

## Policy 0131.1 – Bylaws and Policies (revised)

- Revisions clarify that when a vote to adopt, amend, repeal or suspend a bylaw or policy, Board members may be considered present for such a vote in any manner authorized by law.
- Recommendation: Adopt the revised policy to comply with the current State law.

Book	Policy Manual
Section	Volume 35, No. 1 for Board Approval
Title	Revised Bylaw - Vol. 35, No. 1, Sept. 2022 - BYLAWS AND POLICIES
Code	po0131.1
Status	
Adopted	September 23, 2004
Last Revised	August 24, 2015

**Revised Bylaw - Vol. 35, No. 1**

**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The bylaws and policies may be adopted, amended, and repealed at any meeting of the Board,

**X ]** 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.

**(X )** 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.

**[X ]** 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.

**[X ]** 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Bylaws shall be adopted, amended, repealed, or suspended by a majority ~~majority~~ **[2/3's recommended]** vote of the full Board (~~physically~~ present in a manner authorized by law). Policies shall be adopted, amended, or repealed by a majority ~~majority~~ **[majority vote]** vote of the full Board (~~physically~~ present in a manner authorized by law).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 of competent jurisdiction shall no longer be in force and effect as a policy.

**[ x]** The Board may adopt, amend, or repeal administrative rules of order for its own operation by simple resolution of the Board passed by a majority of those present and voting.

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I.C. 20-26-5-4

## Policy 0142.2 Oath (Technical Correction )

- This policy has been revised to remove a rescinded Indiana Codified (I.C.) law provision. Further, the I.C. legal citations have been moved to the legal citation section of the bylaw and removed from the body of the text.
- Additionally, grammatical changes have been made to make the policy more user-friendly.
- Recommendation: Adopt the edited policy.

Book	Policy Manual
Section	Volume 35, No. 1 for Board Approval
Title	Revised Bylaw - Vol. 35, No. 1, Sept. 2022 - OATH
Code	po0142.2
Status	
Adopted	September 23, 2004

**Revised Bylaw - Vol. 35, No. 1**

**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 School Corporationschool corporation. ~~(I.C. 20-26-4-2; I.C. 5-4-1-4)~~

I.C. 5-4-1-4  
I.C. 20-26-4-2

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Legal	I.C. 5-4-1-4
	I.C. 20-26-4-2

## **Policy 0167.3 Public Participation at Board Meetings** **(Revised)**

- This policy has been revised to differentiate between the time provided for public comment and the time provided for presentation of new topics and to permit the School Board to elect the number of minutes for the latter, which may be different from that allowed for public comment.

Book	Policy Manual
Section	Volume 35, No. 1 for Board Approval
Title	Revised Bylaw - Vol. 35, No. 1, Sept. 2022 - PUBLIC PARTICIPATION AT BOARD MEETINGS
Code	po0167.3
Status	
Adopted	September 23, 2004
Last Revised	January 24, 2022

### **Revised Bylaw - Vol. 35, No. 1**

#### **0167.3 - PUBLIC PARTICIPATION AT BOARD MEETINGS**

The School Board recognizes the value of public comment on educational issues and the importance of allowing members of the public to express themselves on School Corporation matters.

To permit fair and orderly public expression, the Board shall provide for oral public comment at every regular in-person meeting of the Board, including those where one or more but less than fifty percent (50%) of the Board members are participating remotely or virtually, and publish procedures to govern such participation in Board meetings. A member of the public who is physically present at a regular in-person meeting of the Board, including a meeting in which some Board members may be participating electronically under I.C. 5-14-1.5-3.5 and Bylaw 0164.5, shall be allowed to provide oral comment in accordance with the procedural rules established by the Board below.

**[OPTION] (X )** Public comment is limited to items on the Board's agenda. ~~**[END OF OPTION] [OPTION] ( ) The Board shall provide for oral public comment at Board meetings held remotely or virtually during a "Disaster Emergency" pursuant to Indiana law. [END OF OPTION] When oral public comment is permitted on a topic, it shall occur before the Board takes final action on the topic.**~~

The presiding officer of each Board meeting shall administer the established procedures of the Board for conducting oral public comment. These procedural rules for oral public comment at Board meetings are reasonable rules to maintain order at the meeting, allow the Board to operate without disruptive behavior, and permit the Board to operate in an efficient manner so the business of the Board can be conducted and completed timely.

The presiding officer shall be guided by the following rules:

- A. Public participation shall be permitted as indicated on the order of business. Provided, however, that public participation may be prohibited at any meeting that must be conducted remotely or virtually due to a disaster emergency declared by Federal, State, or local officials unless the Board has elected to allow oral public comment at such Board meetings above.
- B. **(X )** Attendees must register their intention to participate in the public portion of the meeting upon their arrival at the meeting.
- C. **(X )** Participants must be recognized by the presiding officer **(X )** and will be requested to preface their comments by an announcement of their name, and **(X )** address, ~~**( ) group affiliation, if and when appropriate [END OF OPTIONS].**~~
- D. **(X )** Each statement made by a participant shall be limited to three (3) minutes ~~**[insert number of minutes]**~~ duration.
- E. **(X )** No participant may speak more than once. ~~on the same topic unless all others who wish to speak on that topic have been heard.~~

(x) No participant may pass their three minutes to another participant.

G. **(X )** All statements shall be directed to the presiding officer; no person may address or question Board members individually.

H. **(X )** The presiding officer may:

1. **(X )** prohibit public comments which are harassing;
2. **(X )** interrupt, warn, or terminate a person's statement when the statement is too lengthy, personally directed, abusive, obscene, or irrelevant;
3. **(X )** request any individual to leave the meeting when that person behaves in a manner that is disruptive to the orderly conduct of the meeting;
4. **(X )** request the assistance of law enforcement officers in the removal of a person who is willfully disruptive or when that person's behavior interferes with the orderly conduct of the meeting;
5. **(X )** call for a recess or an adjournment to another time when the lack of public decorum so interferes with the orderly conduct of the meeting as to warrant such action;
6. **(X )** waive these rules. **(X )** with the approval of the Board when necessary for the protection of privacy or the administration of the Board's business. **[END OF OPTION]**

I. **(X )** The portion of the meeting during which oral public comment is held shall be limited to \_\_forty-five\_\_\_\_\_ (45\_\_\_\_) minutes **[insert number of minutes]** unless extended by a vote of the Board; provided, however, that every person who is physically present and has followed the reasonable rules set forth above shall be permitted an opportunity to provide oral public comment by dividing the total time for oral public comment by the number of persons providing oral public comment.

**[START OF OPTION]**

**~~[ ] MEMBER OF THE PUBLIC PLACING AN ITEM ON THE BOARD AGENDA~~**

~~Any person or group wishing to place an item on the agenda shall register their intent with the Superintendent no later than \_\_\_\_\_ (\_\_\_\_) days prior to the meeting and include:~~

- ~~/ ( ) name and address of the participant;~~
- ~~£ ( ) group affiliation, if and when appropriate;~~
- ~~£ ( ) topic to be addressed.~~

~~Such requests shall be reviewed by ( ) the Board President ( ) the Superintendent and the Board President ( ) the Superintendent or the Board President **[END OF OPTION]** and shall be placed on the agenda only if approved by ( ) the Board President ( ) the Superintendent and the Board President ( ) the Superintendent or the Board President **[END OF OPTIONS]**. The amount of time for agenda items for any person or group who have been approved for a presentation on the Board agenda shall be limited to \_\_\_\_\_ (\_\_\_\_) minutes **[insert number of minutes]** as set forth above.~~

**~~[END OF OPTION]~~**

**~~[START OF OPTION]~~**

**~~[ ] ELECTRONIC RECORDING OF BOARD MEETINGS BY THE PUBLIC~~**

~~Digital, audio, or video recordings are permitted. The person operating the recording device should contact the Superintendent prior to the Board meeting to review possible placement of the equipment, and agrees to abide by the following conditions:~~

- ~~/ No obstructions are created between the Board and the audience.~~
- ~~£ No interviews are conducted during the Board meeting.~~



( ~~No commentary is made that would distract either the Board or members of the audience.~~

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I.C. 5-14-1.5 Open Door Law notice to the public and news media of regular, emergency and special meetings

I.C. 20-26-4-3 Notice of meetings to Board members

## **Policy 1521/3121/4121 – Personal Background Checks, References, and Mandatory Reporting of Convictions and Substantiated Child Abuse and Arrests (Revised)**

- This policy has been revised to reflect the changes made by Senate Enrolled Act 115 to I.C. 20-26-5-10(k), which prohibits the Corporation from continuing the employment of, contracting with, or continuing to contract with a person who has been convicted of an offense requiring license revocation unless the conviction has been reversed, vacated, or set aside on appeal. It also reflects the changes made by SEA 115 to I.C. 20-26-5-11(b), which adds the offense of public indecency to the list of offenses which may be considered as grounds to not employ, to not contract with, or to terminate the employment of or contract with an individual. Finally, it reflects the changes made by SEA 115 to I.C. 20-28-5-8(c) regarding the offenses for which the Department of Education shall permanently revoke the license of a teacher.
- Recommendation: Adopt the revised policy to remain in compliance with State law.

Book	Policy Manual
Section	Volume 35, No. 1 for Board Approval
Title	Revised Policy - Vol. 35, No. 1, Sept. 2022 - PERSONAL BACKGROUND CHECKS, REFERENCES, AND MANDATORY REPORTING OF CONVICTIONS AND SUBSTANTIATED CHILD ABUSE ( ) AND ARRESTS
Code	po1521
Status	
Adopted	August 14, 2017
Last Revised	March 4, 2019

**Revised Policy - Vol. 35, No. 1**

**1521 - PERSONAL BACKGROUND CHECKS, REFERENCES, AND MANDATORY REPORTING OF CONVICTIONS AND SUBSTANTIATED CHILD ABUSE (x ) 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~~
- 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. ~~( ) fingerprint check~~
- J. **(x )** a detailed background history including all prior employment ~~and volunteer positions~~
- K. **(x )** 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. 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 (**x**) or employ the applicant as a substitute **[END OF OPTION]**.

