



Book	Policy Manual
Section	8000 Operations
Title	VOLUNTEERS
Code	po8120
Status	Active
Adopted	June 10, 2008
Last Revised	May 12, 2020

#### 8120 - VOLUNTEERS

The School Board recognizes that certain programs and activities can be enhanced through the use of volunteers who have particular knowledge or skills that will be helpful to members of the staff responsible for the conduct of those programs and activities.

The Superintendent shall be responsible for recruiting community volunteers, reviewing their capabilities, and making appropriate placements. The Superintendent shall not be obligated to make use of volunteers whose abilities are not compatible with School Corporation needs.

Before allowing an individual to serve as a volunteer coach, the Corporation shall conduct an expanded criminal history check (as defined in I.C. 20-26-2-1.5 on him/her. With respect to all other volunteers:

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

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 him/her:

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

B. request references from him/her;

C. contact the references that s/he provides to the Corporation; and

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

The Corporation shall make a report to the Department of Child Services if a 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. Kidnapping (I.C. 35-42-3-2).

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

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

The Superintendent is to inform each volunteer that s/he:

- A. shall agree to abide by all Board policies and Corporation guidelines while on duty as a volunteer;
- B. will be covered under the Corporation's liability policy but the Corporation shall not provide any type of health insurance to cover illness or accident incurred while serving as a volunteer, nor is the volunteer eligible for workers' compensation;
- C. will be asked to sign a form releasing the Corporation of any obligation should the volunteer become ill or receive an injury as a result of his/her volunteer services;
- D. will be required to report any arrests, the filing of criminal charges against him/her, or convictions for a crime while serving as a volunteer;
- E. will be required to report any substantiated report of child abuse or neglect of which s/he is the subject.

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

Archived 4/10/18

© Neola 2019

## Legal

I.C. 5-2-22  
I.C. 10-13-3  
I.C. 20-26-2-1.3  
I.C. 20-26-2-1.5  
I.C. 20-26-5-10, -11 and -11.5  
I.C. 20-26-14-2.5  
I.C. 20-26-14-8  
I.C. 20-26-14-9  
I.C. 22-5-3-1



Book	Policy Manual
Section	8000 Operations
Title	PERSONAL BACKGROUND CHECK – CONTRACTED SERVICES
Code	po8121
Status	Active
Adopted	June 10, 2008
Last Revised	October 8, 2019

#### **8121 - PERSONAL BACKGROUND CHECK – CONTRACTED SERVICES**

To protect students and staff members, the School Board requires an inquiry into the personal background of each employee of a contractor or subcontractor who is likely to have direct, on-going contact with children within the scope of their employment.

The Superintendent shall establish the necessary procedures to provide that contractors and subcontractors conduct an inquiry into the background information of these employees 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. a 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. verification of enrollment in and use of the Federal E-Verify program to check eligibility to be employed (all employees)
- F. 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.

Each contractor and subcontractor providing services to the Corporation shall notify the Superintendent within two (2) business days of the:

- A. arrest and/or filing of criminal charges against an employee of the contractor or subcontractor and the disposition of such arrest or filing of charges;
- B. conviction of an employee of the contractor or subcontractor for a crime; and
- C. substantiated report of child abuse or neglect of which the employee of the contractor or subcontractor is the subject.

Each contractor and subcontractor providing services to the Corporation shall screen all employees who are likely to have direct, on-going contact with children in the course of providing services to the Corporation. Screening shall only be required 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 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 Superintendent shall develop administrative guidelines to implement this policy. These procedures shall provide for the review of each reported arrest and/or criminal charge, criminal conviction of an employee of a contractor or subcontractor, and substantiated report of child abuse or neglect of which the employee of a contractor or subcontractor is the subject and for a response to the reported information that protects members of the school community from persons who may be dangerous to them. Failure of a contractor or subcontractor to remove an employee from direct contact with students, upon request from the Superintendent, shall be considered to be a material breach of the contractor's or subcontractor's contract with the Corporation.

Revised 8/14/12

Revised 4/12/16

Revised 4/11/17

Revised 4/10/18

© Neola 2019

Legal

I.C. 5-2-22

I.C. 10-13-3

I.C. 20-26-2-1.3

I.C. 20-26-2-1.5

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



Book	Policy Manual
Section	8000 Operations
Title	SCHOOL CALENDAR
Code	po8210
Status	Active
Adopted	January 9, 2001
Last Revised	October 8, 2019

#### 8210 - **SCHOOL CALENDAR**

The School Board recognizes that the preparation of a calendar for the instructional program of the schools is necessary for orderly educational planning and for the efficient operation of the School Corporation.

The total number of days when the schools will be in session for instructional purposes shall be in accordance with the collective bargaining agreement, and for purposes of receiving State school aid, such days will number no fewer than 180.

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 or an eLearning day that meets the standards set by the State Department of Education 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.

© Neola 2019

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



Book	Policy Manual
Section	8000 Operations
Title	SCHOOL DAY
Code	po8220
Status	Active
Adopted	April 12, 2005

**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.

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. S/He shall prepare administrative guidelines for the proper and timely notification of concerned persons in the event of any emergency closing of the schools.

The Superintendent shall have the authority to determine which school-related activities may be conducted if the schools are closed for a period of time. S/He shall prepare appropriate guidelines for communication to students, parents, and others regarding the scheduling and the conduct of such activities.

Legal	511 I.A.C. 6-2-1.1
-------	--------------------



Book	Policy Manual
Section	8000 Operations
Title	PUBLIC RECORDS
Code	po8310
Status	Active
Adopted	January 9, 2001
Last Revised	May 12, 2020

### 8310 - PUBLIC RECORDS

The Board recognizes its responsibility to maintain and protect the public records of the Board and to make these records available for inspection and the purchase of copies in compliance with the Indiana Access to Public Records Act, I.C. 5-14-3-4 ("APRA").

#### "Public Records" Defined and Mandatory and Discretionary Exemptions

The public records of this Board are those records that are created, received, retained, maintained, or filed with the board or its officers, employees, or agents in any form including on paper and in any computer-readable media. Certain records covered by this definition must be maintained as confidential records pursuant to I.C. 5-14-3-4(a) unless production is ordered by a court under the rules of pre-trial discovery, while other records covered by this definition are subject to a discretionary exemption listed in I.C. 5-14-3-4(b).

#### Protection of Public Records

A person who recklessly, knowingly, or intentionally destroys or damages any public record commits a Class D felony in violation of I.C. 5-15-6-8. Public records may be destroyed when the Johnson or Morgan County Commission on Public Records created pursuant to I.C. 5-15-6 has given written approval for the destruction of the record, or authority for destruction of the records is addressed by a retention schedule established and approved under I.C. 5-15-6.

#### Protection of Confidential Information in Public Records

As used in this policy, the term "redact" means to black out or cover with a permanent opaque material so that the content cannot be read. Where redaction is necessary, sufficient content shall be redacted so that the redacted content cannot be identified from the context.

The Board directs the Superintendent and Board employees having custody and supervision over public records to protect the confidentiality of records that are not to be disclosed under I.C. 5-14-3-4(a). This includes a person's Social Security Account Number ("SSAN") which shall be redacted from any public record released unless the SSAN is specifically required to be disclosed by a State or a Federal law or is ordered by a court under the rules of discovery.

Other information that must be kept confidential includes personally identifiable information about a student protected by the Family Educational Rights and Privacy Act ("FERPA"), 20 U.S.C. 1232g and 34 CFR Part 99, medical or genetic information about an employee, and information containing a trade secret as defined in I.C. 24-2-3-2.

#### Authorization to Assert Mandatory and Discretionary Exemptions

Given the time limitations established for compliance with a response to a request for records under the APRA, the Board directs the Superintendent to assert any exemption required to protect information that must be kept confidential pursuant to I.C. 5-14-3-4(a); and the Board authorizes the Superintendent to assert any discretionary exemption to the APRA found in I.C. 5-14-3-4(b) including: records that are intra-agency or inter-agency advisory or deliberative material; diaries, journals, or other personal notes serving as



the functional equivalent of a diary or journal; files of applicants for Board employment, and personnel files of Board employees, except that the following information from personnel files must be disclosed:

- A. the name, compensation, job title, business address, business telephone number, job description, education, and training background, previous work experience, or dates of first and last employment of present or former officers or employees of the Board;
- B. information relating to the status of any formal charges against a Board employee; and
- C. the factual basis for a disciplinary action in which final action has been taken and that resulted in the employee being suspended, demoted, or discharged.

