department of Education.**

High ability students shall be considered those who, through valid assessment:

- A. perform at or show potential for performing at an outstanding level of accomplishment in at least one (1) of the following domains: general intellectual, general creative, specific academic, technical and practical arts, visual and performing arts, and interpersonal, and
- B. is characterized by exceptional gifts, talents, motivation, or interests.

The Superintendent shall develop administrative guidelines which shall include those for valid identification, curriculum development and implementation, and assessment of the learning outcomes.



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I.C. 20-36-2



Book	Policy Manual
Section	Policies for the Board
Title	Copy of PUBLIC HEARING BEFORE COMMENCEMENT OF COLLECTIVE BARGAINING AND PUBLIC MEETING BEFORE RATIFICATION OF TENTATIVE AGREEMENT
Code	po3120.11
Status	1st Reading
Adopted	November 23, 2020

**3120.11 – PUBLIC HEARING BEFORE COMMENCEMENT OF COLLECTIVE BARGAINING AND PUBLIC MEETING BEFORE RATIFICATION OF TENTATIVE AGREEMENT**

The School Board establishes the following policy for the public hearing that State law requires to be held prior to the commencement of collective bargaining with the exclusive representative of the School Corporation's teachers.

- A. Before the Corporation may negotiate privately with the exclusive representative of its teachers regarding teacher compensation, a public hearing shall be held that meets the following criteria:
1. The public hearing shall not take place prior to the expiration of the current collective bargaining agreement;
  2. The Corporation employer and the exclusive representative shall jointly determine the time and place of the public hearing;
  3. Written notice of the public hearing that meets the requirements of the Open Door Law shall be provided to the public;
  4. The public hearing shall be held in a room large enough to accommodate the number of attendees reasonably expected to attend;
  5. One representative from both the Corporation employer and the exclusive representative shall host the public hearing;
  6. At the public hearing, the parties should begin the meeting with an opening statement explaining the purpose and procedure of the meeting;
  7. The parties must then take public testimony, either written or oral, to discuss matters relating to teacher compensation and collective bargaining in the Corporation and preserve the testimony to provide it to the Board;
  8. The Corporation employer and/or the exclusive representative do not need to comment or answer questions during the public hearing.
- B. The Corporation shall not engage in collective bargaining with the exclusive representative of the Corporation's teachers until after a public hearing is held that meets the requirements of Section A above.

- C. A public hearing need not be held in the second year of a two (2) year contract if the parties do not open the contract for bargaining in the second year of the budget biennium.

**In addition to the public hearing described above that is required prior to the commencement of collective bargaining, the Board must conduct a public meeting to discuss a tentative collective bargaining agreement at least seventy-two (72) hours before it is ratified by the Board. The Board must allow for public comment at the meeting at which a tentative collective bargaining agreement is ratified. Board members or the public may participate in this public meeting by means of electronic communication.**

**A ratified collective bargaining agreement shall include a provision specifying the date on which the public hearing and the public meeting described above occurred as well as an attestation signed by both parties attesting that the public hearing and the public meeting described above occurred on the dates specified in the ratified collective bargaining agreement. The Board shall indicate as part of the attestation whether Board members or members of the public were allowed to participate in the public hearing or public meeting by means of electronic communication.**

**Not later than fourteen (14) business days after the parties have reached an agreement, the Board shall post the contract upon which the parties have agreed on the Corporation's website.**

**[SELECT ONE OF THE FOLLOWING OPTIONS:]**

Board members may participate in the public hearing by means of electronic communication. Caution should be taken when multiple Board members attend or participate in the public hearing by means of electronic communication as it could then constitute a Board meeting.

Board members may not participate in the public hearing by means of electronic communication. Caution should be taken when multiple Board members attend the public hearing as it could then constitute a Board meeting.

**[END OF OPTIONS]**

**[SELECT ONE OF THE FOLLOWING OPTIONS:] [DRAFTING NOTE: Care should be taken with respect to the optics of selecting an option that differs from that selected for Board members. The perception that members of the public are not being accorded the same opportunity to participate as Board members can create more issues in public meetings.]**

Members of the public may participate in the public hearing by means of electronic communication.

Members of the public may not participate in the public hearing by means of electronic communication.

**[END OF OPTIONS]**

**[SELECT ONE OF THE FOLLOWING OPTIONS:]**

Board members may participate in the public meeting by means of electronic communication, subject to the limitations of Bylaw 0164.5.

Board members may not participate in the public meeting by means of electronic communication unless otherwise authorized by Bylaw 0164.6.

**[END OF OPTIONS]**

**[SELECT ONE OF THE FOLLOWING OPTIONS:]**

Members of the public may participate in the public meeting by means of electronic communication, subject to the limitations of Bylaw 0167.3. Public comment ( ) shall ( ) shall not **[END OF OPTION]** be permitted by members of the public who participate by means of electronic communication.

Members of the public may not participate in the public meeting by means of electronic communication.

**[END OF OPTIONS]**

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I.C. 20-29-6-19

I.C. 20-29-6-1(b)



Book	Policy Manual
Section	Policies for the Board
Title	Copy of PERSONAL BACKGROUND CHECKS, REFERENCES, AND MANDATORY REPORTING OF CONVICTIONS AND SUBSTANTIATED CHILD ABUSE AND ARRESTS
Code	po3121
Status	1st Reading
Adopted	February 28, 2006
Last Revised	February 25, 2019

### 3121 - PERSONAL BACKGROUND CHECKS, REFERENCES, AND MANDATORY REPORTING OF CONVICTIONS AND SUBSTANTIATED CHILD ABUSE AND ARRESTS

To protect students and staff members, the School Board requires an inquiry into the personal background of each applicant the Superintendent recommends for employment on the Corporation's professional staff. Such an inquiry ~~shall~~ also **shall** be made for all substitutes.

The Superintendent shall establish the necessary procedures for obtaining personal background information on each applicant recommended for employment as a professional staff member which shall include the following:

- A. an expanded criminal history check (as defined by I.C. 20-26-2-1.5
- B. an Indiana expanded child protection index check as defined by I.C. 20-26-2-1.3
- C. an expanded child protection index check in other states where employed or lived
- D. a search of the national sex offender registry maintained by the United States Department of Justice
- E. beginning July 1, 2017, a search of the State child abuse registry
- F. telephone inquiry with former employer(s)
- G. explanations of any employment gaps to ensure the candidate has not omitted an employer where an offense occurred
- H. verification of the applicant's eligibility to work using the E-Verify database maintained by the federal government as required by I.C. 12-32-1
- I. a detailed background history including prior employment and volunteer positions
- J. an Indiana Bureau of Motor Vehicles driver history if the position involves driving

The Board requires that an expanded criminal history check be conducted for each applicant for employment who is likely to have direct, ongoing contact with children within the scope of **the applicant's** ~~his/her~~ employment before or not later than thirty (30) days after the start of the applicant's employment by the Corporation.

The Board requires that an Indiana expanded child protection index check be conducted for each applicant for employment who is likely to have direct, ongoing contact with children within the scope of **the applicant's** his/her employment before or not later than sixty (60) days after the start of the applicant's employment by the Corporation.

The Board requires that all references and, if applicable, the most recent employer provided by an applicant be contacted before the Corporation may hire the applicant.

The Board shall deny employment to a person who has been convicted of an offense requiring license revocation per I.C. 20-28-5-8(c), unless the conviction has been reversed, vacated, or set aside on appeal.

The Board may deny employment to an applicant who is the subject of a substantiated report of abuse or neglect.

Each applicant shall certify under penalty of perjury **the applicant's** his/her eligibility to be employed by the Board as a United States citizen or a qualified alien.

Should it be necessary to employ a person in order to maintain continuity of the program prior to receipt of the report, the Superintendent may provide for a substitute or employ the applicant as a substitute.

The procedures shall provide that information and records obtained from pre-employment inquiries under this policy are confidential and shall not be released except as necessary to implement this policy defend a decision made pursuant to this policy , or comply with I.C. 20-26-5-11.5 when responding to a request for an employment reference from another school for a current or former employee.

Any costs associated with obtaining the expanded criminal history check and the expanded child protection index check are to be borne by the applicant upon hiring.

The Board requires that an expanded criminal history check be conducted for each Corporation employee who is likely to have direct, ongoing contact with children within the scope of the employee's employment every five (5) years at the Board's expense.

In implementing this requirement, the Corporation shall conduct the updated expanded criminal history checks for Corporation employees over a period not to exceed five (5) years by annually conducting updated expanded criminal history checks for at least twenty percent (20%) of employees who are employed by the Corporation on July 1, 2017.

The Corporation shall pay the costs associated with conducting the expanded criminal history check for all employees, provided the exclusive representatives of the Corporation's employees do not object.

The Board requires that an expanded child protection index check be obtained for each Corporation employee every five (5) years. The Corporation shall pay the costs associated with obtaining the expanded child protection index check for employees.

In implementing this requirement, the Corporation shall obtain the updated expanded child protection index checks for Corporation employees over a period not to exceed five (5) years by annually obtaining updated child protection index checks for at least twenty percent (20%) of employees who are employed by the Corporation on July 1, 2017.

The Corporation may obtain an expanded criminal history check or an expanded child protection index check at any time if the Corporation has reason to believe that the applicant or employee:

- A. is the subject of a substantiated report of child abuse or neglect or
- B. has been charged with or convicted of one (1) of the following crimes:

1. Murder (I.C. 35-42-1-1).

2. Causing suicide (I.C. 35-42-1-2).
3. Assisting suicide (I.C. 35-42-1-2.5).
4. Voluntary manslaughter (I.C. 35-42-1-3).
5. Reckless homicide (I.C. 35-42-1-5).
6. Battery (I.C. 35-42-2-1) unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
7. Aggravated battery (I.C. 35-42-2-1.5).
8. Kidnapping (I.C. 35-42-3-2).
9. Criminal confinement (I.C. 35-42-3-3).
10. A sex offense under I.C. 35-42-4 **(including criminal deviate conduct, I.C. 35-42-4-2, before its repeal)**.
11. Carjacking (I.C. 35-42-5-2) (before its repeal).
12. Arson (I.C. 35-43-1-1), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
13. Incest (I.C. 35-46-1-3).
14. Neglect of a dependent as a Class B felony (for a crime committed before July 1, 2014) or a Level 1 felony or Level 3 felony (for a crime committed after June 30, 2014) (I.C. 35-46-1-4(b)(2) and (3)), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
15. Child selling (I.C. 35-46-1-4(d)).
16. Contributing to the delinquency of a minor (I.C. 35-46-1-8), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
17. An offense involving a weapon under I.C. 35-47 or I.C. 35-47.5, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
18. An offense relating to controlled substances under I.C. 35-48-4, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
19. An offense relating to material or a performance that is harmful to minors or obscene under I.C. 35-49-3, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
20. An offense relating to operating a motor vehicle while intoxicated under I.C. 9-30-5, unless five (5) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
21. Domestic battery (I.C. 35-42-2-1.3), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is latest.  
**Public indecency (I.C. 35-45-4-1) committed: (A) after June 30, 2003; or (B) before July 1, 2003, if the person committed the offense by, in a public place: (i) engaging in sexual intercourse or other sexual conduct (as defined in I.C. 35-31.5-2-221.5); (ii) appearing in a state of nudity with the intent to arouse**

**the sexual desires of the person or another person, or being at least eighteen (18) years of age, with the intent to be seen by a child less than sixteen (16) years of age; or (iii) fondling the person's genitals or the genitals of another person.**

- 22. An offense that is substantially equivalent to any of the offenses listed in this subsection in which the judgment of conviction was entered under the law of any other jurisdiction.

During the course of his/her employment with the Corporation, each professional employee and substitute teacher shall be required to report the arrest or the filing of criminal charges against the employee; and conviction of the employee for a crime; and substantiated report of child abuse or neglect of which the employee is the subject to the Superintendent within two (2) business days of the occurrence. The Superintendent shall obtain a review of each reported conviction or substantiated report of child abuse or neglect and shall recommend appropriate action to the Board considering the risk to members of the school community presented by the continued employment of the employee who was convicted or the subject of a substantiated report of child abuse or neglect.

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Revised 4/24/17 R

Revised 2/26/18

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I.C.5-2-22

I.C.10-13-3

I.C.20-26-2-1.3

I.C.20-26-2-1.5

I.C. 20-26-5-10, -10.5, -11 and -11.5

I.C. 20-28-5-8





Book	Policy Manual
Section	Policies for the Board
Title	Copy of PERSONAL BACKGROUND CHECKS, REFERENCES, AND MANDATORY REPORTING OF CONVICTIONS AND SUBSTANTIATED CHILD ABUSE AND ARRESTS
Code	po4121
Status	1st Reading
Adopted	February 28, 2006
Last Revised	February 25, 2019

**4121 - PERSONAL BACKGROUND CHECKS, REFERENCES, AND MANDATORY REPORTING OF CONVICTIONS AND SUBSTANTIATED CHILD ABUSE AND ARRESTS**

To protect students and staff members, the School Board requires an inquiry into the personal background of each applicant the Superintendent recommends for employment on the School Corporation's support staff.

Such an inquiry ~~shall~~ also **shall** be made for substitutes.