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.

**~~{SELECT ONE OF THE FOLLOWING OPTIONS}~~**

**[x ] [OPTION 1]**

Any costs associated with obtaining the expanded criminal history check and the expanded child protection index check are to be borne by the applicant.

**~~[END OPTION 1]~~**

**~~[ ] [OPTION 2]~~**

~~The Corporation shall pay the costs associated with conducting the expanded criminal history check and obtaining the expanded child protection index check for applicants.~~

**~~[END OF OPTION 2]~~**

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.

**~~[ ] [OPTIONAL]~~**

~~In implementing this requirement, the Corporation shall conduct the updated expanded criminal history checks for Corporation employees over a period not to exceed \_\_\_\_\_ (\_\_\_\_) **[maximum is 5]** years by annually conducting updated expanded criminal history checks for at least \_\_\_\_\_ (\_\_\_\_) **[minimum is 1/5]** of employees who are employed by the Corporation on July 1, 2017.~~

**~~{SELECT ONE (1) OF THE FOLLOWING OPTIONS}~~**

**~~[ ] [OPTION 1]~~**

~~Any costs associated with obtaining the expanded criminal history check are to be borne by the employee unless otherwise agreed upon through an agreement reached following negotiations with the exclusive representative of the employees.~~

**~~[END OPTION 1]~~**

**[ x [OPTION 2]**

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.

**{END OPTION 2}**

**{-}[OPTIONAL]**

**x ]** 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 \_\_\_\_\_ (—) **[maximum is 5]** years by annually obtaining updated child protection index checks for at least \_\_\_\_\_ (—) **[minimum is 1/5]** 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 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.

During the course of his/her employment with the Corporation, each administrator shall be required to report the

- A. ( ☒ ) arrest or the filing of criminal charges against the employee;
- B. conviction of the employee for a crime; and
- C. 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.

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Legal	I.C. 5-2-22
	I.C. 10-13-3
	I.C. 20-26-2-1.3, 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	Volume 35, No. 1 for Board Approval
Title	Revised Policy - Vol. 35, No. 1, Sept. 2022 - PERSONAL BACKGROUND CHECKS, REFERENCES, AND MANDATORY REPORTING OF CONVICTIONS AND SUBSTANTIATED CHILD ABUSE ( ) AND ARRESTS
Code	po3121
Status	
Adopted	September 23, 2004
Last Revised	March 4, 2019

**Revised Policy - Vol. 35, No. 1**

**3121 - PERSONAL BACKGROUND CHECKS, REFERENCES, AND MANDATORY REPORTING OF CONVICTIONS AND SUBSTANTIATED CHILD ABUSE (x ) 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 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~~
- 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. ~~( ) fingerprint check~~
- J. (x ) a detailed background history including all prior employment and volunteer positions
- K. (x ) 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. 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.

**x ]** 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 **(x )** or employ the applicant as a substitute **{END-OF-OPTION}.**

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.

**{SELECT ONE OF THE FOLLOWING OPTIONS}**

**[x ] [OPTION 1]**

Any costs associated with obtaining the expanded criminal history check and the expanded child protection index check are to be borne by the applicant.

**{END-OPTION-1}**

**[ ] [OPTION 2]**

~~The Corporation shall pay the costs associated with conducting the expanded criminal history check and obtaining the expanded child protection index check for applicants.~~

**{END-OF-OPTION-2}**

~~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.~~

**[ ] [OPTIONAL]**

~~[ ] In implementing this requirement, the Corporation shall conduct the updated expanded criminal history checks for Corporation employees over a period not to exceed \_\_\_\_\_ ( ) [maximum is 5] years by annually conducting updated expanded criminal history checks for at least \_\_\_\_\_ ( ) [minimum is 1/5] of employees who are employed by the Corporation on July 1, 2017.~~

**{SELECT ONE (1) OF THE FOLLOWING OPTIONS}**

**[ ] [OPTION 1]**

~~Any costs associated with obtaining the expanded criminal history check are to be borne by the employee unless otherwise agreed upon through an agreement reached following negotiations with the exclusive representative of the employees.~~

**{END-OPTION-1}**



**[x ] [OPTION 2]**

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.

**{END-OPTION-2}**

**~~{ } [OPTIONAL]~~**

**[x ]** 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 \_\_\_\_\_ (—) **[maximum is 5]** years by annually obtaining updated child protection index checks for at least \_\_\_\_\_ (—) **[minimum is 1/5]** of employees who are employed by the Corporation on July 1, 2017.~~

**{END-OF-OPTIONS}**

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 professional employee and substitute teacher shall be required to report the

- A. **(x )** arrest or the filing of criminal charges against the employee; and
- B. conviction of the employee for a crime; and
- C. 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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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, -10.5, -11 and -11.5

I.C. 20-28-5-8

Book	Policy Manual
Section	Volume 35, No. 1 for Board Approval
Title	Revised Policy - Vol. 35, No. 1, Sept. 2022 - PERSONAL BACKGROUND CHECKS, REFERENCES, AND MANDATORY REPORTING OF CONVICTIONS AND SUBSTANTIATED CHILD ABUSE ( ) AND ARRESTS
Code	po4121
Status	
Adopted	September 23, 2004
Last Revised	March 4, 2019

**Revised Policy - Vol. 35, No. 1**

**4121 - PERSONAL BACKGROUND CHECKS, REFERENCES, AND MANDATORY REPORTING OF CONVICTIONS AND SUBSTANTIATED CHILD ABUSE (x ) 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 on the Corporation's support staff 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~~
- 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. ~~(-) fingerprint check~~
- J. (x ) a detailed background history including all prior employment ~~and volunteer positions~~

K. ☒ ) 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. 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-~~{END OF OPTIONS}~~.

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.

**~~{SELECT ONE OF THE FOLLOWING OPTIONS}~~**

**~~[ x [OPTION 1]~~**

Any costs associated with obtaining the expanded criminal history check and the expanded child protection index check are to be borne by the applicant.

**~~{END OPTION 1}~~**

**~~[ ] [OPTION 2]~~**

~~The Corporation shall pay the costs associated with conducting the expanded criminal history check and obtaining the expanded child protection index check for applicants.~~

**~~{END OF OPTION 2}~~**

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.

**~~[ ] [OPTIONAL]~~**

~~[ ] In implementing this requirement, the Corporation shall conduct the updated expanded criminal history checks for Corporation employees over a period not to exceed \_\_\_\_\_ ( ) [maximum is 5] years by annually conducting updated expanded criminal history checks for at least \_\_\_\_\_ ( ) [minimum is 1/5] of employees who are employed by the Corporation on July 1, 2017.~~

**~~{SELECT ONE (1) OF THE FOLLOWING OPTIONS}~~**

**~~[ ] [OPTION 1]~~**

~~Any costs associated with obtaining the expanded criminal history check are to be borne by the employee unless otherwise agreed upon through an agreement reached following negotiations with the exclusive representative of the employees.~~

**{END OPTION 1}**

**x ] [OPTION 2]**

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.

**{END OPTION 2}**

**{ } [OPTIONAL]**

**[x ]** 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 \_\_\_\_\_ ( ) **[maximum is 5]** years by annually obtaining updated child protection index checks for at least \_\_\_\_\_ ( ) **[minimum is 1/5]** of employees who are employed by the Corporation on July 1, 2017.~~

**{END OF OPTIONS}**

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

- A. **(x )** arrest or the filing of criminal charges against the employee;
- B. conviction of the employee for a crime; and
- C. 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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I.C. 5-2-22

I.C. 10-13-3

I.C. 20-26-2-1.3, 20-26-2-1.5

I.C. 20-26-5-10, -10.5, -11 and -11.5

## Policy 2431 – Interscholastic Athletics (Revised)

- This policy has been revised to add a cross-reference to the new Policy 2432, which addresses complaints about the participation of transgender girls on athletic teams or sports.
- Recommendation: Adopt the revision to ensure awareness of the availability of a grievance procedure required by State law.



Book	Policy Manual
Section	Volume 35, No. 1 for Board Approval
Title	Revised Policy - Vol. 35, No. 1, Sept. 2022 - INTERSCHOLASTIC ATHLETICS
Code	po2431
Status	
Adopted	September 23, 2004

### **Revised Policy - Vol. 35, No. 1**

#### **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.

**x ]** 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.

**[x ]** The program should foster the growth of school loyalty with the student body as a whole and stimulate community interest in athletics.

**[x ]** 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 annually prepare, approve and present to the Board for its consideration, a program of interscholastic athletics which shall include a complete schedule of events ~~( ) and shall inform the Board of changes in that schedule as they occur ( ) and shall secure Board approval before making any changes in the said schedule~~ **[END OF OPTION]**.

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. **(x )** Prior to enrolling in the sport:

1. **(x )** each participant shall submit to a thorough physical examination by a Corporation-approved physician;
2. **(x )** 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. ( **x** ) 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. ( **x** ) 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.

[**x** ] 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 develop and then review annually 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.~~

In order to support such a program, the Board commits itself to:

A. ( **x** ) recognize the value of school athletic activities as a vital part of education;

B. ( **x** ) adopt policies (upon recommendation of the administration) which reflect the Corporation's educational objectives and promote the ideals of good sportsmanship, ethics, and integrity;

C. ( **x** ) attend school athletic activities, serve as a positive role model, and expect the same from parents, fans, participants, coaches, and other school personnel;

D. ( **x** ) support and reward participants, coaches, school administrators, and fans who display good sportsmanship.

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

## **Policy 2432 - Grievance Procedure for Violation of State Law Limiting Participation of Transgender Girls in Athletics (New)**

- This new policy was developed to comply with the new statute, I.C. 20-33-13, added by House Enrolled Act 1041, that prohibits the participation of transgender girls on athletic teams or sports that have been designated as being a female women's or girls' athletic team or sport and requires the development of a grievance procedure to address complaints by parents or students regarding violation of the law.
- Recommendation: Adopt the new policy to comply with the requirements of the new statute, I.C. 20-33-13.