If personnel file information about a current or former employee is disclosed, the current or former employee shall be advised of the release of the information from their personnel file and a description of the released information.

#### **Limited Access to Requests for Lists of Persons**

Notwithstanding any other provisions of law or this policy, in compliance with I.C. 5-14-3-4(f), the Board will not create a new list or provide a copy of an existing list that includes the names and addresses of persons (including e-mail addresses) in response to a request unless the Board is required by law to publish and disseminate the list to the public.

However, if the Board has created a list of names and addresses of persons, it will permit a person to inspect and make memoranda abstracts from the list, excluding e-mail addresses unless access to the list is prohibited by law.

#### **Requests for Lists of Employees or Students for Commercial or Political Purposes**

When a list of employees and/or students is requested from the Corporation, notwithstanding the general prohibition of asking a requesting party for the purpose of their request, the requesting party will be required to disclose the proposed use of the list in writing, before their request is considered.

If the request is for:

- A. a list of all employees of the Board, the employees in a particular school, a particular program, or classification of employee;
- B. a list of persons attending conferences or meetings at a state educational institution or of persons involved in programs or activities conducted or supervised by the state educational institution;
- C. a list of students who are enrolled in the Corporation, or sorted by any criterion or criteria.

and the proposed use of the list is for political or commercial purposes, the request shall be denied (see I.C. 5-14-3-3(f)).

For purposes of this policy, "political purposes" means influencing the election of a candidate for federal, state, legislative, local, or school board office or the outcome of a public question, or attempting to solicit a contribution to influence the election of a candidate for federal, state, legislative, local, or school board office or the outcome of a public question and "commercial purposes" means promotion of a product or service available from a business.

If all or any portion of a list of employees or student is disclosed, the party receiving the list shall be required to agree in writing that as a condition of release of the information, any information provided to them will not be used for political or commercial purposes. A person or entity that violates such a written agreement and any person or entity that used a list obtained through them shall not be eligible to receive lists of persons through the Board in the future. The Superintendent is directed to provide for consistent and uniform enforcement of this prohibition among all similarly situated commercial and political entities.

#### **Lists of Students for Use by Official Recruiting Representative of Armed Forces**

Notwithstanding any policy to the contrary, a request for a list containing "directory information" as defined at I.C. 20-33-10-3 and the Family Rights and Privacy Act ("FERPA") from an official recruiting representative of an armed force of the United States pursuant to I.C. 20-33-10 and/or 9528 of the ESEA (20 U.S.C. 7908), as amended by the No Child Left Behind Act of 2001 (P.L. No. 107-110), shall not be denied. However, an official recruiting representative may be required to pay a fee that represents the actual costs of copying and mailing the student directory information to the recruiter.

This information shall not be provided if a high school student or the parent of a high school student submits a signed, written request at the end of the student's sophomore year that states that the student or the parent of the student does not want the student's directory information to be provided to official recruiting representatives of the armed forces of the United States. Notice of the right to object to the release of student directory information generally under FERPA, and to official recruiting representatives of

the armed forces of the United States, specifically, shall be provided in annual notices given to all high school students and their parents, guardian, or custodian.

A request to inspect and/or purchase copies of a public record in the custody of the Board may be submitted orally during the regular business hours in the office in which such records are maintained. A written request to inspect and make notes from public records in the custody of the Board may be submitted by e-mail, facsimile, or USPS mail. Such a request submitted outside of the regular business hours in the office in which such records are maintained shall be received at the beginning of the next regularly scheduled work day in that office.

A requesting party shall be required to describe the records sought with reasonable particularity.

The Board Public Access Officer ("PAO") designated by the Superintendent or a Board employee acting at the discretion of the PAO will advise the requesting party whether any records specified in the request are available for inspection and copying. When the person making the request is physically present in a Board office, makes the request by telephone, or requests enhanced access to a record, a denial of disclosure occurs at the earlier of the time an employee of the Board refuses to permit inspection and copying of the requested record; or twenty-four (24) hours elapse after the request is received. When a request is made by mail, e-mail, or by facsimile, a denial of the request occurs at the earlier of the time a Board employee refuses to permit inspection and copying of the requested record or when seven (7) days have elapsed from the date the request was received by the Corporation.

The initial response to a request required by these time limitations does not need to be the final response of the Board to a request, but the initial response shall at least acknowledge receipt of the request and provide an initial assessment of the existence of records covered by the request. In preparing a final response of the Board following the initial response, the PAO shall comply with I.C. 5-14-3-7 and shall take into account the other duties to be performed by Board employees with custody of the requested record and shall not cause or permit a material interference with the regular discharge of the other functions or duties of the Corporation or its employees.

#### **Enhanced Access to Corporation Records**

In order to assure the integrity of the data maintained on the Corporation's computer network, and protect the confidentiality of protected information maintained by the Corporation, the Board will not authorize enhanced access to public records on its computer network. However, records that are not confidential may be viewed by a requesting party in paper form printed out for inspection on paper by the PAO or a Board employee acting at the direction of the PAO.

#### **Fees for Purchasing Copies of Public Records**

Board public records may be inspected without charge. Purchase of copies of public records may be made upon payment of a fee. The Board establishes the following fee schedule for purchase of a copy of public records. These fees will be uniform for all purchasers.

Copies shall be prepared by a Corporation employee and provided to a requesting party upon payment of a fee which is the greater of:

- A. ten cents (\$0.10) per page for copies that are not color copies or twenty-five cents (\$0.25) per page for color copies; or
- B. the actual cost of copying the document.

"Actual cost" means the cost of paper and the per-page cost for use of copying or facsimile equipment and does not include labor costs or overhead costs.

Certification of document as a true and accurate copy of an original record in the custody of the Corporation, \$5.00.

The Board will charge a fee for providing a duplicate of a computer tape, computer disc, microfilm, or similar or analogous record system containing a public record in the custody of the Corporation. The fee shall not exceed the sum of:

- A. the Corporation's direct cost of supplying the information in that form; and
- B. the standard cost of selling the same information to the public in the form of a publication if the Corporation has published the information and made the publication available for sale.

In response to a request for public records, the Board shall charge a fee for any time spent searching records that are in electronic format when the search exceeds five (5) hours. There will be no charge for the first five (5) hours of a search. The fee for time beyond the first five (5) shall be the lesser of: (1) the hourly rate of the person making the search; or (2) twenty (\$20) per hour. This hourly fee for searching for records in an electronic format applies only to time the person making the search actually spends searching the records in electronic format. No minimum fee shall be established. School personnel, doing an electronic search in response to a request for public records, will make a good faith effort to complete the search within a reasonable time in order to

minimize the amount of the search fee. Any fee charged shall be prorated to reflect any part of the search which is less than a full hour. No charge will be made for "computer processing time." "Computer processing time" is defined as the amount of time a computer takes to process a command or script to extract or copy electronically stored data that is the subject of a public records request.

Revised 12/11/12

© Neola 2019

Legal

I.C. 5-14-3, 5-15-6, 20-33-10



Book	Policy Manual
Section	8000 Operations
Title	PUBLIC ACCESS TO EMPLOYEE CONTRACTS
Code	po8311
Status	Active
Adopted	December 9, 2014

### 8311 - PUBLIC ACCESS TO EMPLOYEE CONTRACTS

The contracts between the Board and its certificated employees are and always have been public records under I.C. 20-28-6-2(d) and the Indiana Access to Public Records Act, I.C. 5-14-3. This policy should promote a better understanding of these contracts.

Following Board approval of the Superintendent's employment contract, the Board shall direct that the provisions of that employment contract be posted on the Corporation's Internet website.

#### Administrator Contracts

The Superintendent shall post the provisions of each employment contract the Board has entered into with an administrator other than the Superintendent on the Corporation's Internet website. "Administrator" as used here means a certificated employee in a position outside the bargaining unit represented by a school employee organization in negotiations pursuant to I.C. 20-29-6.

#### Collective Bargaining Agreement with Teachers' Exclusive Representative

Not later than fourteen (14) business days after the Board and a school employee organization have reached an agreement on a contract pursuant to I.C. 20-29-6 and ratified the proposed agreement, the Board directs the Superintendent to post the ratified collective bargaining agreement on the Corporation's Internet website.