The Superintendent shall establish the necessary procedures for obtaining personal background information on each applicant recommended for employment as a professional staff member which shall include the following:

- A. an expanded criminal history check as defined by I.C. 20-26-2-1.5
- B. an expanded child protection index check as defined by I.C. 20-26-2-1.3
- C. an expanded child protection index check in other states where employed or lived
- D. a search of the national sex offender registry maintained by the United States Department of Justice
- E. beginning July 1, 2017, a search of the State child abuse registry
- F. telephone inquiry with former employer(s)
- G. explanations of any employment gaps to ensure the candidate has not omitted an employer where an offense occurred
- H. verification of the applicant's eligibility to work using the E-Verify database maintained by the Federal government as required by I.C. 12-32-1
- I. a detailed background history including all prior employment and volunteer positions
- J. an Indiana Bureau of Motor Vehicles driver history if the position involves driving

Each applicant shall certify under penalty of perjury his/her eligibility to be employed by the Board as a United States citizen or a qualified alien.

Should it be necessary to employ a person in order to maintain continuity of the program prior to receipt of the report, the Superintendent may provide for a substitute or employ the applicant as a substitute.

The procedures shall provide that information and records obtained from pre-employment inquiries under this policy are confidential and shall not be released except as necessary to implement this policy, defend a decision made pursuant to this policy, or comply with I.C. 20-26-5-11.5 when responding to a request for an employment reference from another school for a current or former employee.

Any costs associated with obtaining the expanded criminal history check and the expanded child protection index check are to be borne by the applicant upon hiring.

The Board requires that an expanded criminal history check be conducted for each applicant for employment who is likely to have direct, ongoing contact with children within the scope of **the applicant's his/her** employment before or not later than thirty (30) days after the start of the applicant's employment by the Corporation.

The Board requires that an Indiana expanded child protection index check be conducted for each applicant for employment who is likely to have direct, ongoing contact with children within the scope of **the applicant's his/her** employment before or not later than sixty (60) days after the start of the applicant's employment by the Corporation.

The Board requires that all references and, if applicable, the most recent employer provided by an applicant be contacted before the Corporation may hire the applicant.

The Board shall deny employment to a person who has been convicted of an offense requiring license revocation per I.C. 20-28-5-8(c), unless the conviction has been reversed, vacated, or set aside on appeal. **Likewise, the Board shall terminate the employment of a person who has been convicted of an offense requiring license revocation per I.C. 20-28-5-8(c) unless the conviction has been reversed, vacated, or set aside on appeal.**

The Board may deny employment to an applicant who is the subject of a substantiated report of abuse or neglect.

Each applicant shall certify under penalty of perjury **the applicant's his/her** eligibility to be employed by the Board as a United States citizen or a qualified alien.

Should it be necessary to employ a person in order to maintain continuity of the program prior to receipt of the report, the Superintendent may provide for a substitute or employ the applicant as a substitute.

The procedures shall provide that information and records obtained from pre-employment inquiries under this policy are confidential and shall not be released except as necessary to implement this policy, defend a decision made pursuant to this policy, or comply with I.C. 20-26-5-11.5 when responding to a request for an employment reference from another school for a current or former employee.

Any costs associated with obtaining the expanded criminal history check and the expanded child protection index check are to be borne by the applicant upon hiring.

The Board requires that an expanded criminal history check be conducted for each Corporation employee who is likely to have direct, ongoing contact with children within the scope of the employee's employment every five (5) years.

In implementing this requirement, the Corporation shall conduct the updated expanded criminal history checks for Corporation employees over a period not to exceed five (5) years by annually conducting updated expanded criminal history checks for at least twenty percent (20%) of employees who are employed by the Corporation on July 1, 2017.

The Corporation shall pay the costs associated with conducting the expanded criminal history check for all employees, provided the exclusive representatives of the Corporation's employees do not object.

The Board requires that an expanded child protection index check be obtained for each Corporation employee every five (5) years. The Corporation shall pay the costs associated with obtaining the expanded child protection index check for employees.

In implementing this requirement, the Corporation shall obtain the updated expanded child protection index checks for Corporation employees over a period not to exceed five (5) years by annually obtaining updated child protection index checks for at least twenty percent (20%) of employees who are employed by the Corporation on July 1, 2017.

The Corporation may obtain an expanded criminal history check or an expanded child protection index check at any time if the Corporation has reason to believe that the applicant or employee:

- A. is the subject of a substantiated report of child abuse or neglect or
- B. has been charged with or convicted of one (1) of the following crimes:
  - 1. Murder (I.C. 35-42-1-1).
  - 2. Causing suicide (I.C. 35-42-1-2).
  - 3. Assisting suicide (I.C. 35-42-1-2.5).
  - 4. Voluntary manslaughter (I.C. 35-42-1-3).
  - 5. Reckless homicide (I.C. 35-42-1-5).
  - 6. Battery (I.C. 35-42-2-1) unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
  - 7. Aggravated battery (I.C. 35-42-2-1.5).
  - 8. Kidnapping (I.C. 35-42-3-2).
  - 9. Criminal confinement (I.C. 35-42-3-3).
  - 10. A sex offense under I.C. 35-42-4 (including criminal deviate conduct, I.C. 35-42-4-2, before its repeal).
  - 11. Carjacking (I.C. 35-42-5-2) (before its repeal).
  - 12. Arson (I.C. 35-43-1-1), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
  - 13. Incest (I.C. 35-46-1-3).
  - 14. Neglect of a dependent as a Class B felony (for a crime committed before July 1, 2014) or a Level 1 felony or Level 3 felony (for a crime committed after June 30, 2014) (I.C. 35-46-1-4(b)(2) and (3)), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
  - 15. Child selling (I.C. 35-46-1-4(d)).
  - 16. Contributing to the delinquency of a minor (I.C. 35-46-1-8), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.

17. An offense involving a weapon under I.C. 35-47 or I.C. 35-47.5, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
18. An offense relating to controlled substances under I.C. 35-48-4, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
19. An offense relating to material or a performance that is harmful to minors or obscene under I.C. 35-49-3, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
20. An offense relating to operating a motor vehicle while intoxicated under I.C. 9-30-5, unless five (5) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
21. Domestic battery (I.C. 35-42-2-1.3), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is latest.
22. **Public indecency (I.C. 35-45-4-1) committed: (A) after June 30, 2003; or (B) before July 1, 2003, if the person committed the offense by, in a public place: (i) engaging in sexual intercourse or other sexual conduct (as defined in I.C. 35-31.5-2-221.5); (ii) appearing in a state of nudity with the intent to arouse the sexual desires of the person or another person, or being at least eighteen (18) years of age, with the intent to be seen by a child less than sixteen (16) years of age; or (iii) fondling the person's genitals or the genitals of another person.**
23. An offense that is substantially equivalent to any of the offenses listed in this subsection in which the judgment of conviction was entered under the law of any other jurisdiction.

During the course of ~~his/her~~ employment with the Corporation, each support staff employee shall be required to report the arrest or the filing of criminal charges against the employee; conviction of the employee for a crime; and substantiated report of child abuse or neglect of which the employee is the subject to the Superintendent within two (2) business days of the occurrence. The Superintendent shall obtain a review of each reported conviction or substantiated report of child abuse or neglect and shall recommend appropriate action to the Board considering the risk to members of the school community presented by the continued employment of the employee who was convicted or the subject of a substantiated report of child abuse or neglect.

Revised 9/17/07

Revised 3/22/10

Revised 4/23/12

Revised 6/20/16

Revised 4/24/17

Revised 2/26/18

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I.C.5-2-22

I.C. 10-13-3 I.C.20-26-2-1.3

I.C.20-26-2-1.5

I.C. 20-26-5-10, -10.5, -11 and -11.5

I.C. 20-28-5-8



Book	Policy Manual
Section	Policies for the Board
Title	Copy of Revised Policy - Vol. 35, No. 1, Sept. 2022 - REPORTING STUDENT PROGRESS
Code	po5420
Status	1st Reading
Adopted	February 28, 2006

### **Revised Policy - Vol. 35, No. 1**

#### **5420 - REPORTING STUDENT PROGRESS**

The School Board believes that the cooperation of school and home is a vital ingredient to the growth and education of the whole child. It recognizes its responsibility to keep parents informed of student welfare and progress in school.

The Board directs the establishment of a system of reporting student progress which shall include  written reports,  parent conferences with teachers, **[END OF OPTIONS]** and shall require all appropriate staff members to comply with such a system as part of their professional responsibility.

The Superintendent, in conjunction with appropriate staff members, shall develop administrative guidelines for reporting student progress to parents which:

- A.  ensure that both student and parent receive ample warning of a pending grade of "failure" or one that would adversely affect the student's status;
- B.  enable the scheduling of parent-teacher conferences at such times and in such places as will ensure the greatest degree of participation by parents;
- C.  ensure that one (1) or more orientation sessions, established in accordance with State guidelines, are held for parents of students who will attend a summer State-mandated testing and assessments remediation program  and for those whose children are participants in the Corporation's program for at-risk students **[END OF OPTION]**;
- D.  specify the issuance of report cards at intervals of not more than 9 weeks **[specify]**;
- E.  ensure a continual review and improvement of methods of reporting student progress to parents.

#### **~~Statewide Assessment Scores~~**

#### **~~[ ] [OPTION 1]~~**

~~After each school receives the results of student statewide assessment scores in schools which conduct parent/teacher conferences, a teacher who is currently teaching a student shall discuss the student's statewide assessment results with the parent at the next parent/teacher conference.~~

#### **~~[END OPTION 1]~~**

**[ ] [OPTION 2]**

~~After each school receives the results of the student statewide assessment scores in schools which do not conduct parent/teacher conferences, a teacher who currently teaches a student shall send a notice to a parent of the student offering to meet with the parent to discuss the student's statewide assessment results. Upon the parent accepting the offer to meet, the teacher shall meet with the parent for the purpose of discussing the student's statewide assessment results.~~

**[END OF OPTION 2]**

I.C. 20-26-3-5

I.C. 20-26-5-4

**I.C. 20-32-5.1-14**

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I.C. 20-26-3-5

I.C. 20-26-5-4

I.C. 20-32-5.1-14



Book	Policy Manual
Section	Policies for the Board
Title	Copy of SUSPENSION AND EXPULSION OF STUDENTS
Code	po5610
Status	1st Reading
Adopted	February 28, 2006
Last Revised	March 22, 2021

#### 5610 - **SUSPENSION AND EXPULSION OF STUDENTS**

The School Board recognizes that removal from the educational programs of the School Corporation, whether by suspension or expulsion, is the most severe sanction that can be imposed on a student in this Corporation and one that cannot be imposed without due process since removal deprives a child of the right to an education.

No student is to be suspended and/or expelled from an activity, program, or a school unless **The student's his/her** behavior represents misconduct or substantial disobedience while the student is on school grounds immediately before or during school hours, or immediately after school hours, or at any other time when the school is being used by a school group; off school grounds at a school activity, function, or event; or traveling to or from school or a school activity, function, or event **This includes but is not limited to bringing to or possessing at school a firearm, deadly weapon, or destructive device. .**

In addition to the grounds specified above, a student may be suspended or expelled for engaging in unlawful activity on or off school grounds if the unlawful activity may reasonably be considered to be an interference with school purposes or an educational function, or the student's removal is necessary to restore order or protect persons on school property, including any unlawful activity during weekends, holidays, other school breaks, and the summer period when a student may not be attending classes or other school functions.

Furthermore, a student may be suspended or expelled for bullying, regardless of the physical location in which the bullying occurred, whenever:

- A. the individual committing the bullying behavior and any of the intended targets of the bullying behavior are students attending a school within a school corporation; and
- B. disciplinary action is reasonably necessary to avoid substantial interference with school discipline or prevent an unreasonable threat to the rights of other to a safe and peaceful learning environment.

**A student also may be expelled when the student's legal settlement is not within the Corporation's attendance area.**

District personnel shall enforce provisions of the student code of conduct so that students demonstrating unacceptable behavior and their parents, guardians or legal custodians understand that such behavior shall not be tolerated and shall be dealt with according to the code.

However, it is the belief of the Board that available alternatives should be explored to help students who are at risk of expulsion before expulsion becomes a necessary step. Expulsion shall be regarded as a punishment of last resort unless a student's behavior would cause imminent harm to others in the school, or when State law or the school's conduct and discipline codes require automatic expulsion. The principal of each school shall work with the professional staff to identify students who are at risk of suspension or expulsion. Among those students who may be at risk are those who have been or are likely to be declared habitually truant or habitually disruptive.

The District, working with the student's parent/guardian, shall provide students who are identified as at risk of suspension or expulsion with a plan to provide necessary support services to help them avoid expulsion. Services may include:

- A. Educational services (tutoring, alternative educational programs or vocational programs that provide instruction in the academic areas of reading, writing, mathematics, science and social studies)
- B. Counseling services
- C. Drug or alcohol addiction treatment programs
- D. Family prevention services

In some cases, a remedial discipline plan may be the means by which various intervention and prevention services are identified and made available to a student. Support services may be provided through agreements with appropriate local governmental agencies, community-based organizations and institutions of higher education.

The failure of the school district to identify a student for participation in an expulsion prevention program or the failure of such program to remediate a student's behavior shall not be grounds to prevent school personnel from proceeding with appropriate disciplinary measures.