Book	Policy Manual
Section	Volume 35, No. 1 - September 2022
Title	New Policy - Vol. 35, No. 1, Sept. 2022 - GRIEVANCE PROCEDURE FOR VIOLATION OF STATE LAW LIMITING PARTICIPATION OF TRANSGENDER GIRLS IN ATHLETICS
Code	po2432
Status	

### **New Policy - Vol. 35, No. 1**

#### **2432 - GRIEVANCE PROCEDURE FOR VIOLATION OF STATE LAW LIMITING PARTICIPATION OF TRANSGENDER GIRLS IN ATHLETICS**

The School Board provides the following grievance procedure to address grievances for violation of the State law limiting the participation of transgender girls in athletics, as required by I.C. 20-33-13. Any School Corporation student or the parent of a student in the Corporation may file a grievance under this policy for an alleged violation of I.C. 20-33-13.

#### **Application of this Grievance Procedure**

This Grievance Procedure applies to the following:

- A. an athletic team or sport that is organized, sanctioned, or sponsored by the Corporation in which the students participating on the athletic team or in the sport compete against students participating on an athletic team or in a sport that is organized, sanctioned, or sponsored by another school corporation, public school, or nonpublic school;
- B. an athletic team or sport that is organized, sanctioned, or sponsored by a nonpublic school that voluntarily competes against an athletic team or sport that is organized, sanctioned, or sponsored by the Corporation; and
- C. an athletic team or sport approved or sanctioned by an association for purposes of participation in a high school interscholastic athletic event.

#### **Definitions**

"Association" means an organization that conducts, organizes, sanctions, or sponsors interscholastic high school athletic events as the organization's primary purpose.

"Public school" means the following:

- A. A school maintained by a school corporation.
- B. A charter school.

#### **Designation of Athletic Teams and Sports**

The Corporation shall designate each athletic team or sport that it organizes, sanctions, or sponsors as one of the following:

- A. a male, men's, or boys' team or sport;

- B. a female, women's, or girls' team or sport; or
- C. a coeducational or mixed team or sport.

**Limitation on Participation of Transgender Girls on Athletic Teams or Sports**

Pursuant to State law, a male student, based on the student's biological sex at birth in accordance with the student's genetics and reproductive biology, may not participate on an athletic team or sport designated under this section as being a female, women's, or girls' athletic team or sport.

**Grievance Procedure:**

A Corporation student or the parent of a Corporation student may submit a grievance to the school for a violation of I.C. 20-33-13 and this policy as follows **~~[SELECT ONE (1) OF THE FOLLOWING TWO (2) OPTIONS]:~~**

**~~[ ] [OPTION 1]~~**

**GRIEVANCE LEVELS**

~~Step 1—Team Level Grievance:~~

~~A student or parent wishing to file a grievance may submit a grievance, in writing, to the Coach or advisor/sponsor of the athletic team or sport about which the grievance is being submitted. The Coach or advisor/sponsor will investigate the grievance and make a written finding as to whether or not the State law and school policy have been violated. It is anticipated that this investigation will conclude within ( ) fifteen (15) ( ) \_\_\_\_\_ ( ) **[ENTER AMOUNT OF DAYS] [END OF OPTION]** instructional days. If the Coach or advisor/sponsor finds that a violation occurred, the Coach or advisor/sponsor will recommend a resolution, in writing, with input from the Grievant.~~

~~Step 2—Building Level Grievance:~~

~~If the matter cannot be satisfactorily resolved at the First Level, the Grievant may request a review by the Principal of the school building associated with the athletic team or sport about which the grievance was submitted. The Grievant should specify the manner in which the Grievant disagrees with the determination of the Coach or advisor/sponsor. The Principal will review the documentation of the investigation of the Grievance and the recommendation issued by the Coach and/or advisor/sponsor and any documentation related to the Grievance presented by the Grievant, then issue a written determination. It is anticipated that this review will conclude within ( ) ten (10) ( ) \_\_\_\_\_ ( ) **[ENTER AMOUNT OF DAYS] [END OF OPTION]** instructional days.~~

~~Step 3—Corporation Level Grievance: If the matter cannot be satisfactorily resolved at the Second Level, the Grievant may request a conference with the Superintendent. At this conference, the Superintendent will discuss with the Grievant the reason for the Grievant’s disagreement with the Principal’s determination. Following the conference, the Superintendent will issue a written determination within ( ) five (5) ( ) \_\_\_\_\_ ( ) **[ENTER AMOUNT OF DAYS] [END OF OPTION]** instructional days of the conference.~~

~~Step 4—Board Level Grievance: If the matter cannot be satisfactorily resolved at the Third Level, the Grievant may appeal the Superintendent’s determination to the Board. The Board, after reviewing all material relating to the case, shall ( ) provide the Grievant with its written decision ( ) grant a hearing ( ) before the Board ( ) before a committee of the Board **[END OF OPTIONS]**.~~

**~~[END OF OPTION 1]~~**

**x ] [OPTION 2]**

**GRIEVANCE SUBMISSION AND APPEAL**

A student or parent wishing to file a grievance may submit a grievance, in writing, to the Principal of the school building associated with the athletic team or sport about which the grievance is being submitted. The Principal will investigate the grievance and make a written finding as to whether or not the State law and school policy have been violated. It is anticipated that this investigation will conclude within **(x )** fifteen (15)**( ) \_\_\_\_\_ ( ) [ENTER AMOUNT OF DAYS] [END OF OPTION]** instructional days. If the Principal finds that a violation occurred, the Principal will recommend a resolution, with input from the Grievant.

If the Principal concludes that no violation occurred or the Grievant disagrees with the Principal’s recommended resolution, the Grievant may appeal the denial of the Grievance or recommended resolution to the Superintendent. The Superintendent will review the Principal’s documentation of the investigation of the Grievance and any documentation related to the Grievance presented by the Grievant, then determine whether or not the Principal correctly decided that no violation occurred or whether the recommended

resolution is appropriate. It is anticipated that this review will conclude within **(x )** ten (10)~~( )~~ \_\_\_\_\_( ~~)~~ ~~[ENTER AMOUNT OF DAYS] [END OF OPTION]~~ instructional days. If the Superintendent finds that a violation occurred, the Superintendent will recommend a resolution, with input from the Grievant.

~~{SELECT ONE (1) OF THE FOLLOWING TWO (2) OPTIONS}~~

**[x ]** The Superintendent's determination is final.

~~[ ] If the Grievant disagrees with the Superintendent's determination, the Grievant may appeal the Superintendent's determination to the Board. The Board, after reviewing all material relating to the case, shall ( ) provide the Grievant with its written decision ( ) grant a hearing ( ) before the Board ( ) before a committee of the Board [END OF OPTIONS].~~

~~{END OF OPTION 2}~~

~~{END OF OPTIONS}~~

#### **Retaliation Prohibited:**

The Corporation shall not retaliate or otherwise take any adverse action against a student for reporting a violation or bringing a civil action for a violation of I.C. 20-33-13.

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I.C. 20-26-14-1 "Association"

I.C. 20-33-13 Athletic Teams and Sports

## Policy 2435 – Driver Education (Revised)

- This policy was renumbered to permit the addition of the new policy 2432. It also was revised to reflect that it is optional. Because few schools now offer driver's education, this policy may no longer be needed by the Corporation.
- If the Corporation decides to retain the optional policy, the renumbering and revisions are necessary, and the Superintendent is advised to recommend the adoption of these revisions, and the Board should adopt the revisions. If the Corporation decides to delete this optional policy, the Superintendent should recommend and the Board should revoke the former Policy 2432.

Book	Policy Manual
Section	Volume 35, No. 1 - September 2022
Title	Revised/Renumbered Policy - Vol. 35, No. 1, Sept. 2022 - DRIVER EDUCATION [OPTIONAL POLICY]
Code	po2435
Status	From Neola

**Revised/Renumbered Policy - Vol. 35, No. 1**

**24352 - DRIVER EDUCATION OPTIONAL POLICY]**

~~If the School Corporation offers a~~ The driver education program, ~~it shall be provided~~ offered by the Corporation in conformance with ~~applicable~~ appropriate laws and ~~the~~ under Department of Education rules.

The ~~Superintendent shall assure that~~ standards for participation and credit in driver education ~~shall be~~ are defined clearly and followed consistently. Enforcement of these standards shall include an appeal procedure to provide recourse for any student who feels that ~~the students/he~~ has been ~~unfairly~~ treated unfairly.

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Legal I.C. 20-19-2-8,9  
511 IAC 6-6-1 et seq.



## Policy 2464 – Programs for High Ability Students (Revised)

- This policy has been revised to bring it into alignment with the current language used in State statutes.
- Recommendation: Adopt the policy to keep the language and intent of the policy aligned with state statutes.

Book	Policy Manual
Section	Volume 35, No. 1 for Board Approval
Title	Revised Policy - Vol. 35, No. 1, Sept. 2022 - PROGRAMS FOR HIGH ABILITY STUDENTS
Code	po2464
Status	
Adopted	September 23, 2004
Last Revised	October 12, 2009

### **Revised Policy - Vol. 35, No. 1**

#### **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) ~~12~~.

The plan must include the following components:

- A. ~~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~~ 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. ~~P~~ professional development.
- D. ~~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;<sup>7</sup> 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.

511 IAC 6-9.1

~~511 IAC 6-9~~

I.C. 20-36-2

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511 IAC 6-9.1

I.C. 20-36-2

## Policy 3120.02 – Adjunct Teachers (New)

- This new policy was created to address a new statute, Ind. Code 20-28-5-27, created by House Enrolled Act 1251, which permits the Corporation to issue an adjunct teacher permit to certain individuals in order to fill a vacant teaching position, offer a new program or class, or supplement a program currently being offered.
- Recommendation: Adopt the new policy if the Board wishes to take advantage of the ability to issue adjunct teacher permits.