© Neola 2014

Legal	I.C. 20-26-5-4.3: Superintendent's contract
	I.C. 20-26-5-4.7: Administrator contracts
	I.C. 20-29-6-19: Collective bargaining agreement
	I.C. 5-3-1-1.5: Publication on newspaper website
	I.C. 5-3-1-2(a): Publication of notice of Superintendent's contract



Book	Policy Manual
Section	8000 Operations
Title	INFORMATION MANAGEMENT
Code	po8315
Status	Active
Adopted	October 9, 2018

### 8315 - INFORMATION MANAGEMENT

The School Board recognizes its responsibility, in certain circumstances, to maintain information created, maintained or otherwise stored by the School Corporation outside the "records retention schedule". In such situations, a litigation hold procedure will be utilized to identify and preserve information relevant to a specific matter. All paper documents and electronically stored information ("ESI") subject to a litigation hold shall be handled pursuant to the requirements in AG 8315. All information falling within a litigation hold, which is under the control of the Corporation, must be preserved in a readily accessible form and cannot be disposed of under the records retention and disposal procedures. Failure to comply with a litigation hold notice may result in disciplinary action, up to and including possible termination.

#### Definitions

"Documents" includes, but is not limited to, writings, drawings, graphs, charts, photographs, blueprints, sound recordings, images and other data or data compilations stored in any medium from which information can be obtained or translated if necessary.

"ESI" includes, but is not limited to, writings, drawings, graphs, charts, photographs, blueprints, sound recordings, images and other data or data compilations stored in any electronic media from which information can be obtained or translated if necessary. It includes, but is not limited to, e-mails, e-mail attachments, instant messages, word processing files, spreadsheets, pictures, application program and data files, databases, data files, metadata, system files, electronic calendar appointments, scheduling program files, TIFF files, PDF files, MPG files, JPG files, GIF files, network share files, internal websites, external websites, newsgroups, directories, security and access information, legacy data, audio recordings, voice mails, phone logs, faxes, Internet histories, caches, cookies or logs of activity on computer systems that may have been used to process or store electronic data.

"Electronic media" includes, but is not limited to, hard drives (including portable hard disk drives "HDD's"), floppy drives, disaster recovery media, and storage media (including DVD's, CD's, floppy discs, Zip discs/drives, Jazz discs/drives, USB memory drives, jump disc/drives, flash discs/drives, keychain discs/drives, thumb discs/drives, smart cards, micro-film, backup tapes, cassette tapes, cartridges, etc.), accessed, used and/or stored on/in/through the following locations: networks and servers; laptop and desktop work computers; home and personal computers; other computer systems; backup computers or servers; archives; wireless communication device as defined in Bylaw 0100; pagers; firewalls; audit trails and logs, printers; copiers; scanners; digital cameras; photographic devices; and video cameras and devices. Electronic media shall also include any item containing or maintaining ESI that is obtained by the Corporation for Board member or employee usage or that an employee uses for such purpose (even if privately owned by the Board member or employee) from the date this policy is adopted into the future.

#### Initiation and Removal of a "Litigation Hold"

The Board or the Superintendent may initiate a "litigation hold" under this policy. If the Superintendent initiates a "litigation hold," s/he or the Board's legal counsel will notify the Board of the reason the litigation hold was instituted and its scope. When implementing a litigation hold, the Board or Superintendent may utilize an Electronically Stored Information Team ("ESI Team"). The Board's legal counsel shall be involved in implementation of the litigation hold procedure outlined in AG 8315.

A litigation hold shall remain in place until removed by the Board. A litigation hold may be removed when the litigation or administrative agency matter has been resolved or can no longer be initiated. Any information maintained under this policy shall fall back under the "records retention schedule once the litigation hold is removed.

The Superintendent shall develop administrative guidelines outlining the procedures to be followed by Board members and employees when initiating and implementing a litigation hold. This policy and its related administrative guidelines shall be posted and distributed in the manner described in AG 8315.

© Neola 2018

Legal

Federal Rules of Civil Procedure 34, 37(f)

Indiana Rules of Trial Procedure 34



Book	Policy Manual
Section	8000 Operations
Title	PERSONNEL FILES
Code	po8320
Status	Active
Adopted	June 10, 2008

#### 8320 - **PERSONNEL FILES**

It is necessary for the orderly operation of the School Corporation to prepare a personal information system for the retention of appropriate files bearing upon an employee's duties and responsibilities to the Corporation and the Corporation's responsibilities to the employee.

The School Board requires that sufficient records exist to ensure an employee's qualifications for the job held, compliance with Federal, State, and local benefit programs, conformance with Corporation rules, and evidence of completed evaluations. Such records will be kept in compliance with the laws of the State of Indiana.

A social security number contained in the records of the school corporation (student or employee) may not be disclosed or released by the school corporation unless the record is specifically required by a State or a Federal Statute or is ordered by a court under the rules of discovery.

The Board delegates the maintenance of an employee personal information system to the Superintendent.

A single central file shall be maintained, and subsidiary records shall be maintained for ease in data gathering only.

A copy of each such entry shall be given to the employee upon request except for matters pertaining to pending litigation.

Personnel records shall be available to administrators in the performance of their responsibilities vis-a-vis an employee.

Only the public records portions of an employee's personnel file will be made available to a Board member except as specified in Bylaw 0143 - Board Member Authority.

The personnel files shall be reviewed annually and material no longer required shall be destroyed and no record shall be maintained of said destruction.

Personnel wishing to review their own records shall request access in writing; and/or sign a log attached to the file indicating date and person reviewing.

Personnel wishing to appeal material in their record as to its accuracy, completeness, relevance, or timeliness shall make a request in writing to the administrator delegated to maintain the records and specify therein:

- A. name and date;
- B. material to be appealed;
- C. reason for appeal.

The responsible administrator shall hear the appeal and make a determination within ninety (90) days of the appeal in accordance with law.

The Superintendent shall prepare administrative guidelines defining which personnel records are to be maintained.

Legal

I.C. 5-14-3, 5-14-3-4(a)(12)





Book	Policy Manual
Section	8000 Operations
Title	STUDENT RECORDS
Code	po8330
Status	Active
Adopted	January 9, 2001
Last Revised	December 13, 2022

### 8330 - **STUDENT RECORDS**

In order to provide appropriate educational services and programming, the School Board must collect, retain, and use information about individual students. Simultaneously, the Board recognizes the need to safeguard student's privacy and restrict access to student's personally identifiable information.

Student "personally identifiable information" ("PII") includes, but is not limited to: the student's name; the name of the student's parent or other family members; the address of the student or student's family; a personal identifier, such as the student's social security number, student number, or biometric record; other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name; other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or information requested by a person whom the School Corporation reasonably believes knows the identity of the student to whom the education record relates.

A social security number of a student contained in the records of the Corporation may be disclosed if the record is specifically required by a State or a Federal Statute or is ordered by a court under the rules of discovery.

PII concerning students shall be protected against theft, unauthorized access, alteration, disclosure, misuse, or invasion of privacy. Unless specifically authorized by the Superintendent or produced pursuant to a request under the Indiana Access to Public Records Act, PII concerning students shall not be left unprotected, shared or transferred from Corporation records to any place not within the control of the Corporation. This includes any laptop computer or portable storage medium.

The Board is responsible for maintaining records of all students attending schools in this Corporation. In addition to records mandated by the Federal Government, the State of Indiana requires that the Corporation record or include in the official high school transcript for each high school student the following information:

- A. attendance records
- B. the students' latest State-mandated testing results
- C. any secondary-level and postsecondary-level certificates of achievement earned by the student
- D. immunization information from the student's immunization record
- E. any dual credit courses taken that are included in the core transfer library under I.C. 21-42-5-4
- F. a functional workplace Spanish designation on the student's transcript if the student successfully completed a Spanish language course that meets the requirements of I.C. 20-32-4-12(b)

The Board also authorizes the collection of other student information including, but not limited to:

- A. observations and ratings of individual students by professional staff members acting within their sphere of competency;
- B. samples of student work;
- C. information obtained from professionally acceptable standard instruments of measurement such as:
  - 1. interest inventories and aptitude tests,
  - 2. vocational preference inventories,
  - 3. achievement tests,
  - 4. standardized intelligence tests,
- D. verified reports of serious or recurrent behavior patterns;
- E. rank in class and academic honors earned;
- F. psychological tests;
- G. custodial arrangements.