A Student Code of Conduct, approved by the Board, shall specify the procedures to be followed by school officials when administering this policy. In addition to the procedural safeguards and definitions set out in this policy and the student/parent handbook, the procedures set forth in Policy 5605 shall apply to students identified as **having a disability disabled under the Individuals with Disabilities Education Act ("IDEA"), 20 U.S.C. 1400 et seq., or Section 504 of the Rehabilitation Act of 1973 ("Section 504"), 29 U.S.C. 794. IDEA.**

For purposes of this policy and the Superintendent's administrative guidelines, the following definitions shall apply:

- A. "Suspension" means any disciplinary action that does not constitute an expulsion whereby a student is separated from school attendance for a period not to exceed ten (10) school days. A student may be suspended for a longer period of time in accordance with the provisions of I.C. 20-33- 8-23 pending expulsion. If a student is suspended, the student is required to complete all assignments and school work assigned during the period of the student's suspension. The principal or the principal's designee shall ensure that the student receives notice of any assignments or school work due and teacher contact information in the event that the student has questions regarding the assignments or schoolwork. The student will receive credit, in the same manner as a student who is not suspended would receive, for any assignments or school work assigned during the period of the student's suspension that the student completes. The student shall be allowed to make up missed tests or quizzes when the student returns to school.
- B. "Expulsion" means a disciplinary or other action where by a student is:
  1. separated from school attendance for a period exceeding ten (10) school days;
  2. separated from school attendance for the balance of the current semester or current year unless a student is permitted to complete required examinations in order to receive credit for courses taken in the current semester or current year; or



3. separated from school attendance for at least one (1) calendar year pursuant to I.C. 20-33-8-16 for possession of firearms, deadly weapons or destructive devices, which may include an assignment to attend an alternative school, an alternative educational program, or a homebound educational program.

The term does not include situations when a student is disciplined under I.C. 20-33-8-25, removed from school pursuant to I.C. 20-34-3-9, or removed from school for failure to comply with the immunization requirements of I.C. 20-34-4-5.

Any student who brings a firearm, as defined in I.C. 35-31.5-2-86 or a destructive device, as defined in I.C. 35-47.5-2-4 to school or onto school property or at a school-related activity or is in possession of a firearm shall be expelled for at least one (1) calendar year unless the Superintendent reduces the punishment for reasons justified by the particular circumstances of the incident.

If the student brings a deadly weapon as defined in I.C. 35-41-1-8 onto Corporation property or is found to possess a deadly weapon on Corporation property or at a school-related activity, ~~the student s/he~~ shall be expelled for a period of not more than one (1) calendar year. The Superintendent shall notify the law enforcement agency designated by the Prosecuting Attorney immediately when a student possesses a firearm, destructive device, or deadly weapon on school property or at a school-related activity.

The Superintendent shall ensure that a copy of this policy is sent to the State Department of Education as well as a description of the circumstances surrounding any expulsions for the above-stated firearms or weapons offense together with the name of the school, the number of students so expelled, and the types of firearms or weapons that were brought on Corporation property.

The Corporation shall ~~annually~~ prepare **annually** a list of:

1. alter native education programs in the same county in which the Corporation is located or a county immediately adjacent to the county in which the Corporation is located; and
2. virtual charter schools;

in which a student may enroll if the student is expelled. The list must contain contact information for the entities described above and must provide the student and the student's parent notice that the student may be required to comply with I.C. 20-33-2 or any statute relating to compulsory school attendance in accordance with I.C. 20-33-8-31. A copy of the list shall be provided to the student or the student's parent at the expulsion meeting. If the student or ~~the~~ student's parent fails to attend an expulsion meeting, a copy of the list shall be mailed to the student's residence.

If a student is expelled from school or from any educational function, the student's absence from school because of the expulsion is a violation of I.C. 20-33-2 or any other statute relating to compulsory school attendance if the student may enroll in:

1. an alternative education program in the county where or in a county immediately adjacent to the county where the Corporation from which ~~the student s/he~~ was expelled is located; or
2. a virtual charter school

and the student does not enroll in an alternative education program or a virtual charter school during the student's expulsion. In the event an alternative education program or virtual charter school is not available for a student to attend under this subsection, the student's expulsion is not a violation of I.C. 20-33-2 or any other statute relating to compulsory school attendance.

The Board ~~of School Trustees~~ has voted not to hear any expulsion appeals. ~~Instead, appeals of expulsion must be filed with the County Court.~~ **Instead, appeals of expulsion must be filed with the County Circuit or Superior Court.**

The Superintendent shall develop administrative guidelines which provide appropriate procedures for implementing this policy and comply with applicable statutes.

The Board authorizes the Superintendent to develop administrative guidelines to provide for the referral of a student to the juvenile court.

The ~~Principal~~ Superintendent shall report all expulsions and second suspensions to the Bureau of Motor Vehicles in accordance with law and the Bureau's guidelines.

### **Retention of Public Records, Student Records, and Investigatory Records and Materials**

All individuals charged with imposing discipline under this policy shall retain all information, documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and received as part of an investigation of student misconduct and disciplinary action taken, including but not limited to reports, admissions, witness statements, documentary evidence, audio, video and/or digital recordings, handwritten and contemporaneous notes, emails related to the allegations, investigation and disciplinary action, printouts, letters, determinations, and summaries. The information, documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal and/or State law (e.g., student records).

The information, documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation of student misconduct or disciplinary action taken shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, Policy 8330 and the Corporation's records retention schedule.

### **Virtual Discipline Policy**

It is the policy of New Prairie United School Corporation that student discipline is recognized as essential to the orderly operation of any school and classroom. In order to maintain an environment conducive to quality education, this Virtual Discipline Policy has been created by corporation personnel and reviewed by the corporation's attorneys. The purpose of this Virtual Discipline Policy is to clarify expectations for student conduct in the virtual classroom and to provide notice of the possible consequences of inappropriate conduct in the virtual classroom.

Student conduct shall be governed, at all times, and regardless of the mode of instruction, by Ind. Code § 20-33-8 *et seq.*, the corporation's Student Discipline Policy, and the Student Disciplinary Code as set forth in each school's handbook. Conduct that is unacceptable in the physical classroom or on school grounds is equally unacceptable in the virtual classroom. While students and parents have an expectation of privacy in their home, conduct that occurs in front of a camera, and in view of peers and teachers in the virtual classroom, shall be governed by applicable law and corporation policy. Cameras must be turned on in order for students to engage in virtual instruction. The purpose of the camera is to document attendance, to ensure student participation and engagement, and to safeguard academic honesty and integrity. Parents and students are cautioned, however, that the camera will capture activity that takes place within its frame and that there is no expectation of privacy with regard to any activity that takes place on camera in view of teachers and pupils in the virtual classroom.

The context in which student behavior occurs is important and may be taken into consideration by school and corporation administrators in determining whether there has been a violation of the Student Discipline Policy or the Student Disciplinary Code, the severity of the infraction, and the appropriate penalty, if any, under the circumstances.

A student subject to discipline under this Policy, the Student Discipline Policy, or the Student Disciplinary Code shall be entitled to due process as set forth by law.

### **Privacy and the Virtual Classroom**

Students and parents have a reasonable expectation of privacy with regard to what takes place in their home *outside of the view of teachers and peers in the virtual classroom*. Students should be cautioned that the virtual classroom is for instruction and for engaging with peers and teachers for educational purposes. Students shall not handle or display personal items, toys or images, or engage in conduct unrelated to the lessons taking place. Students who engage in conduct in the

virtual classroom that, if it were to have taken place in the physical classroom or on school grounds, violates the Student Discipline Policy or the Student Disciplinary Code shall be subject to discipline in accordance with the Student Discipline Policy, the Student Disciplinary Code, and/or this Policy.

School and/or corporation officials may be required, as mandatory reporters, to alert local law enforcement and/or the Department of Child Services if they have reason to believe that a student is in imminent danger and that the safety and well-being of the student is at risk. This may include students handling or displaying firearms, explosives, or other weapons in the virtual classroom, even if it is subsequently learned that the firearm, explosive, or other weapon is a toy or facsimile, as it is not always possible to determine remotely whether the firearm, explosive, or other weapon is real or not.

### **Conduct in the Virtual Classroom**

Parents, guardian, teachers, and school personnel are expected to work together to improve student behavior and academic performance. School staff will endeavor to communicate with parents/guardians regarding student behavior that interferes with the learning environment.

Students are responsible for all content posted through their online account. Students are prohibited from sharing their online account username or password or using the username or password of another student. A student who learns that their username or password is being used by someone else must report the issue immediately to the teacher and/or principal.

The following is a *non-exclusive* list of behaviors that are prohibited in the virtual classroom and that may result in disciplinary action in accordance with the Student Discipline Policy and the Student Disciplinary Code as set forth in the school's handbook and this Policy (see additional prohibited behaviors in the Student Discipline Policy and the Student Disciplinary Code):

- Antagonistic or discriminatory language of any kind with regard to race, religion, gender, intelligence, age, orientation, disability or socioeconomic status
- Bullying/Cyberbullying
- Threatening or intimidating other persons
- Use of obscene, degrading, or profane language (written, verbal, pictures, drawings, audio, video)
- Displaying pornography, nudity, or images of nudity
- Committing lewd or sexual acts
- Handling or displaying firearms, explosives, or other weapons, including toys or facsimiles
- Possessing, using, manufacturing, and/or distributing tobacco, drugs, alcohol, or vaping products
- Any criminal or other illegal activity encouraging the unlawful use, possession, manufacture, or distribution of tobacco, drugs, or alcohol

Conduct in the virtual classroom related to the display or handling of firearms, explosives, or other weapons (including toys or facsimiles) or drugs, or other conduct that raises legitimate concerns about the safety and welfare of a student, must be reported immediately to the school principal and School Resource Officer in order to assess whether the matter must be reported to local law enforcement and/or the Department of Child Services.

### **Consequences of Inappropriate Online Conduct**

Students are expected to conduct themselves appropriately while under school supervision and to comply with the policies that govern student conduct. Parents and students must be aware that conduct that is unacceptable and disruptive in the physical classroom environment or on school grounds is equally unacceptable in the virtual classroom. The School Board recognizes, however, that virtual learning is a still a new experience for students and families, and that the context in which student conduct occurs may be taken into account in determining the appropriate penalty, if any, imposed for violations of the Student Discipline Policy or the Student Disciplinary Code in the virtual classroom.

Student conduct in the virtual classroom shall be subject to the same progressive discipline standards as if the conduct occurred in the physical classroom or on school grounds, as set forth in the Student Discipline Policy and the Student Disciplinary Code. It is important to remember that

the seriousness of the conduct at issue will dictate the actions of the administrators and the nature of the penalty ultimately imposed. A student may be subject to a severe penalty even for a first offense, depending on the seriousness of the conduct at issue.

I.C. 20-18-2-6.5  
I.C. 20-20-8-8(a)(17)  
I.C. 20-33-2-25  
I.C. 20-33-8-3  
I.C. 20-33-8-13.5  
I.C. 20-33-8-14  
I.C. 20-33-8-15  
I.C. 20-33-8-16  
I.C. 20-33-8-17  
I.C. 20-33-8-18  
I.C. 20-33-8-19  
I.C. 20-33-8-20  
I.C. 20-33-8-21  
I.C. 20-33-8-22  
I.C. 20-33-8-23  
I.C. 20-33-8-24  
I.C. 20-33-8-25  
I.C. 20-33-8-26  
I.C. 20-33-8-28  
I.C. 20-33-8-34  
I.C. 35-31.5-2-86  
I.C. 35-47-1-5  
I.C. 35-47.5-2-4  
20 U.S.C. 7151

Revised 11/28/06

Revised 10/22/07

Revised 1/28/08

Revised 12/14/15

Revised 6/22/20

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I.C. 20-33-8-13.5 et seq., 35-31.5-2-86, 35-47-1-5, 35-47.5-2-4  
20 U.S.C. 7151



Book	Policy Manual
Section	Policies for the Board
Title	Copy of REQUIRED ADM COUNTS FOR THE PURPOSE OF STATE FUNDING AND VERIFICATION OF RESIDENCY FOR MEMBERSHIP
Code	po6250
Status	1st Reading
Adopted	November 23, 2020
Last Revised	November 22, 2021

### **6250 - REQUIRED ADM COUNTS FOR THE PURPOSE OF STATE FUNDING AND VERIFICATION OF RESIDENCY FOR MEMBERSHIP**

The School Board expects enrolled students to be in regular attendance and engaged in the School Corporation's education programs in accordance with the provisions of the State compulsory attendance law, other provisions of State student attendance statutes found in I.C. 20-33-2, and the provisions of Policy 5200 Attendance. Additionally, the Board expects the cooperation of parents in monitoring the attendance of their children to comply with the above statutes and policies.

A major portion of State funding for school corporations is determined by a count of enrolled students taken on days selected by the Indiana Department of Education (IDOE). This count is referred to as the Average Daily Membership ("ADM") count. The ADM counts in February and September are to be exact counts of eligible students enrolled in the Corporation by grade and school. An eligible student is a student who is enrolled in the Corporation on the ADM count day. A student may not be counted as an eligible student in more than one (1) school corporation.

The Board requires the Superintendent to establish administrative guidelines that detail the procedures which will be followed by all staff members involved in taking the ADM count in each school. These guidelines shall be made with the purpose of establishing internal controls to provide for timely and accurate ADM reporting to the IDOE. These guidelines also shall assign to a building level staff member the duty and responsibility of compiling the ADM count. The ADM count in each school building shall be documented by providing a list of student names and unique student numbers assigned to each student through the IDOE system of identification. The individual assigned the duty and responsibility of compiling the ADM count shall sign a written certification of authenticity and accuracy of the count total, the accompanying student list of names and numbers, and the acknowledgment that each student on the list is an "eligible student" for the Corporation's ADM count. The individual assigned the duty and responsibility of compiling, documenting, and certifying the count in each school building shall submit said count, documentation, and certification to an individual assigned by the Superintendent to compile the total ADM count for the Corporation. The guidelines also shall detail the individual responsible for retaining the records of the ADM count and related documentation. The supporting documentation of enrollment and attendance information by grade and school building must be signed by the building principal and retained for audit purposes to substantiate the ADM count claimed. The guidelines shall require the individual submitting the ADM count to the IDOE to follow the IDOE Membership Layout instructional forms.