Book	Policy Manual
Section	Volume 35, No. 1 for Board Approval
Title	New Policy - Vol. 35, No. 1, Sept. 2022 - ADJUNCT TEACHERS
Code	po3120.02
Status	

**New Policy - Vol. 35, No. 1**

**3120.02 – ADJUNCT TEACHERS**

The School Board supports filling all teaching positions in the School Corporation with certificated employees but recognizes that there may be times when it is necessary to employ persons who have not completed their certification to teach. In an effort to fill a vacant teaching position, offer a new program or class, or supplement a program currently being offered, the Board may issue an adjunct teacher permit to an individual if the following minimum requirements are met:

- A. The individual has at least four (4) years of experience in the content area in which the individual intends to teach.
- B. The Corporation conducts an expanded criminal history check and expanded child protection index check concerning the individual as required under I.C. 20-26-5-10.
- C. The individual has not been convicted of a ( **x** ) felony ~~[minimum required]~~ ( **-** ) offense ~~[END OF OPTIONS]~~ listed in I.C. 20-28-5-8(c) or (d) or the individual's conviction has been reversed, vacated, or set aside on appeal.
- D. ( **-** ) \_\_\_\_\_.
- E. ( **-** ) \_\_\_\_\_.

The Corporation may enter into an employment agreement with an individual to whom the Board has issued an adjunct teacher permit as a part-time or full-time teacher of the Corporation. The individual who holds the adjunct teacher permit may teach in any content area in which the Corporation allows the individual to teach and in which the individual has at least four (4) years of experience. Provided, however, that:

- A. the individual must be assigned a teacher mentor for support in pedagogy; and
- B. the individual must complete the following training within the first ninety (90) days of employment:
  - 1. I.C. 20-26-5-34.2 (bullying prevention).
  - 2. I.C. 20-28-3-4.5 (training on child abuse and neglect).
  - 3. I.C. 20-28-3-6 (youth suicide awareness and prevention training).
  - 4. I.C. 20-28-3-7 (training on human trafficking).

An adjunct teacher shall not provide special education instruction.

Except as otherwise provided in a collective bargaining agreement entered into or renewed before July 1, 2022, an employment agreement entered into between the Corporation and an individual to whom the Board has issued an adjunct teacher permit is not subject to a collective bargaining agreement entered into under I.C. 20-29. Furthermore, it is not an unfair practice for the Corporation to enter into an employment agreement with an individual to whom the Board has issued an adjunct teacher permit.

The Corporation shall report the following information to the State Department of Education if it hires an adjunct teacher:

- A. The number of adjunct teachers who hold an adjunct teacher permit that the Corporation has hired each school year, disaggregated by the grade level and subject area taught by the adjunct teacher.
- B. The following information for each adjunct teacher:
  - 1. The name of the adjunct teacher.
  - 2. The subject matter the adjunct teacher is permitted to teach.
  - 3. A description of the adjunct teacher's experience that qualifies the adjunct teacher for the adjunct teacher permit.
  - 4. The adjunct teacher's total salary and any other compensation paid to the adjunct teacher during the school year.
  - 5. The number of previous adjunct teaching employment agreements the adjunct teacher has entered into with the Corporation or any other school corporation.

The Corporation shall post a vacant adjunct teacher position on the State Department of Education's online adjunct teacher portal.

The Corporation ( **x** ) may ~~[statutory] ( - ) shall ( - ) shall not~~ **[END OF OPTIONS]** notify the parents of students enrolled in the Corporation of a vacant adjunct teacher position.

The Board shall announce any vacant adjunct teacher positions at Board meetings.

An individual who holds an adjunct teacher permit issued by the Board is not required to be employed on a uniform teacher's contract or a supplemental service teacher's contract. An employment agreement entered into between the Corporation and an individual who holds an adjunct teacher permit issued by the Board must:

- A. be in writing;
- B. be signed by both parties; and
- C. contain the following:
  - 1. the total salary and any other compensation to be paid to the adjunct teacher during the school year;
  - 2. the method and frequency of salary payments;
  - 3. the number of classes the adjunct teacher is to teach;
  - 4. the classes and subject matter areas that the adjunct teacher will be teaching;
  - 5. an expiration date that is not later than the end of the school year.

This employment agreement is a public record open to inspection. An adjunct teacher may enter into employment agreements with more than one (1) school corporation. An employment agreement between an adjunct teacher and the Corporation is not subject to I.C. 20-28-9-1.5, which governs salary increases for a teacher employed by the Corporation.

An adjunct teacher holding a permit issued by the Board is not a "school employee" within the meaning of I.C. 20-29-2-13, for purposes of collective bargaining. However, the use of adjunct teachers is a mandatory subject of discussion between the Corporation and the exclusive representative of its certificated employees.

Legal

I.C. 10-13-3-39

I.C. 20-19-3-25

I.C. 20-28-5-27

I.C. 20-28-6-7.3

I.C. 20-28-9-1.5(m)

I.C. 20-29-6-7(16)

## **Policy 3120.11 – Public Hearing Before Commencement of Collective Bargaining and Public Meeting Before Ratification...**

- This policy has been revised to reflect the options available for participation by Board members and members of the public via electronic communication, as permitted by law. Care should be taken with respect to selecting an option for members of the public 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.



Book	Policy Manual
Section	Volume 35, No. 1 for Board Approval
Title	Revised Policy - Vol. 35, No. 1, Sept. 2022 - PUBLIC HEARING BEFORE COMMENCEMENT OF COLLECTIVE BARGAINING AND PUBLIC MEETING BEFORE RATIFICATION OF TENTATIVE AGREEMENT
Code	po3120.11
Status	
Adopted	November 9, 2020
Last Revised	January 24, 2022

### **Revised Policy - Vol. 35, No. 1**

#### **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 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.

**~~{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}~~**

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 by members of the public who are physically present 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.~~

**~~{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}~~**

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.

I.C. 20-29-6-1(b) ~~I.C. 20-29-6-1b~~  
I.C. 20-29-6-19

Legal

I.C. 20-29-6-1(b)

I.C. 20-29-6-19

## Policy 3220.02 – Supplemental Payments for Teachers (Revised)

- Senate Enrolled Act 356 revised Ind. Code 20-28-9-1.5(a) to permit the Corporation to provide a supplemental payment to a teacher for any reason, rather than the previous limited list of reasons for which a supplemental payment could be made. The revisions permit the Board to elect to allow the Superintendent to make a supplemental payment at the Superintendent's discretion, to limit the reasons for making a supplemental payment, or prohibit making supplemental payments outside of the collective bargaining process.
- Recommendation: Adopt the revised policy to take advantage of the expanded opportunity to issue supplemental payments for teachers.

Book	Policy Manual
Section	Volume 35, No. 1 for Board Approval
Title	Revised Policy - Vol. 35, No. 1, Sept. 2022 - SUPPLEMENTAL PAYMENTS FOR TEACHERS
Code	po3220.02
Status	

**Revised Policy - Vol. 35, No. 1**

3220.02 - **SUPPLEMENTAL PAYMENTS FOR TEACHERS**

~~**{NOTE: Please select one (1) of the following three (3) options.}**~~

~~**{ } [OPTION #1]**~~

~~The School Board authorizes the Superintendent to issue a supplemental payment in excess of the salary specified in the School Corporation's compensation plan to any teacher at the discretion of the Superintendent.~~

~~**{END OF OPTION #1}**~~

**[ x ] [OPTION #2]**

The School Board authorizes the Superintendent to issue a supplemental payment in excess of the salary specified in the School Corporation's compensation plan to the following teachers for the following reasons:

- A. A teacher is needed to fill a position in the Corporation.
- B. **( x )** A teacher who teaches an advanced placement course or has earned a master's degree from an accredited postsecondary educational institution in a content area directly related to the subject matter of a dual credit course; or another course taught by the teacher.
- C. **( x )** A teacher who is a special education professional or who teaches in the areas of science, technology, engineering, or mathematics.
- D. **( x )** An elementary school teacher who earns a master's degree in math, reading, or literacy.
- E. **( x )** A teacher who teaches a career or technical education course.
- F. **( - )** \_\_\_\_\_.
- G. **( )** \_\_\_\_\_.

~~**{END OF OPTION #2}**~~

~~**{ } [OPTION #3]**~~

~~The School Board does not authorize supplemental payments in excess of the salary specified in the School Corporation's compensation plan except as negotiated with the exclusive representative of the Corporation's teachers.~~

**~~{END OF OPTION #3}~~**

**~~{END OF OPTIONS}~~**

**Definitions:**

For purposes of this policy, the following definitions apply:

The term "teacher" means a professional person whose position with the Corporation requires a license (as defined in I.C. 20-28-1-7) and whose primary responsibility is the instruction of students.

The term "license" refers to a document issued by the Indiana Department of Education ("IDOE") that grants permission to serve as a particular kind of teacher. The term includes any certificate or permit issued by the IDOE.

**Discussion of Supplemental Payments:**

A supplement provided under this policy is not subject to collective bargaining, but a discussion of the supplement must be held with the exclusive representative of the Corporation's teachers. Such a supplement is in addition to any salary increase permitted by I.C. 20-28-9-1.5(b).

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Legal	I.C. 20-18-2-22
	I.C. 20-28-1-7
	I.C. 20-28-9-1.5

## Policy 5420 –Reporting Student Progress (Revised)

- This policy has been revised to address current legislative requirements, as per HEA 1093, regarding the School Corporation's responsibility and manner of informing parents of their student's scores on statewide assessments.
- Recommendation: Adopt the revised policy to maintain currency with State statute on statewide assessment score reporting to parents.