In all cases, permitted, narrative information in student records shall be objectively-based on the personal observation or knowledge of the originator.

Student records shall be available only to students and their parents, eligible students, designated school officials, and designated school personnel, who have a legitimate educational interest in the information, or to other individuals or organizations as permitted by law.

The term "parents" includes legal guardians or other persons standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child). The term "eligible student" includes any student who is eighteen (18) years of age or older, or who is enrolled in a postsecondary institution regardless of his/her age.

In situations in which a student has both a custodial and a noncustodial parent, both shall have access to the student's educational records unless stated otherwise by court order. In the case of an eligible student, that is a student who is eighteen (18) years of age or older, parents will be allowed access to the records without the student's consent, provided the student is considered a dependent under Section 152 of the Internal Revenue Code.

A "school official" is a person employed by the Board as an administrator, supervisor, teacher/instructor (including substitutes), school psychologist, therapist, or support staff member (including health or medical staff and law enforcement unit personnel); and a person serving on the Board. The Board further designates the following individuals and entities as "school officials" for purposes of FERPA:

- A. persons or companies with whom the Board has contracted to perform a specific task (such as an attorney, auditor, insurance representative, or medical consultant);
- B. school psychologists, whether employed by a special education cooperative, interlocal, joint services organization, or an outside contractor, for purposes of the referral, evaluation, and identification of students suspected to have a disability;
- C. contractors, consultants, volunteers or other parties to whom the Board has outsourced a service or function otherwise performed by Board employees (e.g. a therapist, authorized information technology (IT) staff, and approved online educational service providers).

The above-identified outside parties must (a) perform institutional services or functions for which the Board would otherwise use its employees, (b) be under the direct control of the Board with respect to the use and maintenance of education records, and (c) be subject to the requirements of 34 C.F.R. 99.33(a) governing the use and re-disclosure of PII from education records.

Finally, a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks (including volunteers) is also considered a "school official" for purposes of FERPA provided s/he meets the above-referenced criteria applicable to other outside parties. "Designated school personnel" may include but is not limited to employees or agents of an insurance carrier providing a defense to the Corporation or its employees or agents and Corporation legal counsel.

In the case of a health or safety emergency, "appropriate officials" include local or State law enforcement officials, Department of Child Services (DCS) officials, trained medical personnel, and school administrators whose knowledge of PII in a student's education records is necessary to protect the health or safety of students or other persons on Corporation property. The term "school

administrator" includes a principal, an assistant principal, a superintendent, and an assistant superintendent. The term "school administrator" also includes a director of special education or assistant director of special education.

"Legitimate educational interest" shall be defined as a "direct or delegated responsibility for helping the student achieve one (1) or more of the educational goals of the Corporation" or if the record is necessary in order for the designated school personnel official to perform an administrative, supervisory or instructional task for the Corporation or to perform a service or benefit for the student or the student's family or to provide a defense to the Corporation with respect to any of these tasks. The Board directs that reasonable and appropriate methods (including but not limited to physical and/or technological access controls) are utilized to control access to student records and to make certain that school officials obtain access to only those education records in which they have a legitimate educational interest.

The Board authorizes the administration to:

- A. forward student records including disciplinary records with respect to suspensions and expulsions upon request to a private or public school or school corporation in which a student of this Corporation seeks or intends to enroll, or is instructed to enroll, on a full-time or part-time basis, upon condition that:
    1. a reasonable attempt is made to notify the student's parent or eligible student of the transfer (unless the disclosure is initiated by the parent or eligible student; or the Board's annual notification – Form 8330 F9 - includes a notice that the Board will forward education records to other agencies or institutions that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer);
    2. the parent or eligible student, upon request, receives a copy of the record; and
    3. the parent or eligible student, upon request, has an opportunity for a hearing to challenge the content of the record;
  - B. forward student records, including disciplinary records with respect to suspensions and expulsions, upon request to a public school or school corporation in which a student in foster care is enrolled. Such records shall be transferred within one (1) school day of the enrolling school's request.
  - C. provide, disclose, or report on the education records of a student, including PII contained in the education records, without the consent of the student's parent or eligible student, to appropriate officials and the parents of an eligible student whose knowledge of the information is necessary to protect the health or safety of the student or other individuals if school administrators determine there is an articulable and significant threat to the health or safety of a student or other individuals, considering the totality of the circumstances;
- Information concerning any suspicious activity or potential criminal activity related to a child that is shared between a law enforcement officer and the Corporation or an appropriate official shall not be stored or maintained in any type of database.
- D. request each person or party requesting access to a student's record to abide by the Federal and State regulations concerning the disclosure of information to a third party;
  - E. report a crime committed by a child to appropriate authorities, and, with respect to reporting a crime committed by a student with a disability, to transmit copies of the student's special education and disciplinary records to the authorities for their consideration;
  - F. disclose personally identifiable information from education records, without consent, to organizations conducting studies "for, or on behalf of" the Corporation for purposes of developing, validating or administering predictive tests, administering student aid programs, or improving instruction;

Information disclosed under this exception must be protected so that students and parents cannot be personally identified by anyone other than representative(s) of the organization conducting the study, and must be destroyed when no longer needed for the study. In order to release information under this provision, the Corporation will enter into a written agreement with the recipient organization that specifies the purpose of the study. (See Form 8330 F14) Further, the following personally identifiable information will not be disclosed to any entity: a student or his/her family member's social security number(s); religion; political party affiliation; voting history; or biometric information.

While the disclosure of personally identifiable information (other than social security numbers, religion, political party affiliation, voting record, or biometric information) is allowed under this exception, it is recommended that de-identified information be used whenever possible. This reduces the risk of unauthorized disclosure.

- G. disclose personally identifiable information from education records without consent, to authorized representatives of the Comptroller General, the Attorney General, and the Secretary of Education, as well as state and local educational authorities;

The disclosed records must be used to audit or evaluate a federal- or state-supported education program or to enforce or comply with federal requirements related to those education programs. A written agreement between the parties is required under this exception (see Form 8330 F16).

The Corporation will verify that the authorized representative complies with FERPA regulations.

- H. disclose or report educational records to a State or local juvenile agency when the disclosure or reporting relates to the ability of the juvenile justice system to serve, before adjudication, the student whose records are being released; and the juvenile justice agency receiving the information certifies, in writing, that the agency or individual receiving the information has agreed not to disclose it to a third party, other than other juvenile justice agency, without the consent of the child's parent, guardian, or custodian.

A disclosure or reporting of educational records concerning a child who has been adjudicated as a delinquent child shall be treated as related to the ability of the juvenile justice system to serve the child before adjudication if the agency provides documentation to the Corporation that the agency seeks the information in order to identify and intervene with the child as a juvenile at risk of delinquency rather than to obtain information solely related to the supervision of the child as an adjudicated delinquent child.

The juvenile court may grant a school access to all or a portion of the juvenile court records of a child who is a student at the school if the Superintendent submits a written request establishing that the juvenile court records are necessary for the school to serve the educational needs of the child whose records are requested or to protect the safety or health of a student, an employee, or a volunteer at the school.

The school shall keep the records confidential. However, the confidentiality order does not prohibit the school from forwarding the juvenile records to another school or a person if a parent, guardian, or custodian of the child consents to the release of the juvenile court records to the person.

The Corporation will comply with a legitimate request for access to a student's records within a reasonable period of time but not more than forty-five (45) days after receiving the request or within such shorter period as may be applicable to students with disabilities. Upon the request of the viewer, a record shall be reproduced, unless said record is copyrighted, and the viewer may be charged a fee equivalent to the cost of handling and reproduction. Based upon reasonable requests, viewers of education records will receive explanation and interpretation of the records.

The Corporation shall maintain a record of those persons to whom information about a student has been disclosed. Such disclosure records will indicate the student, person viewing the record, information disclosed, date of disclosure and date parental/eligible student consent was obtained (if required).

Only "directory information" regarding a student shall be released to any person or party, other than the student or his/her parent, without the written consent of the parent; or, if the student is an eligible student, the written consent of the student, except those persons or parties stipulated by the Corporation's policy and administrative guidelines and/or those specified in the law.