Before reporting any student for membership, the Corporation must consider the following expectations regarding student residency verification as well as exceptions to residency requirements.

### **Definitions**

- A. "Attending" means physical or virtual presence of a student with the expectation of continued services in the education programs for which the student is registered.
- B. "Enrolled" means to be:
  - 1. registered with the Corporation to attend educational programs offered by or through the Corporation; and
  - 2. attending these educational programs or receiving educational services.

**Expectations for Student Residency Verification are as follows:**

- A. The Corporation must maintain proof of Indiana residency for each student in the student's electronic or hard copy file.
- B. Proof of residency must be filed for each student whom the Corporation counts for membership.
  - 1. For a student enrolling from one year to the next at the Corporation, a parent/guardian must confirm re-enrollment of the student either in-person or through an online registration process. If the Corporation brings forward enrollment from the prior year, students cannot be reported for Membership (ME, MA, MV) without verification of consistent attendance prior to the ADM count day.
  - 2. As part of the registration process (either in-person or online), the Corporation must share the residency information it currently has on file for each student. The parent/guardian must certify on a school-designed form that the student's address is either unchanged or changed. If changed, the new address should be updated, and the parent/guardian should be required to provide physical proof of the address change.
  - 3. A parent/guardian does not have to refile proof of residency each year for a student unless the address changes.
- C. Proof of residency must be on hand for each student prior to the student being claimed on the fall and/or spring membership count dates.
- D. If a student enrolls in the Corporation during the school year, proof of Indiana residency must be filed with the Corporation.
- E. If a student has a change of address from one school year to another, the prior residency documents must be maintained in the student's file. For audit purposes, the Corporation must be able to produce a physical or scanned copy of residency proof for current and prior residency of each student.
- F. The Board must annually adopt or readopt a policy that specified documentation, not to exceed three (3) items, required to verify Indiana residency.
- G. Documentation supporting proof of residency may include such items as a current utility bill, telephone bill, tax return, bank statement, mortgage statement, rental/lease agreement, medical bill or other like information that provides a verifiable address. Documentation should be dated within sixty (60) days of student enrollment and the date should be clearly identified and readable on the copy on file for the student.
- H. The Board requires the following as documentation of proof of residency for its students, with limited exceptions set forth below (the Board must select not more than three of the following options):
  - 1. a current utility bill (dated within sixty (60) days of student enrollment)
  - 2. a current telephone bill (dated within sixty (60) days of student enrollment)
  - 3. a current rental/lease agreement (dated within sixty (60) days of student enrollment)

Copies of these documents shall be retained by the Corporation in each student's cumulative file.

**Other Types of Proof of Residency:**

Some students may not have required residency documents due to McKinney-Vento status, Third Party Custodial status, Foster Care status, etc. Below is guidance on each situation and documentation of proof of residency for these students that must be maintained by the Corporation is set forth below.

**McKinney-Vento (Homeless)**

A completed IN Education for Homeless Children & Youth (INEHCY) McKinney-Vento Homeless Education Program Housing Questionnaire may serve as documentation of proof of residency for homeless students and must be retained by the Corporation as proof of residency if the above-referenced documentation is not available. (See also Policy 5111.01 - Homeless Students)

**Third-Party Custodial**

The Corporation shall maintain the residency documents of the custodial guardian the student is residing with as documentation of proof of Indiana residency. (See also Policy 5111 - Determination of Legal Settlement and Eligibility for Enrollment of Student without Legal Settlement in the Corporation) in addition to a Residency Affidavit Form.

**Placement of a student by DCS, FSSA, Courts, etc.**

The Corporation shall maintain either of the following as documentation of proof of Indiana residency of the student:

- A. Residency documents from the custodial guardian, foster family, etc. with whom the student is residing.
- B. A court order, placement letter or other document evidencing the placement on the appropriate state or county letterhead.

(See also Policy 5111.03 - Children and Youth in Foster Care)

**Exceptions to Indiana Residency Requirements include:****Foreign Exchange student**

This applies to foreign exchange students who are residing in, enrolled and attending the Corporation, excluding foreign students enrolled and attending with an F1 Visa. The Corporation shall maintain residency documents of the host family with whom the student is residing for proof of Indiana residency.

(See also Policy 5114 - Nonimmigrant Students and Foreign Exchange Program)

**Student of an active Military family member**

The Corporation shall maintain the following as documentation of proof of Indiana residency for a student of an active Military family member:

- A. Official military order of deployment or pending transfer supported in writing on official letterhead from the appropriate military branch.
- B. The address may include a temporary on-base leased home or apartment, purchased or leased home or apartment or federal government housing or off-base military housing.

(See also Policy 5111.02 - Educational Opportunity for Military Children)

### **Required Count of Students Completing Graduation Requirements Before Second Semester ADM Counts**

Each high school principal in the School Corporation shall be responsible to prepare a count of students enrolled in the first semester and were counted in the fall ADM count and who:

- A. successfully completed graduation requirements to earn a diploma before the February ADM count; and
- B. were not enrolled on the day in February fixed by the State Board of Education for the spring ADM count.

This count shall be reported to the Indiana Department of Education (IDOE) along with other information the IDOE may request that is necessary to verify the number reported.

### **Other Information ADM Counts**

All staff members who participate in the ADM count are expected to be ethical in counting only those students who meet the definition of "eligible student" in the ADM count. Any staff member participating in the ADM count who fails to comply with this policy, the related administrative guidelines, and the directives of the IDOE and Indiana State Board of Accounts ("SBOA") for taking an ADM count is subject to disciplinary action up to and including termination.

If the Corporation offers a "virtual education program," more robust internal controls must be developed to ensure compliance with I.C. 20-24-7-13(h). The Board requires the Superintendent to include in the administrative guidelines controls that clarify under what conditions a student is considered to be "enrolled" when participating in a virtual education program and how much activity or progress a student must engage in to be considered in attendance.

Note: This policy was prepared to meet the SBOA's requirements for a "student engagement policy" as outlined in the December 2019 School Bulletin, Volume 228, page 4. It has been further modified to meet the IDOE's August 27, 2020, Memorandum providing written guidance on verification of Indiana residency as it relates to reporting students for membership.

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Legal	I.C. 20-26-5-42.1 August 27, 2020 Indiana Department of Education Guidance on Verification of Residency for Membership I.C. 20-26-11-2 I.C. 20-33-2
Cross References	I.C. 20-43-1-7.5 I.C. 20-43-1-11.5





Book	Policy Manual
Section	Policies for the Board
Title	Copy of TRAVEL PAYMENT AND REIMBURSEMENT
Code	po6550
Status	1st Reading
Adopted	March 26, 2012
Last Revised	February 25, 2019

#### 6550 - TRAVEL PAYMENT AND REIMBURSEMENT

Travel expenses incurred for official business travel on behalf of the School Corporation shall be limited to those expenses necessarily incurred by the employee in the performance of a public purpose authorized, in advance, in accordance with administrative guidelines.

**All mileage reimbursements will be made at the rate established by the School Board and documented by submitting a State Board of Accounts approved mileage form.** Employees are expected to exercise the same care incurring travel expenses that a prudent person would exercise if traveling on personal business and expending personal funds. Unauthorized costs and additional expenses incurred for personal preference or convenience will not be reimbursed.

Unauthorized expenses include but are not limited to alcohol, movies, fines for traffic violations, and the entertainment/meals/lodging of spouses or guests.

Commercial airfare costs in excess of the basic least expensive unrestricted accommodations class offered by commercial airlines are unallowable except when such accommodations would 1) require circuitous routing; 2) require travel during unreasonable hours; 3) excessively prolong travel; 4) result in additional costs that would offset the transportation savings; or 5) offer accommodations not reasonably adequate for the traveler's medical needs. Instances of commercial airfare cost in excess of the basic least expensive unrestricted accommodations class must be justified and documented on a case-by-case basis.

Travel payment and reimbursement provided from Federal funds must be authorized in advance and must be reasonable and consistent with the Corporation's travel policy and administrative guidelines. For travel paid for with Federal funds, the travel authorization must include documentation that demonstrates that (1) the participation in the event by the individual traveling is necessary to the Federal award; and (2) the costs are reasonable and consistent with the Corporation's travel policy.

All travel shall comply with the travel procedures and rates established in the administrative guidelines. All costs incurred with Federal funds must meet the cost allowability standards within Board Policy 6110.

To the extent that the Corporation's policy does not establish the allowability of a particular type of travel cost, the rates and amounts established under 5 U.S.C. 5701-11, ("Travel and Subsistence Expenses; Mileage Allowances"), or by the Administrator of General Services, or by the President (or **the President's his/her** designee), must apply to travel under Federal awards.

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Legal 2 C.F.R. 200.474





Book	Policy Manual
Section	Policies for the Board
Title	Copy of VOLUNTEERS
Code	po8120
Status	1st Reading
Adopted	September 17, 2007
Last Revised	June 22, 2020

#### 8120 - VOLUNTEERS

The School Board recognizes that certain programs and activities can be enhanced through the use of volunteers who have particular knowledge or skills that will be helpful to members of the staff responsible for **implementation** ~~the conduct~~ of those programs and activities.

The Superintendent shall be responsible for recruiting community volunteers, reviewing their capabilities, and making appropriate placements. The Superintendent shall not be obligated to make use of volunteers whose abilities are not compatible with School Corporation needs.

Before allowing an individual to serve as a volunteer coach, the Corporation shall conduct an expanded criminal history check (as defined in I.C. 20-26-2-1.5 on **the volunteer coach** ~~him/her~~). With respect to all other volunteers:

Each volunteer who is in direct contact with students will be required to submit a Limited Criminal History Record Check. Additional information may be required to complete the record check, including fingerprints at the volunteer's expense.

**[DRAFTING NOTE: The following provision is optional. I.C. 20-26-5-10(k) prohibits school corporations from hiring, continuing to employ, contracting with, or continuing to contract with an individual who has been convicted of an offense requiring license revocation under I.C. 20-28-5-8(c). The Board should select this option if it wants to apply the same criteria to volunteers.]**

**[ ]** The Board shall prohibit volunteer service by a person who has been convicted of an offense requiring license revocation per I.C. 20-28-5-8(c) unless the conviction has been reversed, vacated, or set aside on appeal.

**[END OF OPTION]**

The procedures shall ensure that information and records obtained from criminal history inquiries under this policy are confidential and shall not be released except as necessary to implement this policy or to defend a decision made pursuant to this policy.

Additionally, before the Corporation hires or allows an individual to coach an Indiana High School Athletic Association recognized sport, the Corporation must take the following steps:

A. ask **the individual** ~~him/her~~:

1. whether **the individual** ~~s/he~~ is or has been accredited by the association; and

2. if **the individual s/he** is or has been accredited by the association, whether his/her accreditation has ever been suspended or revoked;
  - B. request references from **the individual him/her**;
  - C. contact the references that **the individual s/he** provides to the Corporation; and
  - D. contact the association to determine whether **the individual his/her** accreditation has ever been suspended or revoked.

The Corporation shall report to the association when a volunteer coach accredited by the association has been convicted of an offense described in I.C. 20-28-5-8(c) or of a known comparable offense in another state. These offenses include:

- A. **A sex crime under I.C. 35-42-4 (including criminal deviate conduct, I.C. 35-42-4-2, before its repeal).**
- B. Kidnapping (I.C. 35-42-3-2).
- C. Criminal Confinement (I.C. 35-42-3-3).
- D. ~~Rape (I.C. 35-42-4-1).~~
- E. ~~Criminal deviate conduct (I.C. 35-42-4-2) (before its repeal).~~
- F. ~~Child molesting (I.C. 35-42-4-3).~~
- G. ~~Child exploitation (I.C. 35-42-4-4(b) or I.C. 35-42-4-4(c)).~~
- H. ~~Vicarious sexual gratification (I.C. 35-42-4-5).~~
- I. ~~Child solicitation (I.C. 35-42-4-6).~~
- J. ~~Child seduction (I.C. 35-42-4-5).~~
- K. ~~Sexual misconduct with a minor (I.C. 35-42-4-9).~~
- L. Incest (I.C. 35-46-1-3).
- M. Dealing in or manufacturing cocaine or a narcotic drug (I.C. 35-48-4-1).
- N. Dealing in methamphetamine (I.C. 35-48-4-1.1).
- O. Manufacturing methamphetamine (I.C. 35-48-4-1.2).
- P. Dealing in a schedule I, II, or III controlled substance (I.C. 35-48-4-2).
- Q. Dealing in a schedule IV controlled substance (I.C. 35-48-4-3).
- R. Dealing in a schedule V controlled substance (I.C. 35-48-4-4).
- S. Dealing in a counterfeit substance (I.C. 35-48-4-5).
- T.
  - A. **Dealing in marijuana, hash oil, hashish, or salvia as a felony (I.C. 35-48-4-10).**
  - B. **An offense under I.C. 35-48-4 involving the manufacture or sale of a synthetic drug (as defined in I.C. 35-31.5-2-321), a synthetic drug lookalike substance (as defined in I.C. 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under I.C. 35-48-4-10.5 (before its repeal on July 1, 2019), a controlled substance analog (as defined in I.C. 35-48-1-9.3), or a substance represented to be a controlled substance (as described in I.C. 35-48-4-4.6).**