Book	Policy Manual
Section	Volume 35, No. 1 for Board Approval
Title	Revised Policy - Vol. 35, No. 1, Sept. 2022 - REPORTING STUDENT PROGRESS
Code	po5420
Status	
Adopted	September 23, 2004

**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 **(x )** 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. **(x )** 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. **(x )** 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 \_\_\_\_\_ [specify];~~
- E. ~~(-) ensure a continual review and improvement of methods of reporting student progress to parents.~~

**Statewide Assessment Scores**

**x ] [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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Legal	I.C. 20-26-3-5
	I.C. 20-26-5-4
	I.C. 20-32-5.1-14

## Policy 5610 – Suspension and Expulsion of Students (Revised)

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- Policy 5610 has been overhauled to ensure it incorporates all relevant provisions regarding the suspension and expulsion of students.
- Recommendation: Adopt revisions to Policy 5610 to ensure compliance with State law.

Book	Policy Manual
Section	Volume 35, No. 1 for Board Approval
Title	Revised Policy - Vol. 35, No. 1, Sept. 2022 - SUSPENSION AND EXPULSION OF STUDENTS
Code	po5610
Status	
Adopted	September 23, 2004
Last Revised	February 8, 2021

### **Revised Policy - Vol. 35, No. 1**

#### **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 may 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 others 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.

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 (x ) shall ~~( ) shall not~~ **[END-OF-OPTION]** be allowed to make up missed tests or quizzes when the student returns to school.

B. 'Expulsion' means a disciplinary or other action whereby 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. 35-47-1-5, 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. 35-31.5-2-86 onto Corporation property or is found to possess a deadly weapon on Corporation property or at a school-related activity, the students/he ~~( ) shall be expelled for a period of not more than one (1) calendar year~~ ( x ) may be expelled for a period of not more than one (1) calendar year unless the Superintendent reduces the punishment for reason justified by the particular circumstances of the incident **[END-OF-OPTIONS]**. 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. alternative 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 students/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.

**~~{SELECT ONE (1) OF THE FOLLOWING OPTIONS}~~**

~~[ ] The Board of School Trustees has voted ( ) to hear all expulsions. Appeals from the decision of the Board must be filed with the County Circuit or Superior Court. appeals ( ) not to hear any expulsion appeals. Instead, appeals of expulsion must be filed with the County Court. **[END OF OPTION]**~~

**[ x] The Board has voted not to hear any expulsion appeals. Instead, appeals of expulsion must be filed with the County Circuit or Superior Court.**

**~~{END OF OPTIONS}~~**

The Superintendent shall develop administrative guidelines which provide appropriate procedures for implementing this policy and comply with applicable statutes.

**~~{OPTIONAL LANGUAGE}~~**

~~[ ] The Board authorizes the Superintendent to develop administrative guidelines to provide for ( ) a program whereby a student performs community service in lieu of a suspension or an expulsion ( ) the referral of a student to the juvenile court **[CHOOSE ONE — END OF OPTION]**.~~

~~[ ] The Board authorizes the Superintendent to develop administrative guidelines to provide for the referral of a student to the juvenile court.~~

**~~{END OF OPTIONAL LANGUAGE}~~**

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.

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 ~~et seq.~~  
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

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Legal

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. 20-33-8-7  
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



## **Policy 6250 – Required ADM Counts for the Purpose of State Funding and Verification of Residency for Membership ( Revised)**

- This policy is revised in response to SEA 2 which requires a count of twelfth graders enrolled at the time of the Fall ADM count but completed graduation requirements and not enrolled at the time of the February ADM count. This count is to be reported to the IDOE along with other documentation the IDOE may require.
- Recommendation: Adopt the policy to keep the ADM policy current with legislative and IDOE requirements.



Book	Policy Manual
Section	Volume 35, No. 1 for Board Approval
Title	Revised Policy - Vol. 35, No. 1, Sept. 2022 - REQUIRED ADM COUNTS FOR THE PURPOSE OF STATE FUNDING AND VERIFICATION OF RESIDENCY FOR MEMBERSHIP
Code	po6250
Status	
Adopted	November 9, 2020
Last Revised	September 13, 2021

### **Revised Policy - Vol. 35, No. 1**

#### **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 (3) of the following options]:**

1. ☒ a current utility bill or telephone bill (dated within sixty (60) ~~60~~ days of student enrollment)
2. ☐ ~~a current telephone bill (dated within sixty (60) 60 days of student enrollment)~~
3. ☐ ~~a current tax return (dated within sixty (60) 60 days of student enrollment)~~
4. ☒ a current bank statement (dated within sixty (60) ~~60~~ days of student enrollment)
5. ☐ ~~a current mortgage statement (dated within sixty (60) 60 days of student enrollment)~~
6. ☒ a current rental/lease agreement or mortgage statement (dated within sixty (60) ~~60~~ days of student enrollment)
7. ☐ ~~a current medical bill (dated within sixty (60) 60 days of student enrollment)~~
8. ☐ \_\_\_\_\_

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. The 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)

**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.

I.C. 20-26-5-42.1

I.C. 20-26-11-2

I.C. 20-33-2

I.C. 20-43-1-7.5

I.C. 20-43-1-11.5

August 27, 2020, Indiana Department of Education Guidance on Verification of Residency for Membership

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Legal

I.C. 20-26-5-42.1

I.C. 20-26-11-2

I.C. 20-33-2

I.C. 20-43-1-7.5

I.C. 20-43-1-11.5

August 27, 2020, Indiana Department of Education Guidance on Verification of Residency for Membership

## Policy 6550 – Travel Payment and Reimbursement (Revised)

- This policy is revised based on the State Board of Accounts (SBoA) suggestion of including language which in the policy expectation is for reimbursement of mileage the approved SBoA forms should be submitted for documentation.
- Recommendation: Adopt the revised policy to keep the policy statement in line with SBoA expectations and documentation requirements for reimbursement which may be reviewed at the time of an audit.

Book	Policy Manual
Section	Volume 35, No. 1 for Board Approval
Title	Revised Policy - Vol. 35, No. 1, Sept. 2022 - TRAVEL PAYMENT AND REIMBURSEMENT
Code	po6550
Status	
Adopted	September 23, 2004
Last Revised	May 22, 2017

### **Revised Policy - Vol. 35, No. 1**

#### **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.

Payment and reimbursement rates for per diem, meals, lodging, and mileage shall be established by the Corporation and approved by the School Board annually. 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.

**[ x ]** 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.

~~**[ - ]** Temporary dependent care costs (as dependent is defined in 26 U.S.C. 152) above and beyond regular dependent care that directly results from travel to conferences are allowable provided that (1) the costs are a direct result of the individual's travel for the Federal award; (2) the costs are consistent with the Corporation's documented administrative guidelines for all entity travel; and (3) are only temporary during the travel period. Travel costs for dependents are unallowable, except for travel of a duration of six (6) months or more with prior approval of the Federal awarding agency.~~

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 designee), must apply to travel under Federal awards.



## Policy 8120 – Volunteers ( Revised)

- This policy has been revised to permit an election to apply the changes made by Senate Enrolled Act 115 to I.C. 20-26-5-10(k), which prohibits the Corporation from continuing the employment of, contracting with or continuing to contract with a person who has been convicted of an offense requiring license revocation, unless the conviction has been reversed, vacated, or set aside on appeal, to volunteers in addition to employees and contractors. It also reflects the changes made by SEA 115 to I.C. 20-26-5-11(b), which adds the offense of public indecency to the list of offenses which may be considered as grounds to not employ, to not contract with, or to terminate the employment of or contract with an individual. Finally, it reflects the changes made by SEA 115 to I.C. 20-28-5-8(c) regarding the offenses for which the Department of Education shall permanently revoke the license of a teacher.



## Continuation of Policy 8120

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- Recommendation: Elect to impose the same requirements on volunteers as are imposed by law on employees and contractors and adopt the other revisions required by SEA 115 to remain compliant with State law.

Book	Policy Manual
Section	Volume 35, No. 1 for Board Approval
Title	Revised Policy - Vol. 35, No. 1, Sept. 2022 - VOLUNTEERS
Code	po8120
Status	
Adopted	June 25, 2007
Last Revised	August 14, 2017

**Revised Policy - Vol. 35, No. 1**

**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 the School Corporation's 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:

**[SELECT EITHER OPTION #1 OR OPTION #2]**

**☒ [OPTION #1]**

Each volunteer who is in direct contact with students and is supervised by a school employee will be required to submit a Limited Criminal History Record Check.

**☐ [OPTION #2]**

Each volunteer who is in direct contact with students and is not supervised by a school employee will be required to submit to an Expanded Criminal History Record Check which shall include:

- A. an expanded criminal history check (as defined by I.C. 20-26-2-1.5) of the criminal history record system maintained by the Federal Bureau of Investigation based on fingerprint identification or another method of positive identification;
- B. an expanded child protection index check as defined by I.C. 20-26-2-1.3;
- C. search of the national sex offender registry maintained by the United States Department of Justice;
- D. beginning July 1, 2017, a search of the State child abuse registry;

E. ( ) a detailed background history including all prior employment and volunteer positions;

F. ( ) an Indiana Bureau of Motor Vehicles driver history if the position involves driving.

**[END OF OPTIONS]**

**~~[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.]~~**

**[ x]** 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 ~~is~~/he is or has been accredited by the association; and

2. if the individual ~~is~~/he is or has been accredited by the association, whether the individual's ~~his~~/her accreditation has ever been suspended or revoked;

B. request references from the individual ~~him~~/her;

C. contact the references that the individual ~~is~~/he provides to the Corporation; and

D. contact the association to determine whether the individual's ~~his~~/her accreditation has ever been suspended or revoked.