## **DIRECTORY INFORMATION**

Each year, the Superintendent shall provide public notice to students and their parents of the Corporation's intent to make available, upon request, certain information known as "directory information". The Board designates as student "directory information": a student's name; age; photograph; major field of study; grade level; participation in officially recognized activities and sports; height and weight, if a member of an athletic team; type of diploma awarded; awards received; honor rolls; and scholarships.

Directory information shall not be provided to any organization for profit-making purposes. The Superintendent may allow access to a school campus or give students' directory information to organizations that make students aware of educational or occupational options.

In accordance with Federal law, the Board shall comply with FERPA when releasing students' information to a recruiting officer for any branch of the United States Armed Forces or an institution of higher education who requests such information.

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

Whenever consent of the parent(s)/eligible student is required for the inspection and/or release of a student's health or education records or for the release of directory information, either parent may provide such consent unless specifically stated otherwise by court order.

The Corporation may disclose "directory information" on former students without consent of the parent(s)/eligible student unless the parent or eligible student previously submitted a request that such information not be disclosed without their prior written consent.

## **Student Mental and Behavioral Health Services Records**

Student Mental and Behavioral Health Services (SMBHS) records are documents relating to mental health or behavioral health services provided to students by (1) a provider certified or licensed by the State to provide mental or behavioral health services who is contracted or employed by the Corporation or a special education cooperative of which the Corporation is a member or (2) a community mental health center established under State law with whom the Corporation or a special education cooperative of which the Corporation is a member has entered into a memorandum of understanding. SMBHS records include but are not limited to mental health records, reports, notes, diagnosis(es) and/or appointments relating to a student who was referred by Corporation officials to receive mental or behavioral health services pursuant to State law or under a memorandum of understanding between the Corporation and a community mental health center established under State law or a provider certified or licensed by the state to provide mental or behavioral health services to students. SMBHS records are to be considered medical records and are confidential. SMBHS records that include any reports, notes, diagnosis(es) or appointments that result from a student's participation in any treatment relating to mental or behavioral health services provided by a community mental health center or appropriate provider that is contracted and paid for by the Corporation or a special education cooperative of which the Corporation is a member shall not be maintained in a student's permanent educational file/cumulative file. SMBHS records kept by a provider employed or contracted by the Corporation or a special education cooperative of which the Corporation is a member shall be maintained in separate student folders in a secured file under the control of the provider. Sharing of any reports or notes resulting from a conference with the student and the student's parent to address the student's potential need for and benefit from mental or behavioral health services with other Corporation officials is strictly prohibited.

### **Disclosure of Lists of Students for Political or Commercial Purposes**

It is the policy of the Board not to release the lists of students for commercial or political purposes. This policy shall be equally applied to similarly situated organizations and persons. (I.C. 5-14-3-3(f))

### **Inspection of Information Collection Instrument**

The parent of a student or an eligible student has the right to inspect upon request any instrument used in the collection of personal information before the instrument is administered or distributed to a student. Personal information for this section is defined as individually identifiable information including a student or parent's first and last name, a home or other physical address (including street name and the name of the city or town), a telephone number, or a Social Security identification number. In order to review the instrument, the parent or eligible student must submit a written request to the building principal at least ten (10) business days before the scheduled date of the activity. The instrument will be provided to the parent or eligible student within ten (10) business days of the principal receiving the request.

The Superintendent shall directly notify the parent(s) of a student and eligible students, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when such activities are scheduled or expected to be scheduled.

This section does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:

- A. college or other postsecondary education recruitment, or military recruitment
- B. book clubs, magazines, and programs providing access to low-cost literary products
- C. curriculum and instructional materials used by elementary and secondary schools
- D. tests and assessments used by elementary and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments
- E. the sale by students of products or services to raise funds for school-related or education-related activities
- F. student recognition programs

The Superintendent shall prepare procedures to ensure that students and parents are adequately informed each year regarding their rights to:

- A. inspect and review the student's education records;
- B. request amendments if the record is inaccurate, misleading, or otherwise in violation of the student's privacy rights;

- C. consent to disclosures of personally identifiable information contained in the student's education records, except disclosures allowed without parental consent;
- D. challenge Board noncompliance with a parent's request to amend the records through a hearing;
- E. file a complaint of Corporation noncompliance with the United States Department of Education;
- F. obtain a copy of the Corporation's policy and administrative guidelines on student records.

The Superintendent also shall develop procedural guidelines for:

- A. the proper storage and retention of records including a list of the type and location of records;
- B. informing Corporation employees of the Federal and State laws concerning student records.

The Board authorizes the use of the microfilm process or electromagnetic processes of reproduction for the recording, filing, maintaining, and preserving of records.

No liability shall attach to any member, officer, or employee of this Corporation specifically as a consequence of permitting access or furnishing students' records in accordance with this policy and administrative guidelines.

Any entity receiving personally identifiable information pursuant to a study, audit, evaluation or enforcement/compliance activity must comply with all FERPA regulations. Further, such an entity must enter into a written contract with the Board delineating its responsibilities in safeguarding the disclosed information. Specifically, the entity must demonstrate the existence of a sound data security plan or data stewardship program, and must also provide assurances that the personally identifiable information will not be redisclosed without prior authorization from the Board. Further, the entity conducting the study, audit, evaluation, or enforcement/compliance activity is required to destroy the disclosed information once it is no longer needed or when the time frame for the activity has ended, as specified in its written agreement with the Board. See Form 8330 F14 and Form 8330 F16 for additional contract requirements.

#### **Address Confidentiality Program**

If a parent (or adult student) presents information to the Corporation certifying that the parent (or adult student), his/her child, or a member of the parent's household is a participant in the Address Confidentiality Program administered by the State Attorney General, the Corporation shall refrain from including the student's actual/confidential residential address in any student records or files (including electronic records and files) or disclosing the student's actual/confidential residential address when releasing student records. Because student records are available to non-custodial parents, designated school officials who have a legitimate educational interest in the information, and other individuals or organizations as permitted by law (including the public in some situations), the Corporation shall list only the address designated by the Attorney General's Office to serve as the student's address in any student records or files, including electronic records and files. Further, the Corporation shall use the student's designated address for any and all communications and correspondence between the Board or Corporation employees and the parent(s) of the student (or adult student). The student's actual/confidential residential address shall be maintained in a separate confidential file that is not accessible to the public or any employees without a legitimate purpose.

The intentional disclosure of the student's actual/confidential residential address is prohibited. Any violations could result in disciplinary action.

#### **Violation of this Policy**

As provided for by State law, an employee or agent of the Board:

- A. who knowingly or intentionally discloses information classified as confidential by State statute commits a Class A infraction;
- B. who intentionally, knowingly, or recklessly discloses or fails to protect information classified as confidential by this policy may be disciplined or terminated.

Additionally, State law provides that a person who recklessly, knowingly, or intentionally destroys or damages any public record commits a Level 6 felony unless the destruction is pursuant to a record retention scheduled adopted by the County Public Records Commission.

Revised 7/03

Revised 6/10/08

Revised 12/14/10

Revised 12/11/12

Revised 4/14/15

Revised 4/12/16  
Revised 4/11/17  
Revised 11/14/17  
Revised 4/10/18  
Revised 1/12/21  
T.C. 12/13/22

© Neola 2022

Legal

I.C. 5-14-3-3(f)  
I.C. 5-14-3-4(a)(3) and (12)  
I.C. 5-14-3-4(c)  
I.C. 5-14-3-10  
I.C. 5-15-6-8  
I.C. 20-32-4-12  
I.C. 20-33-2-13  
I.C. 20-33-7-1 et seq.  
I.C. 31-39-2-13.8  
511 I.A.C. 7-38-1 et seq.  
26 U.S.C. 152  
Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g  
Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq.  
20 U.S.C. 7165(b)  
20 U.S.C. 7908  
34 C.F.R. Part 99  
34 C.F.R. Part 300



Book	Policy Manual
Section	8000 Operations
Title	LETTER OF REFERENCE OR EMPLOYMENT REFERENCE
Code	po8340
Status	Active
Adopted	September 13, 2005
Last Revised	April 9, 2019

#### 8340 - LETTER OF REFERENCE OR EMPLOYMENT REFERENCE

##### **Letter of Reference:**

The School Board recognizes that an employee's request to an administrator for a letter of reference is an opportunity to share information about the staff member's performance with prospective employers. A current or former employee has no expectation that a letter of reference will be written upon request. The decision to comply with such a request shall be solely at the discretion of the administrator.