- C. Homicide (I.C. 35-42-1).
- D. Voluntary manslaughter (I.C. 35-42-1-3).
- E. Reckless homicide (I.C. 35-42-1-5).
- F. Battery as any of the following: (i) A Class A felony (for a crime committed before July 1, 2014) or a Level 2 felony (for a crime committed after June 30, 2014). (ii) A Class B felony (for a crime committed before July 1, 2014) or a Level 3 felony (for a crime committed after June 30, 2014). (iii) A Class C felony (for a crime committed before July 1, 2014) or a Level 5 felony (for a crime committed after June 30, 2014).
- G. Aggravated battery (I.C. 35-42-2-1.5).
- H. Robbery (I.C. 35-42-5-1).
- I. Carjacking (I.C. 35-42-5-2) (before its repeal).
- J. Arson as a Class A felony or Class B felony (for a crime committed before July 1, 2014) or as a Level 2, Level 3, or Level 4 felony (for a crime committed after June 30, 2014) (I.C. 35-43-1-1(a)).
- K. Burglary as a Class A felony or Class B felony (for a crime committed before July 1, 2014) or as a Level 1, Level 2, Level 3, or Level 4 felony (for a crime committed after June 30, 2014) (I.C. 35-43-2-1).
- L. Human trafficking (I.C. 35-42-3.5).
- M. Dealing in a controlled substance resulting in death (I.C. 35-42-1-1.5).
- N. Attempt under I.C. 35-41-5-1 to commit an offense listed in this subsection.
- O. Conspiracy under I.C. 35-41-5-2 to commit an offense listed in this subsection.
- P. Public indecency (I.C. 35-45-4-1) committed: (A) after June 30, 2003; or (B) before July 1, 2003, if the person committed the offense by, in a public place: (i) engaging in sexual intercourse or other sexual conduct (as defined in I.C. 35-31.5-2-221.5); (ii) appearing in a state of nudity with the intent to arouse the sexual desires of the person or another person, or being at least eighteen (18) years of age, with the intent to be seen by a child less than sixteen (16) years of age; or (iii) fondling the person's genitals or the genitals of another person.

The Corporation shall report suspected misconduct by a volunteer coach that may constitute a crime to local law enforcement.

The Corporation may obtain an expanded criminal history check or an expanded child protection index check at any time if the Corporation has reason to believe that the volunteer:

- A. is the subject of a substantiated report of child abuse or neglect or
- B. has been charged with or convicted of one (1) of the following crimes:
  1. Murder (I.C. 35-42-1-1).
  2. Causing suicide (I.C. 35-42-1-2).
  3. Assisting suicide (I.C. 35-42-1-2.5).
  4. Voluntary manslaughter (I.C. 35-42-1-3).
  5. Reckless homicide (I.C. 35-42-1-5).
  6. Battery (I.C. 35-42-2-1) unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
  7. Aggravated battery (I.C. 35-42-2-1.5).
  8. Kidnapping (I.C. 35-42-3-2).
  9. Criminal confinement (I.C. 35-42-3-3).
  10. A sex offense under I.C. 35-42-4 (including criminal deviate conduct, I.C. 35-42-4-2, before its repeal).
  11. Carjacking (I.C. 35-42-5-2) (before its repeal).
  12. Arson (I.C. 35-43-1-1), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.

13. Incest (I.C. 35-46-1-3).
14. Neglect of a dependent as a Class B felony (for a crime committed before July 1, 2014) or a Level 1 felony or Level 3 felony (for a crime committed after June 30, 2014) (I.C. 35-46-1-4(b)(2) and (3)), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
15. Child selling (I.C. 35-46-1-4(d)).
16. Contributing to the delinquency of a minor (I.C. 35-46-1-8), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
17. An offense involving a weapon under I.C. 35-47 or I.C. 35-47.5, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
18. An offense relating to controlled substances under I.C. 35-48-4, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
19. An offense relating to material or a performance that is harmful to minors or obscene under I.C. 35-49-3, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
20. An offense relating to operating a motor vehicle while intoxicated under I.C. 9-30-5, unless five (5) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
21. Domestic battery (I.C. 35-42-2-1.3), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is latest.
22. Public indecency (I.C. 35-45-4-1) committed: (A) after June 30, 2003; or (B) before July 1, 2003, if the person committed the offense by, in a public place: (i) engaging in sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5); (ii) appearing in a state of nudity with the intent to arouse the sexual desires of the person or another person, or being at least eighteen (18) years of age with the intent to be seen by a child less than sixteen (16) years of age; or (iii) fondling the person's genitals or the genitals of another person.
23. An offense that is substantially equivalent to any of the offenses listed in this subsection in which the judgment of conviction was entered under the law of any other jurisdiction.

The Superintendent is to inform each volunteer that the volunteer s/he:

- A. shall agree to abide by all Board policies and Corporation guidelines while on duty as a volunteer;
- B. will be covered under the Corporation's liability policy but the Corporation shall not provide any type of health insurance to cover illness or accident incurred while serving as a volunteer, nor is the volunteer eligible for workers' compensation;
- C. will be asked to sign a form releasing the Corporation of any obligation should the volunteer become ill or receive an injury as a result of the his/her volunteer services;
- D. will be required to report any arrests, the filing of criminal charges against the volunteer him/her, or convictions for a crime while serving as a volunteer;
- E. will be required to report any substantiated report of child abuse or neglect of which the volunteer s/he is the subject.

The Superintendent also shall ensure that each volunteer is properly informed of the Corporation's appreciation for the volunteer his/her time and efforts in assisting the operation of the schools.

Without conferring the rights of an employee on a volunteer coach, the Corporation shall comply with I.C. 22-5-3-1 (Indiana's blacklisting law) regarding a volunteer coach, including the provisions for civil immunity regarding disclosures made about a volunteer coach.

Revised 12/16/10

Revised 4/27/17

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Legal	I.C. 5-2-22
	I.C. 10-13-3
	I.C. 20-26-2-1.3
	I.C. 20-26-2-1.5
	I.C. 20-26-5-10, -11 and -11.5
	I.C. 20-26-14-2.5
	I.C. 20-26-14-8
	I.C. 20-26-14-9
	I.C. 22-5-3-1
Cross References	I.C. 20-28-5-8(c)



Book	Policy Manual
Section	Policies for the Board
Title	Copy of PERSONAL BACKGROUND CHECK – CONTRACTED SERVICES
Code	po8121
Status	1st Reading
Adopted	September 17, 2007
Last Revised	October 28, 2019

#### 8121 - PERSONAL BACKGROUND CHECK – CONTRACTED SERVICES

To protect students and staff members, the School Board requires an inquiry into the personal background of each contractor, subcontractor, and employee of a contractor or subcontractor who is likely to have direct, on-going contact with children within the scope of their employment.

The Superintendent shall establish the necessary procedures to provide that (1) individuals serving as contractors and subcontractors submit to a background check and (2) entities operating as contractors or subcontractors conduct an inquiry into the background information of their these employees who are likely to have direct, ongoing contact with children, that shall include the following:

- A. an expanded criminal history check as defined I.C. 20-26-2-1.5
- B. an Indiana expanded child protection index check as defined by I.C. 20-26-2-1.3
- C. an expanded child protection index check in other states
- D. a search of the national sex offender registry maintained by the United States Department of Justice
- E. beginning July 1, 2017, a search of the State child abuse registry
- F. verification of enrollment in and use of the federal E-Verify program to check eligibility to be employed (all employees)
- G. an Indiana Bureau of Motor Vehicles driver history if the position involves driving

Personally identifiable information reported to the School Corporation in the implementation of this policy shall not be released except as necessary to implement this policy or to defend a decision made pursuant to this policy.

**The Board shall not contract with a person who has been convicted of an offense requiring license revocation per I.C. 20-28-5-8(c) unless the conviction has been reversed, vacated, or set aside on appeal. Likewise, the Board shall cease contracting with or terminate the contract of a person who has been convicted of an offense requiring license revocation per I.C. 20-28-5-8(c) unless the conviction has been reversed, vacated, or set aside on appeal. If the contract is with an entity, no employee of that contractor who has been convicted of an offense requiring license revocation per I.C. 20-28-5-8(c) may provide services under the contract with the Corporation unless the conviction has been reversed, vacated, or set aside on appeal.**



Each individual serving as a contractor or subcontractor who is likely to have direct, ongoing contact with children in the course of providing services to the Corporation shall be required to report the ( ) arrest and the filing of criminal charges against the contractor or subcontractor, **[END OF OPTION]** conviction of the contractor or subcontractor for a crime, and substantiated report of child abuse or neglect of which the contractor or subcontractor is the subject. Compliance with this requirement shall be verified by either:

- A. inclusion of the requirement as a material term of the contractor's or subcontractor's contract; or
- B. execution of a certificate of compliance with this policy which shall be maintained with the contract in the Corporation's files.

Each contractor and subcontractor providing services to the Corporation shall notify the Superintendent within two (2) business days of the arrest and/or filing of criminal charges the contractor, subcontractor, or against an employee of the contractor or subcontractor and the disposition of such arrest or filing of charges; conviction of the contractor, subcontractor, or an employee of the contractor or subcontractor for a crime; and substantiated report of child abuse or neglect of which the the contractor, subcontractor, or employee of the contractor or subcontractor is the subject.

Each individual serving as a contractor or subcontractor who is likely to have direct, ongoing contact with children in the course of providing services to the Corporation shall be required to report the ( ) arrest and the filing of criminal charges against the contractor or subcontractor, **[END OF OPTION]** conviction of the contractor or subcontractor for a crime, and substantiated report of child abuse or neglect of which the contractor or subcontractor is the subject. Compliance with this requirement shall be verified by either:

- A. inclusion of the requirement as a material term of the contractor's or subcontractor's contract; or
- B. execution of a certificate of compliance with this policy which shall be maintained with the contract in the Corporation's files.

Each contractor and subcontractor providing services to the Corporation shall screen all employees who are likely to have direct, ongoing contact with children in the course of providing services to the Corporation. Screening shall ~~only~~ be required ~~only~~ one (1) time during the period of the current contract with the Corporation as long as the contractor has continuously screened new hires, required the same of its subcontractors, and required that these employees report the filing of criminal charges against the employee, conviction of the employee for a crime, and substantiated report of child abuse or neglect of which the employee is the subject. Compliance with this requirement shall be verified by either:

- A. inclusion of the requirement as material term of the contractor's or subcontractor's contract; or
- B. execution of a certificate of compliance with this policy which shall be maintained with the contract in the Corporation's files.

Non-compliance with these requirements shall be a breach of a material term of any contract between a contractor/s subcontractor and the Corporation.

The Corporation may obtain an expanded criminal history check or an expanded child protection index check at any time if the Corporation has reason to believe that the applicant or employee:

- A. is the subject of a substantiated report of child abuse or neglect or
- B. has been charged with or convicted of one (1) of the following crimes:
  1. Murder (I.C. 35-42-1-1).
  2. Causing suicide (I.C. 35-42-1-2).
  3. Assisting suicide (I.C. 35-42-1-2.5).
  4. Voluntary manslaughter (I.C. 35-42-1-3).
  5. Reckless homicide (I.C. 35-42-1-5).

6. Battery (I.C. 35-42-2-1) unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
7. Aggravated battery (I.C. 35-42-2-1.5).
8. Kidnapping (I.C. 35-42-3-2).
9. Criminal confinement (I.C. 35-42-3-3).
10. A sex offense under I.C. 35-42-4 (including criminal deviate conduct, I.C. 35-42-4-2, before its repeal).
11. Carjacking (I.C. 35-42-5-2) (before its repeal).
12. Arson (I.C. 35-43-1-1), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
13. Incest (I.C. 35-46-1-3).
14. Neglect of a dependent as a Class B felony (for a crime committed before July 1, 2014) or a Level 1 felony or Level 3 felony (for a crime committed after June 30, 2014) (I.C. 35-46-1-4(b)(2) and (3)), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
15. Child selling (I.C. 35-46-1-4(d)).
16. Contributing to the delinquency of a minor (I.C. 35-46-1-8), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
17. An offense involving a weapon under I.C. 35-47 or I.C. 35-47.5, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
18. An offense relating to controlled substances under I.C. 35-48-4, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
19. An offense relating to material or a performance that is harmful to minors or obscene under I.C. 35-49-3, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
20. ~~An offense relating to operating a motor vehicle while intoxicated under I.C. 9-30-5, unless five (5) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.~~
21. Domestic battery (I.C. 35-42-2-1.3), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is latest.
22. Public indecency (I.C. 35-45-4-1) committed: (A) after June 30, 2003; or (B) before July 1, 2003, if the person committed the offense by, in a public place: (i) engaging in sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5); (ii) appearing in a state of nudity with the intent to arouse the sexual desires of the person or another person, or being at least eighteen (18) years of age with the intent to be seen by a child less than sixteen (16) years of age; or (iii) fondling the person's genitals or the genitals of another person.
23. An offense that is substantially equivalent to any of the offenses listed in this subsection in which the judgment of conviction was entered under the law of any other jurisdiction.

The Superintendent shall develop administrative guidelines to implement this policy. These procedures shall provide for the review of each reported arrest and/or criminal charge, criminal conviction of **a contractor, subcontractor or an** employee of a contractor or subcontractor, and substantiated report of child abuse or neglect of which the **contractor, subcontractor, or** employee of a contractor or subcontractor is the subject and for a response to the reported information that protects members of the school community from persons who may be dangerous to them. Failure of a contractor or subcontractor to remove an employee from direct contact with students, upon request from the Superintendent, shall be considered to be a material breach of the contractor's or subcontractor's contract with the Corporation.