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

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. Dealing in marijuana, hash oil, hashish, or salvia as a felony (I.C. 35-48-4-10).
- U. 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).
- V. Homicide (I.C. 35-42-1).
- W. Voluntary manslaughter (I.C. 35-42-1-3).
- X. Reckless homicide (I.C. 35-42-1-5).
- Y. 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).
- Z. Aggravated battery (I.C. 35-42-2-1.5).
- AA. Robbery (I.C. 35-42-5-1).
- AB. Carjacking (I.C. 35-42-5-2) (before its repeal).
- AC. 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)).
- AD. 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).
- AE. Human trafficking (I.C. 35-42-3.5).
- AF. Dealing in a controlled substance resulting in death (I.C. 35-42-1-1.5).

AG. Attempt under I.C. 35-41-5-1 to commit an offense listed in this subsection.

AH. Conspiracy under I.C. 35-41-5-2 to commit an offense listed in this subsection.

AI. 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 volunteers/~~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's services;
- D. **(x )** 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. **(x )** will be required to report any substantiated report of child abuse or neglect of which the volunteers/~~he~~ is the subject.

The Superintendent also shall ensure that each volunteer is properly informed of the Corporation's appreciation for the volunteer's/~~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.

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. 20-28-5-8(c)  
I.C. 22-5-3-1

## 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. 20-28-5-8(c)

I.C. 22-5-3-1

## Policy 8121 – Personal Background Check – Contracted Services (Revised)

- This policy has been revised to reflect the changes made by Senate Enrolled Act 115 to I.C. 20-26-5-10(k), which prohibits the Corporation from continuing the employment of, contracting with, or continuing to contract with a person who has been convicted of an offense requiring license revocation, unless the conviction has been reversed, vacated, or set aside on appeal. It also reflects the changes made by SEA 115 to I.C. 20-26-5-11(b), which adds the offense of public indecency to the list of offenses which may be considered as grounds to not employ, to not contract with, or to terminate the employment of or contract with an individual. Finally, it reflects the changes made by SEA 115 to I.C. 20-28-5-8(c) regarding the offenses for which the Department of Education shall permanently revoke the license of a teacher.
- Recommendation: Adopt the revised policy to remain in compliance with State law.



Book	Policy Manual
Section	Volume 35, No. 1 for Board Approval
Title	Revised Policy - Vol. 35, No. 1, Sept. 2022 - PERSONAL BACKGROUND CHECK – CONTRACTED SERVICES
Code	po8121
Status	
Adopted	October 12, 2009
Last Revised	April 13, 2020

### **Revised Policy - Vol. 35, No. 1**

#### **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, ongoing contact with children within the scope of their contracted service or 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~~ <sup>these</sup> employees who are likely to have direct, ongoing contact with children, that 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~~
- 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. **( x )** 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 contractor and subcontractor providing services to the Corporation shall notify the Superintendent within two (2) business days of the:

- A. **( x )** arrest and/or filing of criminal charges against the contractor, subcontractor, or an employee of the contractor or subcontractor and the disposition of such arrest or filing of charges;
- B. conviction of the contractor, subcontractor, or an employee of the contractor or subcontractor for a crime; and
- C. substantiated report of child abuse or neglect of which 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 **( x )** 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 **( x )** arrest and the filing of criminal charges against the employee, ~~END OF OPTION~~ 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 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.

Non-compliance with these requirements shall be a breach of a material term of any contract between a contractor/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 ( **x** ) arrest and/or criminal charge, ~~[END OF OPTION]~~ 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.

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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, -11, and -11.5

## Policy 8210 – School Calendar (revised)

- HEA 1093 allows for no more than three (3) virtual student instructional days each year except under certain circumstances. The revised policy includes this prohibition and the conditions required for a virtual instructional day to count as one of the 180 required school days.
- Recommendation: Adopt the revised policy to stay current with the current legislative requirements for days being counted toward the 180-day school year minimum.

Book	Policy Manual
Section	Volume 35, No. 1 for Board Approval
Title	Revised Policy - Vol. 35, No. 1, Sept. 2022 - SCHOOL CALENDAR
Code	po8210
Status	
Adopted	September 23, 2004
Last Revised	April 13, 2020

### **Revised Policy - Vol. 35, No. 1**

#### **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.

**[Drafting Note: insert the number of days elected by the Board]** 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, etc. 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.

I.C. 20-18-2-17  
I.C. 20-30-2-1  
I.C. 20-30-2-2.7  
I.C. 20-30-2-3

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Legal	I.C. 20-18-2-17
	I.C. 20-30-2-1
	I.C. 20-30-2-2.7
	I.C. 20-30-2-3

## Policy 8220 – School Day (Revised)

- This policy has been revised in accordance with HEA 1093 to provide that a virtual school day shall meet the state requirements in order to be counted as one of the state minimum 180-day school year.
- Recommendation: Adopt the revised policy to maintain the expected requirements for a school day.

Book	Policy Manual
Section	Volume 35, No. 1 for Board Approval
Title	Revised Policy - Vol. 35, No. 1, Sept. 2022 - SCHOOL DAY
Code	po8220
Status	
Adopted	September 23, 2004

**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. **x ]** 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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I.C. 20-30-2-2

I.C. 20-30-2-2.7

511 IAC 6-2-1.1



## Policy 8400 – School Safety (Revised)

- The school safety policy is revised due to changes to the definition and training requirements for school resource officers (SRO) as per HEA 1093. The new definition of SRO requires the SRO to be a law enforcement officer with required training timelines established by state statute.

Book	Policy Manual
Section	Volume 35, No. 1 for Board Approval
Title	Revised Policy - Vol. 35, No. 1, Sept. 2022 - SCHOOL SAFETY
Code	po8400
Status	
Adopted	December 17, 2007
Last Revised	February 8, 2021

**Revised Policy - Vol. 35, No. 1**

8400 - **SCHOOL SAFETY**

The School Board of School Trustees is committed to maintaining a safe environment in all of the School Corporation's schools. To that end, in accordance with State and Federal law,

**~~{CHOOSE ONE OF THE FOLLOWING OPTIONS (OPTION 1 IS REQUIRED BY STATE LAW; OPTION TWO IS NOT REQUIRED BUT THE BOARD MAY CHOOSE IT INSTEAD)}~~**

**(x )** 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.

**(x )** the *Safe School Committee* shall be a subcommittee of the committee that develops the Corporation's strategic and continuous school improvement and achievement plan.

**{END OPTION 1}**

**~~{ } OPTION 2~~**

**~~( )~~** each school within the Corporation shall establish a *Safe School Committee*, the composition of which shall be in accordance with the Superintendent's guidelines.

**~~( )~~** the *Safe School Committee* at each school shall be a subcommittee of the committee that develops the school's strategic and continuous school improvement and achievement plan.

**{END OPTION 2}**

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

**[if Option 1 was chosen above]** safe schools.

~~[if Option 2 was chosen above] a safe school.~~

Accordingly, the school safety plan developed by the school safety specialist (x ) with the assistance of the school resource officer [END OF OPTION] shall be a part of the plan developed by the Safe School Committee.

- 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.
- D. Provide a copy of the floor plans for each building that clearly indicates each exit, the interior rooms and hallways, and the location of any hazardous materials located in the building to the local law enforcement agency and the fire departments that have jurisdiction over the school.

**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 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 ( ) agency ( ) agencies;~~  
~~( ) the local Fire Marshal(s) or his/her designee(s);~~
- F. ~~( ) local emergency medical services;~~
- G. ~~( ) a member of the Board;~~  
~~( ) building administrators;~~  
~~( ) the local emergency management service agency.~~
- H. ~~( ) [other, please specify] \_\_\_\_\_;~~
- I. ~~( ) [other, please specify] \_\_\_\_\_.~~

[ x ] [If Option 1 was chosen above] The Superintendent shall recommend the approval and adoption of the Corporation's plan.

~~[ ] [If Option 2 was chosen above] 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:~~

- ~~1. conducted a threat assessment for each school building it uses; and~~
- ~~2. 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.C. 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 ( **x** ) may ~~( ) shall~~ **[END OF OPTION]** request direction to resources that are available to provide bleeding control kits to the Corporation from ( **x** ) the Department of Homeland Security or ( **x** ) the State Department of Education **[CHOOSE ONE - END OF OPTION]**.

### 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~~

The law enforcement officer appointed as a school resource officer must receive ~~received~~ at least forty (40) hours of school resource officer training through:

- A. the Indiana law enforcement training board established by I.C. 5-2-1-3;
- B. the National Association of School Resource Officers; or
- C. 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 school corporations or ~~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 *Safe School Committee*

☒ **[If Option 1 was chosen above]** for the Corporation

~~☐ **[If Option 2 was chosen above]** for the school which exceeded the threshold number of reportable incidents of violent criminal offenses~~

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*

☒ **[If Option 1 was chosen above]** for the Corporation,

~~☐ **[If Option 2 was chosen above]** for the school which was identified as persistently dangerous,~~

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.