If an administrator opts to prepare such a letter, the Board expects that administrator to provide specific and truthful comments concerning the employee's actual performance that can be substantiated by the individual's personnel file.

##### **Employment Reference:**

Notwithstanding the preceding provision giving an administrator discretion to provide a letter of reference to a current or former employee, if another school makes a request for an employment reference for a current or former employee, in compliance with I.C. 20-26-5-11.5, the Administrator shall disclose to the requesting school any incident known by the School Corporation in which the employee committed an act resulting in a substantiated report of abuse or neglect under Indiana law.

In accordance with State law, an administrator who, in the scope of his/her employment, provides a letter of reference or employment reference is entitled to at least a qualified privilege for his/her statements provided such statements were made in good faith.

All Corporation employees, including but not limited to an administrator who prepares a letter of reference or provides an employment reference pursuant to this policy, are prohibited from assisting a Corporation employee, contractor or agent in obtaining a new job if s/he knows or has probable cause to believe that such Corporation employee, contractor or agent engaged in sexual misconduct regarding a minor or student in violation of State or Federal law. "Assisting" does not include the routine transmission of administrative and personnel files. The only exceptions permitted are those authorized by the Every Student Succeeds Act, such as where the matter has been investigated by law enforcement and the matter was officially closed due to lack of probable cause or where the individual was acquitted or otherwise exonerated of the alleged misconduct. No Corporation employee shall provide a letter of reference or an employment reference for any Corporation employee, former employee, contractor or agent if s/he knows or has probable cause to believe that such individual engaged in sexual misconduct regarding a minor or student in violation of State or Federal law.

Revised 4/11/17

© NEOLA 2018



Legal

I.C. 20-26-5-11.5

I.C. 22-5-3-1

20 U.S.C. 7926, Section 8546 of the Elementary and Secondary Education Act (ESEA) as amended by the Every Student Succeeds Act (ESSA)



Book	Policy Manual
Section	8000 Operations
Title	CONFIDENTIALITY
Code	po8350
Status	Active
Adopted	January 9, 2001
Last Revised	July 1, 2003

#### 8350 - **CONFIDENTIALITY**

It is the policy of the School Board that when the Corporation receives in trust from a public agency information identified as confidential (whether such information is confidential by the Indiana Code, Common Law, Privilege Case Law or Federal Law), the Board will maintain the confidentiality of said information to the maximum extent permitted by the law.

This policy applies **only** to identified confidential information received from a public agency. However, under the Family Educational Rights and Privacy Act, anything that is made part of the student's records will be sent to a receiving School Corporation with notice to the parent.

In order to prohibit the unauthorized disclosure of information identified as confidential by the sending public agency, the Board may seek to obtain court protection by:

- A. denying requests for release of such information absent subpoena or court order;
- B. pursuing motions to quash or protective orders to prohibit unauthorized disclosure.

When possible, the Board will attempt to notify the sending public agency of the request for release of such information prior to complying with the request.

Legal	20 U.S.C., Section 1232g, 34 C.F.R. 99
-------	--



Book	Policy Manual
Section	8000 Operations
Title	AUTHORIZATION FOR AUDIO, VIDEO, AND DIGITAL RECORDING
Code	po8355
Status	Active
Adopted	November 14, 2017

#### **8355 - AUTHORIZATION FOR AUDIO, VIDEO, AND DIGITAL RECORDING**

The School Board believes that the education of children is a joint responsibility, one it shares with the parents and other members of the school community. The Board realizes it has the responsibility of protecting the rights of students in keeping and sharing student records and maintaining the confidentiality of personally identifiable student information under the Family Educational Rights and Privacy Act and State law.

Any person wishing to make any audio, video or digital recording or other recording by electronic means on school premises, with the exceptions listed below, shall obtain the permission of the Superintendent and the Building Principal prior to any recording.

#### **Exceptions:**

Any audio, video or digital recording authorized pursuant to Board Policy 2410 Audio, Video, and Digital Recording of Meetings is not subject to additional authorization requirements under this policy.

The requirements of this policy shall not be interpreted to conflict with the provisions of Policy 5136 - Personal Communication Devices as it pertains to recordings. Nor shall the requirements of this policy be interpreted to extend to school-sponsored public events, where there can be no expectation of privacy. A school-sponsored public event is any school-related activity, whether free or at which an admission fee is charged, that members of the public may attend. These include but are not limited to athletic competition, plays, musical performances, awards ceremonies, and graduation. See Policy 9160 - Public Attendance at School Events for additional information about restrictions on recording at such events.

© Neola 2017

Legal I.C. 20-33-7  
Family Educational Rights and Privacy Act, 20 U.S.C. 1232g and 34 C.F.R. Part 99



Book	Policy Manual
Section	8000 Operations
Title	ANIMALS ON SCHOOL CORPORATION PROPERTY
Code	po8390
Status	Active
Adopted	November 12, 2013
Last Revised	April 13, 2021

## 8390 - ANIMALS ON SCHOOL CORPORATION PROPERTY

### Introduction

The School Board recognizes that there are many occasions when animals are present on School Corporation property and many reasons for those animals' presence. Animals are commonly utilized by teachers during classroom presentations and are often housed in classrooms and other locations on campus. Additionally, employees, students, parents/guardians, vendors, and other members of the public may be accompanied at school by a service animal in accordance with Federal and Indiana law and this policy.

This policy shall apply to all animals on Corporation property, including service animals and therapy dogs.

### Definitions

A. **Animal** shall be held to include every living creature other than a plant or a human.

B. **Service animal** as used in this policy has the meaning of the term in I.C. 16-32-3-1.5 and means an animal trained and providing services constituting a reasonable accommodation to a person with a disability. The term includes but is not limited to:

1. a hearing animal;
2. a guide animal;
3. an assistance animal;
4. a seizure alert animal;
5. a mobility animal;
6. a psychiatric service animal; or
7. an autism service animal.

For purposes of the administration of this policy, note that while some Federal regulations limit the scope of the term "service animal" to a dog or miniature horse, Indiana law establishes the broader definition set out above.

C. **"Therapy Dog"**: Therapy dogs are dogs who go with their owners to volunteer in settings such as schools, hospitals, and nursing homes for the purpose of providing affection and comfort to aid in a particular purpose, such as healing or learning. A therapy dog in a school setting serves the function of assisting students in the learning process while providing comfort and affection to specific students or to a group of students. Therapy dogs are not service dogs and do not have the same special access as service dogs. (source: American Kennel Club/AKC)

### Vaccination, Licensing and/or Veterinary Requirements

Animals admitted or housed on Corporation property or brought on Corporation property for any school purpose, such as to conduct random searches for illegal substances or to support classroom activities, or brought onto Corporation property on a regular basis for any purpose, including service animals and therapy dogs, must meet every veterinary health and inoculation requirement set forth in State law and local regulation or ordinance, including but not limited to a current rabies vaccination.

### **Non-Service Animals in Schools and Elsewhere on Corporation Property**

Animals permitted in schools and elsewhere on Corporation property shall be limited to those necessary to support specific curriculum-related projects and activities, those that provide assistance to a student or staff member due to a disability (e.g., seizure disorder), those that provide a reasonable accommodation to a student in accordance with an Individualized Education Program or a Section 504 Plan, or those that serve as service animals as required by Federal and State law.

A non-service animal that is poisonous, a bite risk, or is otherwise dangerous to persons shall be housed and maintained in a manner so as to eliminate a risk of injury to a person. The risk of injury shall take into account that a student may not follow safety directives established for the handling of the non-service animal. This evaluation may result in a decision that despite the educational value of the non-service animal's presence, the educational value does not outweigh the risk of injury to a person.

Taking into consideration that some animals can cause or exacerbate allergic reactions, spread bacterial infections, or cause damage and create a hazard if they escape from confinement, the principal may permit animals other than service animals to be present in a Corporation school to support curriculum-related projects and activities only under the following conditions:

**A. The staff member seeking approval to have a non-service animal in his/her classroom shall:**

1. provide a current satisfactory health certificate or report of examination from a veterinarian for the animal;
2. take precautions deemed necessary to protect the health and safety of students and other staff;
3. ensure that the animal is treated humanely, keeping it in a healthy condition and in appropriate housing (e.g., a cage or tank) that is properly cleaned and maintained; and
4. keep the surrounding areas in a clean and sanitary condition at all times.