Revised 3/22/10  
 Revised 4/23/12  
 Revised 6/20/16  
 Revised 4/24/17  
 Revised 2/26/18

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Legal

I.C. 5-2-22

I.C. 10-13-3

I.C. 20-26-2-1.3

I.C. 20-26-2-1.5

I.C. 20-26-5-10, -11, and -11.5



Book	Policy Manual
Section	Policies for the Board
Title	Copy of SCHOOL CALENDAR
Code	po8210
Status	1st Reading
Adopted	October 28, 2019

**8210 - SCHOOL CALENDAR**

The School Board recognizes that the preparation of a calendar for the instructional program of the schools is necessary for orderly educational planning and for the efficient operation of the School Corporation.

The total number of days when the schools will be in session for instructional purposes shall be 180, and for purposes of receiving State school aid, such days will number no fewer than 180. A maximum of three (3) virtual instruction days may be used to meet the 180 day requirement unless: 1) the virtual school day includes teacher-directed synchronous instruction for at least fifty percent (50%) of the school day; or 2) a waiver is requested and granted.

Unless a waiver is obtained from the State Department of Education, all days lost due to snow, fire, epidemics, health conditions, et cetera cannot be counted as a part of the minimum days of instruction for State aid and must be made up by an in-person day or an eLearning/virtual instruction day that meets the standards set by the State Department of Education and complies with State law provided.

The Superintendent shall submit to the State Department of Education the total number of actual instructional days no later than June 15th of each year.

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- Legal I.C. 20-30-2-2.7
- I.C. 20-18-2-17
- I.C. 20-30-2-1
- I.C. 20-30-2-3



Book Policy Manual  
 Section Policies for the Board  
 Title Revised Policy - Vol. 35, No. 1, Sept. 2022 - SCHOOL DAY  
 Code po8220  
 Status 1st Reading

**Revised Policy - Vol. 35, No. 1**

**8220 - SCHOOL DAY**

The School Board authorizes the school day to be arranged and scheduled by the administration. It is to offer the maximum education for the time spent within the limitations of school facilities and the laws and regulations of the State. **Virtual instruction days, when scheduled as a part of the school calendar or employed as a make up day, shall comply with the requirements of State statutes and regulations of the State.**

The Superintendent may close the schools, delay the opening of school, or dismiss school early when such alteration in the regular session is required for the protection of the health and safety of students and staff members. **The Superintendent/S/He shall prepare administrative guidelines for the proper and timely notification of concerned persons in the event of any emergency closing of the schools. [ ] The School Board authorizes the Superintendent to determine whether to (1) schedule a make up day or (2) apply for a waiver for any potential penalty to State tuition support for each lost day of instruction for all schools in the Corporation or an individual school.**

**[x ]** The Superintendent shall have the authority to determine which school-related activities may be conducted if the schools are closed for a period of time. **The Superintendent/S/He shall prepare appropriate guidelines for communication to students, parents, and others regarding the scheduling and the conduct of such activities.**

**I.C. 20-30-2-2**

**I.C. 20-30-2-2.7**

511 IAC 6-2-1.1

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Legal I.C. 20-30-2-2  
 I.C. 20-30-2-2.7  
 511 IAC 6-2-1.1



Book	Policy Manual
Section	Policies for the Board
Title	Copy of SCHOOL SAFETY
Code	po8400
Status	1st Reading
Adopted	February 28, 2006
Last Revised	March 22, 2021

#### 8400 - **SCHOOL SAFETY**

The **School** Board of ~~School Trustees~~ is committed to maintaining a safe environment in all the School Corporation's schools. To that end, in accordance with State and Federal law, the Corporation shall establish a *Safe School Committee* for the entire Corporation, the composition of which shall be in accordance with the Superintendent's guidelines.

Each *Safe School Committee* may include at least one (1) member who is a member of the school or Corporation career and technical education school.

The *Safe School Committee* shall be responsible for developing a plan that addresses the following issues:

- A. Unsafe conditions, crime prevention, school violence, bullying, criminal organization activity, child abuse, and child sexual abuse, and other issues that prevent the maintenance of safe schools.
- B. Professional development needs for faculty and staff to implement methods that decrease problems identified above.
- C. Methods to encourage involvement by the community and students, development of relationships between students and school faculty and staff, and use of problem-solving teams.

**NOTE:** The Corporation shall not disclose any record or part of any record if the disclosure of which would have a reasonable likelihood of threatening public safety by compromising the Corporation's security.

In developing the school's plan, the *Safe School Committee* shall seek input from representatives of the following:

- A. The State Department of Education;
- B. The Corporation's school safety specialist;
- C. School Resource Officer(s);
- D. Corporation Police Officer(s);
- E. local law enforcement agencies;
- F. the local Fire Marshal(s) or his/her designee(s);

- G. local emergency medical services;
- H. a member of the Board;
- I. building administrators;
- J. the local emergency management service agency;
- K. and other employees as needed.

The Superintendent shall recommend the approval and adoption of each school's plan.

#### **Safe School Committee's Duty To Implement the Safe and Drug-Free Schools and Communities Act**

The *Safe School Committee* is responsible for implementing the Safe and Drug-Free Schools and Communities Act. To ensure that the Corporation remains compliant with Federal law, the *Safe School Committee* shall:

- A. develop a drug-free school plan that:
  1. requires each school to collect and report drug-related activities in the school, including suspensions, expulsions, exclusions, police actions, or any other type of drug-related behavior; and
  2. addresses ways to eliminate illegal drugs and drug-related behavior in schools;
- B. oversee the implementation of the school plan;
- C. oversee the implementation of the curriculum under I.C. 20-30-5-11 concerning the effects that alcoholic beverages, tobacco, prescription drugs, and controlled substances have on the human body and society at large.

To apply annually for matching grant funds from the Indiana secured school fund, the Corporation shall certify to the Department of Homeland Security that it has:

- A. conducted a threat assessment for each school building it uses; and
- B. a memorandum of understanding (MOU) in place with a community mental health center established under State law or a provider certified or licensed by the State to provide mental or behavioral health services to students.

#### **School Safety Specialist**

The Corporation shall designate an individual to serve as the school safety specialist for the Corporation. The school safety specialist shall be chosen by the Superintendent with the approval of the Board. The school safety specialist shall perform the following duties:

- A. Serve on the county school safety commission, if a county school safety commission is established under I.C. 5-2-10.1-10.
- B. Participate each year in a number of days of school safety training that the council determines.
- C. With the assistance of the county school safety commission, if a county school safety commission is established under I. 5-2-10.1-10, develop a safety plan for each school in the Corporation.
- D. Coordinate the safety plans of each school in the Corporation as required under rules adopted by the Indiana state board of education; and

E. Act as a resource for other individuals in the Corporation on issues related to school discipline, safety, and security.

A school safety plan developed by the school safety specialist must:

A. include the requirements set forth in I.C. 20-26-18.2-2(b), namely:

1. Protect against outside threats to the physical safety of students,
2. Prevent unauthorized access to school property,
3. Secure schools against violence and natural disasters, and
4. ~~Identify on or before July 1, 2020, identify~~ the location of bleeding control kits;

B. be provided to a member of the secured school safety board, as established by I.C. 10-21-1-3, if a member requests the plan; and

C. be filed with the county school safety commission under I.C. 5-2-10.1-10 if the county has established a county school safety commission.

#### **Bleeding Control Kits**

A "bleeding control kit" means a first aid response kit that contains at least the following:

A. One (1) tourniquet endorsed by the Committee on Tactical Combat Casualty Care.

B. A compression bandage.

C. A bleeding control bandage.

D. Protective gloves and a permanent marker.

E. Scissors.

F. Instructional documents developed by the Stop the Bleed national awareness campaign of the United States Department of Homeland Security or the American College of Surgeons Committee on Trauma, or both.

G. Other medical materials and equipment similar to those described in subdivisions (A) through (C), and any additional items that:

1. are approved by local law enforcement or first responders;
2. can adequately treat a traumatic injury; and
3. can be stored in a readily available kit.

~~Each Beginning in the 2020-2021 school year and each~~ school year ~~thereafter and~~ subject to either:

A. an appropriation by the general assembly; or

B. the Corporation receiving sufficient bleeding control kits for each school in the Corporation from:



1. donations from individuals or entities; or
2. gifts necessary to purchase the bleeding control kits;

The Corporation shall develop and implement a Stop the Bleed program that meets the requirements set forth in I.C. 20-34-3-24(c), namely:

- A. requires bleeding control kits be assigned to designated rooms in easily accessible locations to be determined by local first responders or the school safety specialist;
- B. includes bleeding control kits in the emergency plans of the school corporation or charter school, including the presentation and use of the bleeding control kits in all drills and emergencies;
- C. provides that all Corporation schools have a minimum of five (5) individuals in each school building who obtain appropriate training in the use of the bleeding control kit, including:
  1. the proper application of pressure to stop bleeding;
  2. the application of dressings or bandages;
  3. additional pressure techniques to control bleeding; and
  4. the correct application of tourniquets;
- D. requires bleeding control kits in school inventories to be inspected annually to ensure that the materials, supplies, and equipment contained in the bleeding control kits are not expired, and that any expired materials, supplies, and equipment are replaced as necessary; and
- E. requires a bleeding control kit to be restocked after each use and any materials, supplies, and equipment to be replaced as necessary to ensure that the bleeding control kit contains all necessary materials, supplies, and equipment.

The Corporation's Stop the Bleed program must include each school in the Corporation.

The Corporation may request direction to resources that are available to provide bleeding control kits to the Corporation from the Department of Homeland Security; and/or the State Department of Education.

### **School Resource Officers**

"School resource officer" means **a law enforcement officer** ~~an individual~~ who:

- A. has completed the training described below;
- B. is assigned to one (1) or more school corporations or charter schools **during school hours** to:
  1. assist the school safety specialist with the development and implementation of the school safety plan; and
  2. carry out any additional responsibilities assigned to the school resource officer under the employment engagement, contract, or memorandum of understanding and to **provide law enforcement services to**:
    - a. protect against outside threats to the physical safety of students;
    - b. prevent unauthorized access to school property; and

C. secure schools against violence and natural disasters; and

C. is:

1. employed by a law enforcement agency;
2. appointed as a police reserve officer (as described in I.C. 36-8-3-20) or as a special deputy (as described in I.C. 36-8-10-10.6) if the police reserve officer or special deputy:
  - a. is subject to the direction of the sheriff or appointing law enforcement agency;
  - b. is required to obey the rules and orders of the sheriff's department or appointing law enforcement agency;
  - c. is required to complete all training required of regular full-time law enforcement officers employed by the sheriff's department or ~~appointed~~ ~~appointing~~ law enforcement agency; and
  - d. may be removed by the sheriff or ~~appointed~~ ~~appointing~~ law enforcement agency at any time, with or without cause; or
3. a school corporation police officer appointed under I.C. 20-26-16-3

**The term does not include a law enforcement officer who is assigned to a school to provide security outside a school building for protection from outside threats, traffic duty, or other duties not consistent with the duties of a school resource officer.**

Before being appointed as a school resource officer, an individual must have:

successfully completed the minimum training requirements established for law enforcement officers under I.C. 5-2-1-9; ~~and~~

- A. **The law enforcement officer appointed as a school resource officer must receive** ~~received~~ at least forty (40) hours of school resource officer training through:
  1. the Indiana law enforcement training board established by I.C. 5-2-1-3;
  2. the National Association of School Resource Officers; or
  3. another school resource officer training program approved by the Indiana law enforcement training board.

**The school resource officer training must be completed within 180 days from the date the individual is initially assigned the duties of a school resource officer. However, if the current ADM of the Corporation is less than 1,000 students, the individual shall complete the school resource officer training within 365 days of the date the individual is initially assigned the duties of a school resource officer.**

The training described above must include instruction regarding skills, tactics, and strategies necessary to address the special nature of:

- A. school campuses; and
- B. school building security needs and characteristics.

A school resource officer may be employed:

- A. ~~by one (1) or more school corporations or charter schools~~ through a contract between a local law enforcement agency and **(1) the school Corporation or (2) the Corporation and other** ~~the charter school or~~ charter schools;

- B. by **the Corporation or the Corporation and other** ~~one (1) or more~~ school corporations or charter schools;
- C. by a local law enforcement agency that assigns the school resource officer to **(1) the Corporation or (2) the Corporation and other** ~~one (1) or more~~ school corporations or charter schools through a memorandum of understanding between the local law enforcement agency and the ~~school~~ Corporation or **the Corporation and other** school corporations or ~~the charter school or~~ charter schools; or
- D. through a contract between an Indiana business that employs persons who meet the qualifications of a school resource officer and **(1) the** ~~school~~ Corporation or **(2) the Corporation and other** school corporations or ~~the charter school or~~ charter schools.

**After June 30, 2023, if the Corporation enters into a contract for a school resource officer, the Corporation must enter into a memorandum of understanding with the law enforcement agency that employs or appointed the law enforcement officer who will perform the duties of a school resource officer unless the Corporation only has full-time school resource officers who are either employees of the Corporation's school police department or are employees of the Corporation who have successfully completed the law enforcement basic training requirements described in I.C. 5-2-1-9(d).**

The ~~contract or~~ memorandum of understanding described above for the employment of a school resource officer must state the nature and scope of a school resource officer's duties and responsibilities. A school resource officer's duties and responsibilities include the duty to assist the Corporation's school safety specialist with the development and implementation of a school safety plan that does the following:

- A. Protects against outside threats to the physical safety of students.
- B. Prevents unauthorized access to school property.
- C. Secures schools against violence and natural disasters.
- D. On or before July 1, 2020, identifies the location of bleeding control kits (as defined in I.C. 20-34-3-24(a)).