~~☐ If a school in a neighboring corporation is identified as persistently dangerous and there is not another school in that corporation, the Corporation will admit students from that school in accordance with Board Policy 5113.02.~~

### **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.

~~☐ **[OPTIONAL LANGUAGE]**~~

~~☐ **Corporation Police**~~

~~The Board may establish a Corporation police department and may appoint police officers, prescribe their duties and direct the conduct of the police officers, prescribe distinctive uniforms, and provide emergency vehicles. An individual appointed as a Corporation police officer must successfully complete the training, as approved by the State Board of Education, that will enable the officer to appropriately deal with individuals with Autism and Asperger's Syndrome, in addition to training prescribed by the Law Enforcement Training Board.~~

~~An individual appointed as a Corporation police officer must successfully complete at least:~~

- ~~1. the pre-basic training course established under I.C. 5-2-1-9(f); and~~

- ~~[ the minimum basic training and educational requirements adopted by the law enforcement training board under I.C. 5-2-1-9 as necessary for employment as a law enforcement officer.~~

~~A Corporation police officer:-~~

- ~~/ is a law enforcement officer (as defined in I.C. 5-2-1-2(1));~~
- ~~[ must take an appropriate oath of office in a form and manner prescribed by the Board;~~
- ~~( serves at the Board's pleasure; and~~
- ~~[ performs the duties that the Board assigns.~~

~~Corporation police officers appointed under this chapter have general police powers, including the power to arrest, without process, all persons who within their view commit any offense. They have the same common law and statutory powers, privileges, and immunities as sheriffs and constables, except that they are empowered to serve civil process only to the extent authorized by the Board; however, any powers may be expressly forbidden them by the Board. In addition to any other powers or duties, such police officers shall enforce and assist the educators and administrators of the Corporation in the enforcement of its rules and regulations and assist and cooperate with other law enforcement agencies and officers.~~

~~Such police officers may exercise the powers granted under this section only upon any property owned, leased, or occupied by the Corporation, including the streets passing through and adjacent to the property. Additional jurisdiction may be established by agreement with the chief of police of the municipality or sheriff of the county or the appropriate law enforcement agency where the property is located, dependent upon the jurisdiction involved.~~

~~**{END OF OPTIONAL LANGUAGE}**~~

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  
I.C. 20-30-5-11  
I.C. 20-34-3-20  
I.C. 20-34-3-21  
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)

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Legal	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
	I.C. 20-30-5-11
	I.C. 20-34-3-20

I.C. 20-34-3-21

I.C. 20-34-3-24

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)

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

## Policy 8510 – Wellness (Revised)

- This policy has been revised in conjunction with the Indiana Department of Health. It is recommended that the Superintendent and Wellness Committee review the new options provided and make appropriate recommendations to the Board.

Book	Policy Manual
Section	Volume 35, No. 1 - September 2022
Title	Revised Policy - Vol. 35, No. 1, Sept. 2022 - WELLNESS
Code	po8510
Status	From Neola
Adopted	September 13, 2010
Last Revised	October 27, 2014

### **Revised Policy - Vol. 35, No. 1**

#### **8510 - WELLNESS**

As required by law, the School Board establishes the following wellness policy for the School 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:

#### **[Select one or more of the following:]**

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 included in the sequential, comprehensive health curriculum in accordance with the curriculum standards and benchmarks established by the State.
3. ☐ 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.
4. ☐ Nutrition education standards and benchmarks shall be age-appropriate and culturally relevant.
5. ☐ The standards and benchmarks for nutrition education shall be behavior focused.

6. ( ) Nutrition education shall include enjoyable, developmentally appropriate and culturally relevant participatory activities, such as contests, promotions, taste testing, and others.
7. ( ) Nutrition education shall include opportunities for appropriate student projects related to nutrition, involving, when possible, community agencies and organizations.
8. ( ) Nutrition education shall extend beyond the classroom by engaging and involving the school's food service staff.
9. ( ) Nutrition education posters, such as the Food Pyramid Guide or MyPlate, will be displayed in the cafeteria.
10. ( ) 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.
11. ( ) Nutrition education shall extend beyond the school by engaging and involving families and the community.
12. ( ) Nutrition education shall reinforce lifelong balance by emphasizing the link between caloric intake (eating) and exercise in ways that are age-appropriate.
13. ( ) Nutrition education benchmarks and standards include a focus on media literacy as it relates to food marketing strategies.
14. ( ) 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.
15. ( ) 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.
16. ( ) Instruction related to the standards and benchmarks for nutrition education shall be provided by highly qualified teachers.
17. ( ) The Corporation shall provide information to parents that is designed to encourage them to reinforce at home the standards and benchmarks being taught in the classroom.
18. ( ) [other:] \_\_\_\_\_.
19. ( ) [other:] \_\_\_\_\_.
20. ( ) [other:] \_\_\_\_\_.

B. With regard to physical activity:

**[It is recommended that one (1) or more of the following be selected from each of the two (2) both categories of Physical Education and 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. ( ) All students in grades K-12, including those with disabilities, special health care needs and in alternative educational settings (to the extent consistent with the students' IEPs), shall receive daily physical education for the entire school year, for at least 150 minutes per week for K-5 students and at least 225 minutes per week for students in grades 6 - 12.

**[NOTE: The National Association for Sport and Physical Education (NASPE) defines a quality physical education program in the terms and minutes specified above.]**

- f. ( ) All students in grades \_\_\_\_ - \_\_\_\_, including those with disabilities, special health care needs and in alternative educational settings (to the extent consistent with the students' IEPs), shall receive instruction in physical education for ( ) \_\_\_\_ ( ) minutes ( ) daily ( ) \_\_\_\_ ( ) days per week **[END OF OPTIONS]** for the entire school year.
- g. ( ) All students, including those with disabilities, special health care needs and in alternative educational settings (to the extent consistent with the students' IEPs), shall receive instruction in physical education for ( ) \_\_\_\_ ( ) minutes ( ) daily ( ) \_\_\_\_ ( ) days per week for at least \_\_\_\_ ( ) semesters in grades \_\_\_\_ -12.
- h. ( ) The physical education curriculum shall provide sequential instruction related to the knowledge, attitudes, and skills necessary to participate in lifelong, health-enhancing physical activity.
- i. ( ) 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.
- j. ( ) The sequential, comprehensive physical education curriculum shall stress the importance of remaining physically active for life.
- k. ( ) 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.
- l. ( ) Planned instruction in physical education shall require students to be engaged in moderate to vigorous physical activity for at least fifty percent (50%) of scheduled class time.
- m. ( ) Teachers properly certificated/licensed in the subject area of physical education shall provide all instruction in physical education.
- n. ( ) Physical education teachers shall be provided with annual professional development opportunities focused on the physical activity/physical education content area. ~~Professional development opportunities should focus on the physical education content area.~~
- o. ( ) All physical education classes shall have a student/teacher ratio comparable to the student/teacher ratio in other curricular areas.

**[NOTE: NASPE includes this option in the definition of a quality physical education program.]**

- p. ( ) Planned instruction in physical education shall teach cooperation, fair play, and responsible participation.
- q. ( ) Planned instruction in physical education shall meet the needs of all students, including those who are not athletically gifted.
- r. ( ) Planned instruction in physical education shall be presented in an environment free of embarrassment, humiliation, shaming, taunting, bullying, or harassment of any kind.
- s. ( ) Planned instruction in physical education shall include cooperative as well as competitive games.
- t. ( ) Planned instruction in physical education shall take into account gender and cultural differences.
- u. ( ) 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.
- v. ( ) **[other:]** \_\_\_\_\_.

w. ( ) [other:] \_\_\_\_\_.

x. ( ) [other:] \_\_\_\_\_.

## 2. Physical Activity

a. ( ) Physical activity ( ) shall ( ) shall not **[END OF OPTION]** be employed as a form of discipline or punishment.

b. ( ) Physical activity and movement shall be integrated, when possible, across the curricula and throughout the school day (e.g., classroom physical activity breaks).

c. ( ) Schools shall encourage families to provide physical activity outside the regular school day, such as outdoor play at home, participation in sports sponsored by community agencies or organizations, and in lifelong physical activities like bowling, swimming, or tennis.

d. ( ) All students in grades K - 5/6 shall be provided with a daily recess period at least \_\_\_\_\_ (\_\_\_\_) minutes in duration. Recess shall not be used as a reward or punishment.

**[NOTE: NASPE's recommendation is that all elementary school students should be provided with at least one (1) daily period of recess for a minimum of twenty (20) minutes.]**

e. ( ) 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.

f. ( ) 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.

g. ( ) The school shall encourage families and community organizations to help develop and institute programs that support physical activity of all sorts.

h. ( ) The school shall provide students in grades \_\_\_\_ - \_\_\_\_ with the opportunity to use physical activity in which they participate outside the regular school day (other than organized interscholastic athletics) to satisfy physical activity requirements.

i. ( ) 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.

**[NOTE: This is a NASPE recommendation in their position statement on Comprehensive School Physical Activity Programs (2008).]**

j. ( ) All students in grades \_\_\_\_ - \_\_\_\_ shall have the opportunity to participate in extracurricular activities and intramural programs that emphasize physical activity.

k. ( ) All students in grades \_\_\_\_ - 12 shall have the opportunity to participate in interscholastic sports programs.

l. ( ) Schools shall offer a wide range of physical activities outside the regular school day that meet the needs, interests, and abilities of all students, including males, females, students with disabilities, and students with special healthcare needs.

m. ( ) All before/after-school programs shall provide developmentally appropriate physical activity for the students who participate.

n. ( ) Schools shall discourage extended periods of student inactivity without some physical activity.

o. ( ) Schools are encouraged to develop active transport programs for students (Safe Routes to School) when appropriate.

p. ( ) [other:] \_\_\_\_\_.

q. ( ) [other:] \_\_\_\_\_.



r. ( ) [other:] \_\_\_\_\_.

C. With regard to other school-based activities:

**[Select one or more of the following:]**

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 \_\_\_\_\_ (\_\_\_) minutes daily for students to eat.

**[DRAFTING NOTE: The Centers for Disease Control and Prevention recommends at least twenty (20) minutes of seat time for school lunch.]**

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. ( ) Students at \_\_\_\_\_ **[insert name(s) of building(s)]** are not permitted to have drinks in the classroom.

6. ( ) Students at \_\_\_\_\_ **[insert name(s) of building(s)]** are permitted to have bottled water only in the classroom.

7. ( ) Activities, such as tutoring or club meetings, shall not be scheduled during mealtimes, unless students may eat during those meetings.

8. ( ) Schools ( ) may ( ) shall **[END OF OPTION]** limit the number of celebrations involving serving food during the school day to no more than \_\_\_\_\_ (\_\_\_) party(ies) per class per month.

9. ( ) 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.

10. ( ) An organized wellness program shall be available to all staff.

11. ( ) The schools ( ) shall ( ) may **[END OF OPTION]** use environmentally friendly practices, such as the use of locally grown foods and non-disposable tableware and dishes.

12. ( ) The schools ( ) shall ( ) may **[END OF OPTION]** provide opportunities for staff, parents, and other community members to model healthy eating habits by dining with students in the school dining areas.