**B. Other staff members and parents/guardians of students in areas potentially affected by animals have been notified in writing and adjustments have been made to accommodate verified health-related or other concerns.**

Except where required by law, the presence of a non-service animal shall be disallowed if documented health concerns of a student or staff member cannot be accommodated.

### **Therapy Dogs**

Therapy dogs are the personal property of the handler and are specially trained to help all students in the assigned classroom, program, or school. Authorization for a therapy dog to be on Corporation grounds may be granted by the building principal provided the following conditions are met each year:

- A. Documentation of certification as a therapy dog from the AKC, Intermountain Therapy Animals (R.E.A.D.), Alliance of Therapy Dogs, Bright and Beautiful Therapy Dogs, Love on a Leash, Pet Partners, Therapy Dogs International, or another certification program recognized by the AKC.
- B. Documentation of an educational purpose for the therapy dog and a regular appraisal period for continuation.
- C. Documentation that the therapy dog is not younger than one (1) year-old and is properly licensed according to local requirements.
- D. Documentation from a licensed veterinarian that the therapy dog is current on its vaccinations and immunizations, is free of fleas and ticks, is in good health, is housebroken, and does not pose a danger to the well-being of students or staff.
- E. Documentation of an insurance policy that provides liability insurance for the therapy dog while on Corporation grounds.
- F. Documentation that the handler has completed a background check consistent with Board policy and is prepared to be solely responsible for the therapy dog, its care, cleaning, feeding, and cleanup while on Corporation grounds.
- G. Agreement that the therapy dog and handler will abide by school rules and any specific rules for the therapy dog's presence on Corporation grounds.

Authorization for a therapy dog to be on Corporation grounds will be suspended if the therapy dog is the source of an allergic reaction, causes discomfort or distress of a student or staff member, shows aggression or disruptive behavior, relieves itself inappropriately, or otherwise interferes with the learning environment. Reinstatement of authorization for the therapy dog to be on Corporation grounds requires approval by the Superintendent. Authorization for a therapy dog to be on Corporation grounds may be withdrawn at any time by the Superintendent.

### **Humane Treatment of Animals**

Animals kept on school premises shall be treated humanely and shall not be subjected to cruel treatment or housed in unsanitary or unnecessarily restrictive conditions. For purposes of this provision, "humanely" includes the provision of adequate food and fresh water, and the term "animal" means a sentient creature capable of assessing and responding to its environment.

### **Service Animals for Students**

A service animal is permitted to accompany a student with a disability to whom the animal is assigned anywhere on the school campus where students are permitted to be.

A service animal is the personal property of the student and/or parents/guardians. The Board does not assume responsibility for training, daily care, healthcare, or supervision of a student's service animal unless the provision of a service animal is required for a student to receive a free appropriate public education ("FAPE"), in which case the Corporation's obligation must be stated in the student's IEP or Section 504 Plan. By admitting a service animal to Corporation property, the Board does not assume responsibility for personal injury or property damage arising out of or relating to the presence or use of service animals on Corporation property or at Corporation-sponsored events.

A service animal that meets the definition set forth in this policy shall be under the control of the student with a disability or a separate handler if the student is unable to control the animal. A service animal shall have a harness, leash, or other tether, unless either the student with a disability is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the student's control (e.g., voice control, signals, or other effective means), or under the control of a handler other than the student.

If the student with a disability is unable to control the service animal and another person serves as the animal's handler, that individual shall be treated as a volunteer and, as such, will be subject to Board Policy 8120.

The principal will be responsible for reviewing and determining whether the required documentation has been provided for the student's service animal. Services to a student shall not be suspended or withheld pending receipt of the requisite documentation for the service animal until the student or a parent/guardian has been given a reasonable period of time to submit any required documentation.

### **Removing and/or Excluding a Student's Service Animal**

If a service animal demonstrates that it is not under the control of the student or its handler, the principal is responsible for documenting such behavior and for determining if and when the service animal is to be removed and/or excluded from school property.

Similarly, if a service animal has demonstrated that it is not housebroken, the principal is responsible for documenting such behavior and for determining whether the service animal is to be removed and/or excluded from school property.

The principal or administrator responsible for the Corporation facility shall notify the Superintendent and/or Assistant Superintendent by e-mail if a service animal has been removed and/or excluded and shall document the reasons for the removal or exclusion.

The principal's decision to remove and/or exclude a service animal from school property may be appealed in accordance with Policy 2260 - Nondiscrimination and Access to Equal Educational Opportunity and the complaint procedure set forth in Policy 2260 - Nondiscrimination and Access to Equal Educational Opportunity.

The procedures that are set forth in Policy 2260 - Nondiscrimination and Access to Equal Educational Opportunity shall not preclude a student and his/her parent/guardian from pursuing a complaint with the United States Department of Education's Office for Civil Rights, the United States Department of Justice, the Indiana Department of Education, or the Indiana Civil Rights Commission.

### **Eligibility of a Student's Service Animal for Transportation**

A student with a disability shall be permitted to access Corporation transportation with his/her service animal. There also may be a need for the service animal's handler, if the handler is someone other than the student, to access Corporation transportation.

When a service animal is going to ride on a school bus owned or leased by the Corporation, the student and his/her parents/guardians, or eligible student, and the handler, if s/he is someone other than the student, shall meet with the principal and/or Transportation Supervisor to discuss critical commands needed for daily interaction and emergency/evacuation, and to determine whether the service animal should be secured on the bus/vehicle with a leash, tether or harness.

At the discretion of the principal or Transportation Supervisor, an orientation will take place for students and staff who will be riding the bus/vehicle with the service animal regarding the service animal's functions and how students should interact with the service animal.

The service animal shall board the bus by the steps with the student, not a lift unless the student uses the lift to enter and exit the bus. The service animal must participate in bus evacuation drills with the student.

While the bus/vehicle is in motion, the service animal shall remain positioned on the floor, at the student's feet.

Situations that would cause cessation of transportation privileges for the service animal include:

- A. the student, or handler, is not able to control the service animal's behavior, which poses a threat to the health or safety of others; or
- B. the service animal urinates or defecates on the bus.

Prior to the first day of transportation, an eligible student (i.e., one who has reached the age of eighteen (18) and has not had a guardian appointed) or his/her parents/guardians shall be informed in writing of the types of service animal behaviors that could result in cessation of transportation privileges for the service animal.

If it is necessary to suspend transportation privileges for the service animal for any of the above reasons, the decision may be appealed to the Transportation Supervisor and Superintendent.

Although transportation may be suspended for the service animal, it remains the Corporation's responsibility to transport the student. Furthermore, unless the behavior that resulted in the service animal's removal from the bus/vehicle is also documented during the school day, the service animal still may accompany the student in school.

### **Service Animals for Employees**

In accordance with Policy 1623, Policy 3123, and Policy 4123 - Section 504/ADA Prohibition Against Disability Discrimination in Employment, the Corporation provides qualified individuals with disabilities with reasonable accommodation(s). An employee with a disability may request authorization to use a service animal while on duty as such an accommodation. The request will be handled in accordance with the interactive process mandated by the Americans with Disabilities Act.

### **Food Service Employees**

Food service employees who use a service animal shall be required to comply with the standards applicable to food preparation and food service set out in FDA Food Code Section 2-403.11. Failure to comply with these requirements represents a direct threat to the health of others. This provision prohibits handling of animals by employees engaged in food preparation or service but allows employees to use service animals if certain specific conditions are met. Section 6-501.115 states that service animals may be permitted in food consumption areas not used for food preparation. Food service employees may handle their service animals if, after handling a service animal, the employee washes his/her hands for at least twenty (20) seconds using soap, water, and vigorous friction on surfaces of the hands, followed by rinsing and drying as per Section 2-301.12.

Employees of vendors shall be accommodated as employees of the Corporation as long as this accommodation does not cause undue hardship for the Corporation or a direct threat to the health or safety of employees or others.