A school resource officer shall consult with local law enforcement officials and first responders when assisting the Corporation's school safety specialist in the development of the school safety plan.

A school resource officer shall participate in the development of programs designed to identify, assess, and provide assistance to troubled youth.

A school resource officer shall not be reassigned to other duties by the Corporation.

A school resource officer may:

- A. make an arrest;
- B. conduct a search or a seizure of a person or property using the reasonable suspicion standard;
- C. carry a firearm on or off school property; and
- D. exercise other police powers with respect to the enforcement of Indiana laws.

A school resource officer has jurisdiction in every county where the Corporation operates a school or where the Corporation's students reside. This does not restrict the jurisdiction that a school resource officer may possess due to the officer's employment by a law enforcement agency.

The Corporation shall report all instances of:

- A. seclusion (as defined in I.C. 20-20-40-9);
- B. chemical restraint (as defined in I.C. 20-20-40-2);
- C. mechanical restraint (as defined in I.C. 20-20-40-4); and
- D. physical restraint (as defined in I.C. 20-20-40-5);

involving a school resource officer in accordance with the restraint and seclusion plan adopted by the Corporation under I.C. 20-20-40-14.

### **Security Police Training**

In the case of a **regular or** special police officer who is assigned as a security police officer for the Corporation, the Board shall require that the police officer receives training and education, approved by the State Board of Education that will enable the police officer to appropriately deal with individuals with Autism and Asperger's Syndrome.

### **Mental or Behavioral Health Services**

The Corporation shall enter into a memorandum of understanding (MOU) with a community mental health center established under State law or a provider certified or licensed by the State to provide mental or behavioral health services to students.

The Corporation may not refer a student to a mental health care provider or community mental health center for services unless the Corporation has received the written consent of the student's parent or guardian. If a referral is made, the Corporation may note the referral in the student's cumulative record but shall not include any possible diagnosis or information concerning the student's mental health other than any medication that the student takes for his/her mental health. A student's record that contains medical information shall be kept confidential. A school counselor or other Corporation employee may not diagnose a student as having a mental health condition unless his/her scope of practice includes diagnosing a mental health condition.

Prior to providing any referrals under a MOU, the Corporation must:

- A. Develop a process for a teacher or Corporation employee to notify a school official to contact a student's parent if the student demonstrates a repeated pattern of aberrant or abnormal behavior. The parental notification process must include a conference with the school, student, and the student's parent;
- B. Require that the aforementioned conference address the student's potential need for and benefit from:
  - 1. mental or behavioral health services; or
  - 2. mental or behavioral health services provided by the community mental health center or appropriate provider that is contracted and paid for by the Corporation;
- C. Establish a procedure for a parent who chooses to seek services for the student to follow that includes granting written parental consent for the student to receive mental or behavioral health services by a community mental health center or appropriate provider; and
- D. Protect the confidentiality of any medical records that result from a student's participation in any treatment described in subpart B. above and adopt a policy that prohibits the Corporation from:

1. sharing any reports or notes resulting from the provision of mental or behavioral health services described in subpart B. 1. above with other school officials; and
2. maintaining any reports, notes, diagnosis, or appointments that result from a student's participation in any treatment described in B. 1. or B. 2. above in the student's permanent educational file. (See Policy 8330 - Student Records.)

### **Persistently Dangerous Schools**

The Board recognizes that State and Federal law requires that the Corporation report annually incidents which meet the statutory definition of violent criminal offenses that occur in a school, on school grounds, on a school conveyance, or at a school-sponsored activity. It is further understood that the State Department of Education will then use this data to determine whether or not a school is considered "persistently dangerous" as defined by State policy.

Pursuant to the Board's stated intent to provide a safe school environment, the Corporation's school administrators are expected to respond appropriately to any and all violations of the Student Code of Conduct, especially those of a serious, violent nature. In any year where the number of reportable incidents of violent criminal offenses in any school exceeds the threshold number established in State policy, the Superintendent shall refer this to the *School Safety Committee* for the corporation so that a plan of corrective action can be developed and implemented in an effort to reduce the number of these incidents in the subsequent year.

When developed, the Superintendent shall make a report to the Board about this plan of corrective action and recommend approval and adoption of it.

In the unexpected event that the number of reportable incidents in three (3) consecutive school years exceeds the statutory threshold and the school is identified as persistently dangerous, students attending the school shall have the choice option as provided in Policy 5113.02 and AG 5113.02.

In addition, the Superintendent shall meet with the *Safe School Committee* for the corporation, discuss the school's designation as a persistently dangerous school, and develop a plan of corrective action that can be implemented in an effort to reduce the number of these incidents in the subsequent year.

### **Victims of Violent Crime**

The Board further recognizes that, despite the diligent efforts of school administrators and staff to provide a safe school environment, an individual student may be a victim of a violent crime in a school, on school grounds, on a school conveyance, or at a school-sponsored activity. In accordance with Federal and State law the parents of the eligible student shall have the choice options provided by Policy 5113.02 and AG 5113.02.

Revised 1/28/08

Revised 6/20/16

Revised 4/24/17

Revised 6/22/20

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Legal	I.C. 20-26-18.2
	I.C. 20-34-3-21
	I.C. 20-34-3-21
	I.C. 5-2-10.1-9
	I.C. 5-2-10.1-10
	I.C. 5-2-10.1-12

I.C. 20-26-5-31

I.C. 20-26-16

I.C. 20-26-18.2-2

I.C. 20-30-5-11

I.C. 20-34-3-20

I.C. 20-34-3-24

Title IX, Section 9532 of the No Child Left Behind Act of 2001

20 U.S.C. 7101 et seq., The Safe and Drug-Free Schools and Communities Act (Title IV, Part A of the Elementary and Secondary Education Act)



Book	Policy Manual
Section	Policies Vol 35 No 1 for Supt. Review
Title	Copy of WELLNESS
Code	po8510
Status	Superintendents Review
Adopted	February 28, 2006
Last Revised	November 22, 2021

#### 8510 - **WELLNESS**

As required by law, the Board establishes the following wellness policy for the Corporation as a part of a comprehensive wellness initiative.

The Board recognizes that good nutrition and regular physical activity affect the health and well-being of the Corporation's students. Furthermore, research suggests that there is a positive correlation between a student's health and well-being and his/her ability to learn. Moreover, schools can play an important role in the developmental process by which students establish their health and nutrition habits by providing nutritious meals and snacks through the schools' meal programs, by supporting the development of good eating habits, and by promoting increased physical activity both in and out of school.

Schools alone, however, cannot develop in students healthy behaviors and habits with regard to eating and exercise. It will be necessary for not only the staff but also parents and the public at large to be involved in a community-wide effort to promote, support, and model such healthy behaviors and habits.

The Board sets the following goals in an effort to enable students to establish good health and nutrition habits:

#### A. With regard to nutrition education:

1. Nutrition education shall be included in the health curriculum **at all grade levels** so that instruction is sequential and standards-based and provides students with the knowledge, attitudes, and skills necessary to lead healthy lives.
2. Nutrition education shall be integrated into other subject areas of the curriculum, when appropriate, to complement, but not replace, the standards and benchmarks for health education.
3. Nutrition education standards and benchmarks shall be age-appropriate and culturally relevant.
4. The standards and benchmarks for nutrition education shall be behavior focused.
5. The school cafeteria shall serve as a learning lab by allowing students to apply the knowledge, attitudes, and skills taught in the classroom when making choices at mealtime.
6. Nutrition education shall extend beyond the school by engaging and involving families and the community.

7. Nutrition education shall reinforce lifelong balance by emphasizing the link between caloric intake (eating) and exercise in ways that are age-appropriate.
8. Nutrition education benchmarks and standards include a focus on media literacy as it relates to food marketing strategies.
9. Nutrition education standards and benchmarks promote the benefits of a balanced diet that includes fruits, vegetables, whole grain products, and low-fat and fat-free dairy products.
10.  Nutrition education posters, such as the Food Pyramid Guide or MyPlate, will be displayed in the cafeteria.
11. Staff responsible for providing instruction in nutrition education shall regularly participate in professional development activities designed to better enable them to teach the benchmarks and standards.
12. Instruction related to the standards and benchmarks for nutrition education shall be provided by highly qualified teachers.
13. At least once per semester in each school building, the Corporation in conjunction with HOSA (the student led Health Occupations Group) will present nutrition education with lessons related to healthy options, nutrition information, and other health education areas.
14. The Corporation will continue to promote ~~collaboration with community groups and organizations to continue the community garden located at Rolling Prairie Elementary and to continue~~ educational field trips to students to local farms and orchards.
15. Nutrition educators will partner with food service staff to use the school cafeterias as a learning lab to display and teach about healthy food choices.
16. Use of materials depicting food brands or logos on classroom materials is discouraged.
17. Other: Wellness and nutritional educational materials will be provided to parents/guardians through handouts, website links, presentations, and any other appropriate medium. Website links to the Healthy Hunger Free Kids Act and Smart Snacks in Schools regulations will be available on the District's Food Service Website page.

**B. With regard to physical activity:**

**1. Physical Education**

- a. A sequential, comprehensive physical education program shall be provided for students in K-12 in accordance with the physical education academic content standards and benchmarks adopted by the State.
- b. The sequential, comprehensive physical education curriculum shall provide students with opportunities to learn, practice, and be assessed on developmentally appropriate knowledge, attitudes, and skills necessary to engage in lifelong, health-enhancing physical activity.
- c. Planned instruction in physical education shall be sufficient for students to achieve a proficient level with regard to the standards and benchmarks adopted by the State.
- d. Planned instruction in physical education shall promote participation in physical activity outside the regular school day.
- e. The physical education curriculum shall provide sequential instruction related to the knowledge, attitudes, and skills necessary to participate in lifelong, health-enhancing physical activity.



- f. Physical education classes shall provide students with opportunities to learn, practice, and be assessed on developmentally appropriate knowledge, attitudes, and skills necessary to engage in lifelong, health-enhancing physical activity.
- g. The sequential, comprehensive physical education curriculum shall stress the importance of remaining physically active for life.
- h. The K-12 program shall include instruction in physical education as well as opportunities to participate in competitive and non-competitive team sports to encourage lifelong physical activity.
- i. Planned instruction in physical education shall teach cooperation, fair play, and responsible participation.
- j. Planned instruction in physical education shall meet the needs of all students, including those who are not athletically gifted.
- k. Planned instruction in physical education shall be presented in an environment free of embarrassment, humiliation, shaming, taunting, bullying, or harassment of any kind.
- l. Planned instruction in physical education shall include cooperative as well as competitive games.
- m. Planned instruction in physical education shall take into account gender and cultural differences.
- n. Exemptions from physical education class time or credit may be allowed according to NPUSC Board policy.  
**( ) Schools may not allow substitutions or exemptions for required physical education class time or credit for other courses, participation in school sports, or community activities. Exemptions due to disability, religious reasons, or medical conditions are permitted and should be considered on a case-by-case basis.**

## 2. Physical Activity

- a. Physical activity and movement shall be integrated, when possible, across the curricula and throughout the school day **(e.g., classroom physical activity breaks)**.
- b. All students in grades K- 5/6 shall be provided with a daily recess period at least 15 minutes in duration.
- c. The school shall provide information to families to encourage and assist them in their efforts to incorporate physical activity into their children's daily lives.
- d. The school shall encourage families and community organizations to help develop and institute programs that support physical activity of all sorts.
- e. In addition to planned physical education, the school shall provide age-appropriate physical activities (e.g., recess during the school day, intramurals and clubs before and after school, and interscholastic sports) that meet the needs of all students, including males, females, students with disabilities, and students with special health care needs.
- f. All students in grades 5-12 shall have the opportunity to participate in extracurricular activities and intramural programs that emphasize physical activity.
- g. All students in grades 5-12 shall have the opportunity to participate in interscholastic sports programs.
- h. All before/after-school programs shall provide developmentally appropriate physical activity for the students who participate.

i. Schools shall discourage extended periods of student inactivity without some physical activity.

a. ( ) Recess, physical education, and any other form of physical activity shall not be revoked from students as a form of punishment or to complete unfinished class work.

C. With regard to other school-based activities:

1. Free drinking water shall be available to students during designated meal times and may be available throughout the school day.
2. The schools shall provide at least twenty (20) minutes daily for students to eat.
3. The schools shall schedule mealtimes so there is minimum disruption by bus schedules, recess, and other special programs or events.
4. The school shall provide attractive, clean environments in which the students eat.
5. Activities, such as tutoring or club meetings, shall not be scheduled during mealtimes, unless students may eat during those meetings.
6. Schools may limit the number of celebrations involving serving food during the school day to no more than four (4) parties per class per school year.
7. Students, parents, and other community members shall have access to, and be encouraged to use, the school's outdoor physical activity facilities outside the normal school day.
8. The schools may use environmentally friendly practices, such as the use of locally grown foods and non-disposable tableware and dishes.
9. The schools may provide opportunities for staff, parents, and other community members to model healthy eating habits by dining with students in the school dining areas.
10. The schools may demonstrate support for the health of all students by hosting health clinics and screenings and encouraging parents to enroll their eligible children in Medicaid or in other children's health insurance programs for which they may qualify.
11. Schools in our system utilize electronic identification and payment systems, therefore, eliminating any stigma or identification of students eligible to receive free and/or reduced meals.