13. ( ) The schools ( ) shall ( ) may **[END OF OPTION]** 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.

14. ( ) 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.

15. ( ) Students are discouraged from sharing their foods or beverages with one another during meal times, given concerns about allergies and other restrictions on some students' diets.

16. ( ) [other:] \_\_\_\_\_.

17. ( ) [other:] \_\_\_\_\_.

18. ( ) [other:] \_\_\_\_\_.

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:

**[Select one or more of the following:]**

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:
  - 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)
  - e. ☐ meals designed to meet specific calorie ranges for age/grade groups
3. ☐ eliminate trans-fat from school meals;
4. ☐ require students to select a fruit or vegetable as part of a complete reimbursable meal;
5. ☐ designate wellness champions at each school that will promote resources through the Corporation's website for wellness for students, families, and the community;
6. ☐ provide opportunities for students to develop the knowledge and skills for consuming healthful foods;
7. ☐ promote and encourage Farm to School efforts through its nutrition department in order to provide the healthy foods identified above;
8. ☐ require that all foods and beverages sold as fundraisers on the school campus during the school day shall meet the USDA Competitive Food regulations;
9. ☐ discourage rewarding children in the classroom with candy and other foods that can undermine children's diets and health and reinforce unhealthy eating habits. A wide variety of alternative rewards can be used to provide positive reinforcement for children's behavior and academic performance;
10. ☐ prohibit the sale of caffeinated beverages at the high school level;
11. ☐ utilize the following promotions/partnerships:
  - a. ☐ Through United States Tennis Association partnerships, each K-12 school has the opportunity to receive more than \$\_\_\_\_\_ **[insert dollar amount]** worth of equipment to teach and implement tennis appropriate to grade level in the curriculum.
  - b. ☐ Through grants from the \_\_\_\_\_ **[insert source of grants]** and local businesses, each elementary school has the opportunity to implement the \_\_\_\_\_ **[insert name of local bike safety program]**.
  - c. ☐ \_\_\_\_\_.
  - d. ☐ \_\_\_\_\_.

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.

**[DRAFTING NOTE: THE FINAL RULES STATE THAT A POLICY MUST HAVE STANDARDS FOR FOOD AND BEVERAGES "PROVIDED" AT SCHOOL, SUCH AS PROVIDED FOR A CLASS PARTY OR AS A REWARD TO STUDENTS. THESE STANDARDS DO NOT HAVE TO MEET THE REQUIREMENTS IMPOSED ON FOOD SOLD AT SCHOOL. A CORPORATION CAN ADOPT THE SAME STANDARD AS THE STANDARD FOR SOLD FOOD OR ESTABLISH ITS OWN STANDARDS AS LONG AS IT HAS SOMETHING IN PLACE FOR FOOD PROVIDED IN SCHOOL OTHER THAN THROUGH SALE. THIS DOES NOT APPLY TO FOOD BROUGHT IN FOR INDIVIDUAL CONSUMPTION, I.E., A SACK LUNCH.]**

- E. All foods that are provided, not sold, on the school campus during the school day, including foods and beverages provided for classroom parties or holiday celebrations shall comply with the ☐ current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards. ☐ food and beverage standards approved by the ☐ Superintendent. ☐ Board. ☐ \_\_\_\_\_. ☐ following food and beverage standards: \_\_\_\_\_.

**[It is recommended that one (1) or more of the following also be selected:]**

- F. ☐ 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.
- G. The food service program will provide all students affordable access to the varied and nutritious foods they need to be healthy and to learn well regardless of unpaid meal balances and without stigma.
- H. ☐ 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.).
- I. ☐ All food items and beverages available for sale to students for consumption on campus between midnight and ☐ thirty (30) ☐ sixty (60) **[END OF OPTION]** minutes **[thirty (30) minutes is the required minimum]** after the close of the regular school day shall comply with the current USDA Dietary Guidelines for Americans, including, but not limited to, competitive foods that are available to students à la carte in the dining area, as well as food items and beverages from vending machines, school stores, or fund-raisers by student clubs and organizations, parent groups, or boosters clubs.
- J. ☐ The school food service program ☐ may ☐ shall **[END OF OPTION]** involve ☐ students, ☐ parents, ☐ staff, ☐ school officials **[END OF OPTIONS]** in the selection of competitive food items to be sold in the schools.
- K. ☐ Nutrition information for competitive foods available during the school day shall be readily available near the point of purchase.
- L. ☐ All foods available to students in Corporation programs, other than the food service program, shall be served with consideration for promoting student health and well-being.
- M. ☐ Any food items sold ☐ for consumption on campus from thirty (30) minutes after the end of the last lunch period until ☐ thirty (30) ☐ sixty (60) **[END OF OPTIONS]** minutes after the school day ends **[END OF OPTION]** in a fundraiser by approved student clubs and organizations and Corporation support organizations shall meet the current USDA Dietary Guidelines for Americans.
- N. ☐ The school shall prepare and distribute to staff, parents, and after-school program personnel a list of snack items that comply with the current USDA Dietary Guidelines for Americans.
- O. ☐ The food service program shall be administered by a qualified nutrition professional.
- P. ☐ The food service program shall be administered by a director who is properly qualified, certificated, licensed, or credentialed, according to current professional standards.

Q. ( ) All food service personnel shall receive pre-service training in food service operations.

R. ( ) Continuing professional development shall be provided for all staff of the food service program in accordance with USDA professional standards.

S. ( ) [other:] \_\_\_\_\_.

T. ( ) [other:] \_\_\_\_\_.

U. ( ) [other:] \_\_\_\_\_.

The Board designates ( ) the Superintendent ( ) the building principals as the individual(s) charged with operational responsibility for measuring and evaluating the Corporation's implementation and progress under this policy.

The ( ) Superintendent ( ) Board shall appoint a Corporation wellness committee that ( ) meets at least four (4) times per year and **[END OF OPTION]** includes parents, students, representatives of the school food authority, nutritionists or certified dietitians, educational staff (including health and physical education teachers), mental health and social services staff, school health professionals, the School Board, school administrators, and members of the public 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 appropriate; and

E. present the wellness policy, with any recommended revisions, to the Board for approval or re-adoption if revisions are recommended.

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 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 also shall report on the status of compliance by individual schools and progress made in attaining goals established in the policy.

**[NOTE: If the Board has established a coordinated school health advisory council pursuant to I.C. 20-26-9-18, the council may serve as the wellness committee for the Corporation if it includes the members listed above and holds the responsibilities set forth above.]**

The Superintendent also shall 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 shall ( ) distribute information at the beginning of the school year to families of school children, ( ) include information in the student handbook, ( ) \_\_\_\_\_, ( ) \_\_\_\_\_, **[END OF OPTIONS]** 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: **[select one (1) of the following options]**

☐ <https://www.cdc.gov/healthyschools/shi/index.htm>

☐ <https://schools.healthiergeneration.org/>

☐ <https://www.sat.org/>

☐ [http://www.doe.in.gov/sites/default/files/nutrition/evaluation-checklist\\_0.pdf](http://www.doe.in.gov/sites/default/files/nutrition/evaluation-checklist_0.pdf)

The assessment shall be made available to the public:

- A. ☐ in the parent and staff handbooks.
- B. ☐ in the School Corporation's Annual Report to the public.
- C. ☐ on the School Corporation's website.
- D. ☐ on each individual school's website.
- E. ☐ in the School Corporation's calendar.
- F. ☐ \_\_\_\_\_.

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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

## Policy 8600 – Transportation (Revised)

- This policy has been revised to incorporate changes to the definition of "appropriate vehicles" as created through HEA 1251. Also, the approved uses for "appropriate vehicles" and special purpose buses have been expanded.
- Recommendation: Adopt the revised policy to provide for flexibility in the use of special purpose buses and "appropriate vehicles", as well as to be current with the legal definition of "appropriate vehicles".

Book	Policy Manual
Section	Volume 35, No. 1 for Board Approval
Title	Revised Policy - Vol. 35, No. 1, Sept. 2022 - TRANSPORTATION
Code	po8600
Status	
Adopted	September 23, 2004
Last Revised	January 24, 2022

### **Revised Policy - Vol. 35, No. 1**

#### **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.

**[ x ]** 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, 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.

**x ]** The Board may enter into a contractual agreement with a qualified contractor for the transportation of students.

**[ x ]** 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.

**[ x ]** 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.

**[ x ]** The Board may enter into an agreement with an agency or organization serving persons with a developmental disability in which a school bus or special purpose bus used by the Corporation may be used to transport persons with a developmental disability who are at least two (2) years of age to and from programs for persons with a developmental disability.

**[ x ]** The Board may allow, by written authorization, the use of a school bus or a special purpose bus for the transportation of adults at least sixty-five (65) years of age or adults with developmental or physical disabilities.

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 impairments, or multiple disabilities between their residence and the school).~~

[ **x** A special purpose bus 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.

**x ]** 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.

**{START OF OPTION}**

[ **x** 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 set forth in State statute, as applicable, if a school bus or special purpose bus is used.

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.

**{END OF OPTION}**

**{START OF OPTION}**

**x ]** 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.

**{END OF OPTION}**

If the special purpose bus has a capacity of less than sixteen (16) passengers, the operator must hold a valid operator's, chauffeur's, commercial driver's, 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; and

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;



D. 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 C.F.R. 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.

**~~[NOTE: SELECT THE FOLLOWING OPTION ONLY IF YOU ARE A RURAL SCHOOL CORPORATION]~~**

**~~[ ] Transportation of Charter School Students~~**

~~If a student who attends a charter school located in a rural school corporation resides on or along the highway constituting the regular route of a Corporation bus, the Board shall provide transportation for the charter school student 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 student's charter school or the point on an established bus route that is nearest or most easily accessible to the charter school.~~

I.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

49 C.F.R. Part 571

49 U.S.C. 30101 et seq.

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)

## Legal

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Questions ?