D. With regard to nutrition promotion, any foods and beverages marketed or promoted to students on the school campus, during the school day, will meet or exceed the USDA Smart Snacks in School nutrition standards. **This includes marketing on school property, on educational materials, where food is purchased, in school publications and school media, and through fundraisers.** Additionally, the Corporation shall:

1. encourage students to increase their consumption of healthful foods during the school day;
2. create an environment that reinforces the development of healthy eating habits, including offering the following healthy foods and beverages:
  - a. a variety of fresh produce to include those prepared without added fats, sugars, refined sugars, and sodium
  - b. a variety of vegetables daily to include specific subgroups as defined by dark green, red/orange, legumes, and starchy

- C. whole grain products - half of all grains need to be whole grain-rich upon initial implementation and all grains must be whole grain-rich within two (2) years of implementation
- d. fluid milk that is fat-free (unflavored and flavored) and low-fat (unflavored) **and flavored**
- e. meals designed to meet specific calorie ranges for age/grade groups
- f. eliminate trans-fat from school meals
- g. **(x) require students to select a fruit or vegetable as part of a complete reimbursable meal;**
- h. provide opportunities for students to develop the knowledge and skills for consuming healthful foods
- i. ~~promote and encourage Farm to School efforts through its nutrition department in order to provide the healthy foods identified above;~~

**( ) prohibit the sale of caffeinated beverages at the high school level;**

Furthermore, with the objectives of enhancing student health and well being, and reducing childhood obesity, the following guidelines are established:

- A. In accordance with Policy 8500, entitled Food Service, the food service program shall comply with Federal and State regulations pertaining to the selection, preparation, consumption, and disposal of food and beverages as well as to the fiscal management of the program
- B. The sale of foods of minimal nutritional value in the food service area during the lunch period is prohibited.
- C. As set forth in Policy 8531, entitled Free and Reduced Price Meals, the guidelines for reimbursable school meals are not less restrictive than the guidelines issued by the U.S. Department of Agriculture (USDA).
- D. The sale to students of foods and beverages that do not meet the USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards to be consumed on the school campus during the school day is prohibited. Competitive foods available for purchase by students à la carte in the dining area, foods or beverages sold from vending machines, and foods and beverages provided by the school or school staff for classroom parties or holiday celebrations are subject to this prohibition.
- E. The food service program will strive to be financially self-supporting; however, if it is necessary to subsidize the operation, it will not be through the sale of foods with minimal nutritious value.
- F. The District has a closed campus policy. School staff may not provide permission for students to leave campus for the purpose of obtaining lunch.
- G. The school food service program may involve staff and school officials in the selection of competitive food items to be sold in the schools.
- H. All after school snack program foods will follow the ASSP (Afterschool Snack Program) nutrition standards.
- I. High school principals are encouraged to limit the sale of beverages to those that meet USDA Smart Snack standards for middle schools.
- J. Schools should avoid participation in fundraising or corporate incentive programs that promote a message inconsistent with our goals for a healthy school community.
- K. The food service program shall be administered by a qualified nutrition professional.

- L. The food service program shall be administered by a director who is properly qualified, certificated, licensed, or credentialed, according to current professional standards.
- M. All food service personnel shall receive pre-service training in food service operations.
- N. Continuing professional development shall be provided for all staff of the food service program in accordance with USDA professional standards.

**( ) The food service program will provide information to families about free/reduced meal eligibility (e.g. sending applications home with all students once a year, posting the application on the school website, etc.).**

The Board designates the Superintendent as the individual(s) charged with operational responsibility for measuring and evaluating the Corporation's implementation and progress under this policy. The Superintendent shall develop administrative guidelines necessary to implement this policy.

The Superintendent shall appoint the Corporation wellness committee that includes parents, students, Food Service Director, educational staff (including health and physical education teachers), Director of Health Services, members of the public, school administrators, School Board and school health professionals to oversee the development, implementation, evaluation, and periodic update, if necessary, of the wellness policy. School level health advisory teams may assist in the planning and implementation of these Wellness initiatives.

The Superintendent shall be an ex officio member of the committee.

The wellness committee shall be an ad hoc committee of the Board with members recruited and appointed annually.

The wellness committee shall:

- A. assess the current environment in each of the Corporation's schools
- B. measure the implementation of the Corporation's wellness policy in each of the Corporation's schools
- C. review the Corporation's current wellness policy
- D. recommend revision of the policy, as necessary, and
- E. present the wellness policy, with any necessary revisions, to the Board for approval or re-adoption if revisions are necessary

Before the end of each school year the wellness committee shall submit to the Superintendent and Board their report in which they describe the environment in each of the Corporation's schools and the implementation of the wellness policy in each school, and identify any revisions to the policy the committee deems necessary. In its review, the Wellness Committee shall consider evidence-based strategies in determining its recommendations.

The Superintendent's Designee shall report annually to the Board on the work of the wellness committee, including their assessment of the environment in the Corporation, their evaluation of wellness policy implementation Corporation-wide, and the areas for improvement, if any, that the committee identified. The committee shall also report on the status of compliance by individual schools and progress made in attaining goals established in the policy.

The Superintendent's Designee shall also be responsible for informing the public, including parents, students and community members, on the content and implementation of this policy. In order to inform the public, the Superintendent's Designee shall post on the facility website and post the wellness policy on the Corporation's website, including the assessment of the implementation of the policy prepared by the Corporation.

The Corporation shall assess the Wellness Policy at least once every three (3) years on the extent to which schools in the Corporation are in compliance with the Corporation policy, the extent to which the Corporation policy compares to model wellness policies, and the progress made in attaining the goals of the Corporation Wellness Policy. To ensure continuing progress, the Corporation will evaluate implementation efforts and their impact on students and staff using the following tool:  
<https://www.cdc.gov/healthyschools/shi/index.htm>

The assessment shall be made available to the public on the School Corporation's website.

Food and beverage marketing that allow marketing and advertising on only those foods and beverages that meet the Smart Snacks in School nutrition standards.

- Revised 5/23/06
- Revised 11/26/07
- Revised 5/18/09
- Revised 7/22/13
- Revised 10/27/14
- Revised 3/28/16
- Revised 4/24/17
- Revised 10/30/17
- Revised 3/22/21

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Legal	I.C. 20-26-9-18
	42 U.S.C. 1751 et seq.
	42 U.S.C. 1758b
	42 U.S.C. 1771 et seq.
	7 C.F.R. Parts 210 and 220



Book	Policy Manual
Section	Policies for the Board
Title	Copy of TRANSPORTATION
Code	po8600
Status	1st Reading
Adopted	February 28, 2006
Last Revised	March 22, 2021

### 8600 - **TRANSPORTATION**

It is the policy of the School Board to provide transportation for students when the distance between their home and school makes the service advisable. This policy and any administrative guideline implementing it shall be implemented in compliance with Federal and State Law regulations of the Indiana State Board of Education and the State School Bus Committee.

Each September, the School Corporation must review the Corporation's school bus routes and school bus safety policies to improve the safety of students and adults.

School buses shall be purchased, housed, and maintained by the Board for the transportation of students between their home areas and the schools of the Corporation to which they are assigned. All use of tobacco-related products including smoking is prohibited on a school bus. A school bus is a motor vehicle that is designed and constructed for the accommodation of at least ten (10) passengers and used for the transportation of school children to and from school, school athletic games or contests, and other school functions. The term "school bus" does not include a privately owned automobile with a capacity of not more than five (5) passengers that is used for the purpose of transporting school children to and from school.

A special purpose bus is any motor vehicle designed and constructed for the accommodation of more than ten (10) passengers that meets the Federal school bus safety standards, except the requirement for stop arms and flashing lights, and that is used by the Board for transportation purposes not appropriate for school buses. A special purpose bus is not required to be constructed, equipped, or painted as specified for regular school buses. **A special purpose bus is not subject to the limitation placed on a school bus of traveling no more than 200 miles out of state.**

~~A special purpose bus may not be used to provide transportation of school children between their residence and school (except for persons enrolled in a special program, i.e., for the habilitation or rehabilitation of students with developmental disabilities, orthopedic impairment, or multiple disabilities between their residence and the school).~~

**A special purpose or an appropriate vehicle may be used for transportation of students from one school to another school or between the student's residence and the school.**

A special purpose bus **or an appropriate vehicle** may be used to transport students and their supervisors, including coaches, managers, and sponsors to athletic, other extracurricular school activities, and field trips.

A special purpose bus may be used to transport homeless or foster students. If more than seven (7) students are being transported to schools in the same school corporation, a school bus or a special purpose bus must be used. If seven (7) or fewer students are being transported to schools in the same school corporation, a special purpose bus or an "appropriate vehicle" may be used to transport the students. The driver must meet the qualifications for the driver of a school bus or special purpose bus is used.

An "appropriate vehicle" is defined as a vehicle that:

- A. is owned by the School Corporation or contracted for by the Corporation and
- B. has a seating capacity of not more than **fifteen (15)** ~~eight (8)~~ passengers including the driver. The term "appropriate vehicle" includes a car, truck, sport utility vehicle, ~~or~~ minivan, **or van**.

A special purpose bus may be used to transport students for career and technical education programs. If more than seven (7) students are being transported to or from a career and technical education program, a school bus or a special purpose bus must be used. If seven (7) or fewer students are being transported to or from a career and technical education course an appropriate vehicle may be used to transport the students. The driver of the vehicle used to transport students to or from technical education programs must meet the qualifications for a driver of a school bus or special purpose bus set forth in State statute, as applicable, if a school bus or special purpose bus is used. A special purpose bus may be used to transport students from school to school or to/from school and a career and technical education program but may not be used to transport students between their residence and a career and technical education program.

An "appropriate vehicle" is defined as a vehicle that:

- A. is owned by the Corporation or contracted for by the Corporation; and
- B. has a seating capacity of not more than **fifteen (15)** ~~eight (8)~~ passengers including the driver.

The term "appropriate vehicle" includes a car, truck, sport utility vehicle, ~~or~~ minivan, **or van**.

If the special purpose bus has a capacity of less than sixteen (16) passengers, the operator must hold a valid operator's, chauffeurs, commercial drivers, or public passenger chauffeur's license. If the special purpose bus has a capacity of more than fifteen (15) passengers, or is used to provide transportation

- A. between an individual's residence and the school for an individual enrolled in a special program for the habilitation or rehabilitation of persons with a developmental or physical disability, and, if applicable, the individual's sibling;
- B. between an individual's residence and the preschool facility site for preschool children who attend preschool offered by the Corporation; or
- C. between an individual's residence and the program for persons with a developmental disability for persons with a developmental disability; the operator must meet the requirements of a regular school bus driver.

Transportation of eligible vocational or special education children between their home areas and schools outside the Corporation shall be arranged through the use of Corporation-owned vehicles, through cooperation with other Corporations, through commercial carriers, and/or by other means in the most efficient and economical manner.

The Board shall provide transportation to non-public school students with legal settlement in the Corporation when seats are available on a bus on an existing route. This transportation shall be provided without charge when the Board does not incur additional expense, and shall be to and from the students' non-public school or the point on an established bus route that is nearest or most easily accessible to the non-public school.

Vehicle routes shall be established so that an authorized vehicle stop is available within reasonable walking distance of the home of a student entitled to transportation services.

The Board authorizes the installation and use of video recording devices in the school buses to assist the drivers in providing for the safety and well-being of the students while on a bus.

If the vehicle is equipped with safety belts that meet the standards stated in Federal Motor Vehicle Safety Standard Number 208 (49 CFR 571.208) and are standard equipment installed by the manufacturer, then each occupant shall have a safety belt properly fastened around his/her body at all times when the vehicle is in forward motion, as required by State statute.

If a school bus driver must load or unload an elementary school student at a location that requires the student to cross a roadway that is a U.S. route or state route, the Superintendent shall present the school bus route to the Board for approval.

Revised 11/28/06

Revised 3/22/10

Revised 3/26/12

Revised 6/20/16

Revised 2/25/19

Revised 10/28/19

Revised 6/22/20

### **I.C. 9-19-10-2 (use of safety belt by motor vehicle occupants)**

### **I.C. 16-41-37-2.3 ("school bus" defined, smoking prohibited)**

### **I.C. 16-41-37-4 ("school bus" defined, smoking prohibited)**

### **I.C. 20-18-2-1.7 (definition of appropriate vehicle)**

### **I.C. 20-27-5-6 (definition of appropriate vehicle)**

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Legal

49 C.F.R. Part 571 49 U.S.C. 30101 et seq.

I.C. 16-41-37-2.3, 16-41-37-4 ("school bus" defined, smoking prohibited)

I.C. 9-13-2-161 ("school bus" defined)

I.C. 9-21-12 (school bus operation)

I.C. 20-26-5-4(a)(5) (purchase of buses) and (8) (employ drivers)

I.C. 20-27-3 (State School Bus Committee)

I.C. 20-27-9 (use of school buses)

I.C. 20-27-10-0.5

I.C. 20-27-11-1



I.C. 20-27-12-0.1

I.C. 20-27-12-0.3

I.C. 20-27-12-5

Hoagland v. Franklin Township Community School Corporation, No. 49S02-1410-PL-643, 27 N.E.3d 737 (Ind. 2015) (school corporation may discontinue transportation services for students)

Archdiocese of Indpls. v. MSD of Lawrence Twp., 945 N.E.2d 757 (Ind. App. 2011); Frame v. South Bend Schools, 480 N.E.2d 261 (Ind. App. 1985) (transporting non-public school students)