### **Service Animals for Parents/Guardians, Vendors, Visitors, and Others**

Individuals with disabilities who are accompanied by a service animal are permitted access to all areas of the Corporation's facilities where members of the public, as participants in services, programs, or activities, as vendors, or as invitees, are permitted to go. Individuals who will access any area of the Corporation's facilities with their service animal will accompany them during their visit.

An individual with a disability who attends a school event will be permitted to be accompanied by his/her service animal in accordance with Policy 9160 - Public Attendance at School Events.

Revised 11/10/15

© Neola 2020

Legal

I.C. 16-32-3: Rights of Blind and Other Physically Disabled Persons

28 C.F.R. Part 35: Justice Department Regulations for Nondiscrimination on the Basis of Disability in State and Local Government Services

29 U.S.C. 794

29 C.F.R. 1630: EEOC Regulations Implementing the ADA as amended

34 C.F.R. Part 104: Regulations Implementing Section 504 of the Rehabilitation Act

34 C.F.R. Part 300: Individuals with Disabilities Education Act (IDEA) Regulations





Book	Policy Manual
Section	8000 Operations
Title	SCHOOL SAFETY
Code	po8400
Status	Active
Adopted	June 10, 2008
Last Revised	April 13, 2021

#### 8400 - **SCHOOL SAFETY**

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

Each *Safe School Committee* may include at least one (1) member who is a member of the school or Corporation career and technical education school.

The *Safe School Committee* shall be responsible for developing a plan that addresses the following issues:

- A. Unsafe conditions, crime prevention, school violence, bullying, criminal organization activity, child abuse and child sexual abuse, and other issues that prevent the maintenance of safe schools.

Accordingly, the school safety plan developed by the school safety specialist with the assistance of the school resource officer 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. local law enforcement agencies;

- E. the local Fire Marshal(s) or his/her designee(s);
- F. local emergency medical services;
- G. a member of the Board;
- H. building administrators;
- I. the local emergency management service agency.

The Superintendent shall recommend the approval and adoption of each school's plan.

#### **Safe School Committee's Duty To Implement the Safe and Drug-Free Schools and Communities Act**

The *Safe School Committee* is responsible for implementing the Safe and Drug-Free Schools and Communities Act. To ensure that the Corporation remains compliant with Federal law, the *Safe School Committee* shall:

- A. develop a drug-free school plan that:
  - 1. requires each school to collect and report drug-related activities in the school, including suspensions, expulsions, exclusions, police actions, or any other type of drug-related behavior; and
  - 2. addresses ways to eliminate illegal drugs and drug-related behavior in schools;
- B. oversee the implementation of the school plan;
- C. oversee the implementation of the curriculum under I.C. 20-30-5-11 concerning the effects that alcoholic beverages, tobacco, prescription drugs, and controlled substances have on the human body and society at large.

To apply annually for matching grant funds from the Indiana secured school fund, the Corporation shall certify to the Department of Homeland Security that it has:

- A. conducted a threat assessment for each school building it uses; and
- B. a memorandum of understanding (MOU) in place with a community mental health center established under State law or a provider certified or licensed by the State to provide mental or behavioral health services to students.

#### **School Safety Specialist**

The Corporation shall designate an individual to serve as the school safety specialist for the Corporation. The school safety specialist shall be chosen by the Superintendent with the approval of the Board. The school safety specialist shall perform the following duties:

- A. Serve on the county school safety commission, if a county school safety commission is established under I.C. 5-2-10.1-10.
- B. Participate each year in a number of days of school safety training that the council determines.
- C. With the assistance of the county school safety commission, if a county school safety commission is established under I.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. 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.

Beginning in the 2020-2021 school year and each school year thereafter and subject to either:

- A. an appropriation by the general assembly; or
- B. the Corporation receiving sufficient bleeding control kits for each school in the Corporation from:
  1. donations from individuals or entities; or
  2. gifts necessary to purchase the bleeding control kits;

The Corporation shall develop and implement a Stop the Bleed program that meets the requirements set forth in I.C. 20-34-3-24(c), namely:

- A. requires bleeding control kits be assigned to designated rooms in easily accessible locations to be determined by local first responders or the school safety specialist;
- B. includes bleeding control kits in the emergency plans of the school corporation or charter school, including the presentation and use of the bleeding control kits in all drills and emergencies;
- C. provides that all Corporation schools have a minimum of five (5) individuals in each school building who obtain appropriate training in the use of the bleeding control kit, including:
  1. the proper application of pressure to stop bleeding;
  2. the application of dressings or bandages;
  3. additional pressure techniques to control bleeding; and
  4. the correct application of tourniquets;

- D. requires bleeding control kits in school inventories to be inspected annually to ensure that the materials, supplies, and equipment contained in the bleeding control kits are not expired, and that any expired materials, supplies, and equipment are replaced as necessary; and
- E. requires a bleeding control kit to be restocked after each use and any materials, supplies, and equipment to be replaced as necessary to ensure that the bleeding control kit contains all necessary materials, supplies, and equipment.

The Corporation's Stop the Bleed program must include each school in the Corporation.

The Corporation may request direction to resources that are available to provide bleeding control kits to the Corporation from the Department of Homeland Security and/or the State Department of Education.

### **School Resource Officers**

"School resource officer" means an individual who:

- A. has completed the training described below;
- B. is assigned to one (1) or more school corporations or charter schools 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:
    - 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 appointing law enforcement agency; and
    - d. may be removed by the sheriff or 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

Before being appointed as a school resource officer, an individual must have:

- A. successfully completed the minimum training requirements established for law enforcement officers under I.C. 5-2-1-9; and
- B. received at least forty (40) hours of school resource officer training through:
  - 1. the Indiana law enforcement training board established by I.C. 5-2-1-3;
  - 2. the National Association of School Resource Officers; or
  - 3. another school resource officer training program approved by the Indiana law enforcement training board.

The 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 the school corporation or school corporations or the charter school or charter schools;
- B. by one (1) or more school corporations or charter schools;
- C. by a local law enforcement agency that assigns the school resource officer to 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 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 the school corporation or school corporations or the charter school or charter schools.

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 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* 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* 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.

### **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:

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

- A. is a law enforcement officer (as defined in I.C. 5-2-1-2(1));
- B. must take an appropriate oath of office in a form and manner prescribed by the Board;
- C. serves at the Board's pleasure; and
- D. 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.

Revised 4/11/17

Revised 5/12/20

© Neola 2020

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. 20-26-18.2-2

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)





Book	Policy Manual
Section	8000 Operations
Title	ENVIRONMENTAL HEALTH AND SAFETY ISSUES - INDOOR AIR QUALITY, ANIMALS IN THE CLASSROOM, AND IDLING VEHICLES ON SCHOOL PROPERTY
Code	po8405
Status	Active
Adopted	September 13, 2005
Last Revised	April 13, 2021

#### **8405 - ENVIRONMENTAL HEALTH AND SAFETY ISSUES - INDOOR AIR QUALITY, ANIMALS IN THE CLASSROOM, AND IDLING VEHICLES ON SCHOOL PROPERTY**

The School Board recognizes its responsibility relative to student, employee, and visitor health and safety, and the need for development of a comprehensive program designed to provide a healthy, safe, and secure environment on Corporation property and at Corporation-sponsored activities. To achieve this, it is the intent of the Board that the Corporation will avail itself of the most current, proven technologies in the fields of health, safety, and environmental sciences.

#### **STUDENT, EMPLOYEE, AND VISITOR HEALTH AND SAFETY**

The Corporation shall develop and implement an environmental health and safety program that is positive, proactive, integrates responsibilities within the Corporation, and promotes and incorporates the following:

- A. Procedures describing a hazard identification and abatement program that requires the periodic inspection of Corporation facilities, the implementation of immediate and programmed corrective actions when deemed necessary by such inspections, and the development of a corporation-wide hazard reporting procedure that enables employee/stakeholder participation. This program should also provide procedures for identifying and responding to hazards that are created by outside entities, inspecting activities of contractors, and inspecting new facilities to determine whether or not appropriate requirements for environmental health and safety have been met.
- B. Procedures that promote environmental health and safety awareness among employees, students, and stakeholders. These procedures shall include, but not be limited to, the establishment of school and Corporation safe school committees, and the establishment of a program of regular communication with students, employees, and stakeholders about pertinent safety and health issues through available mediums in the Corporation.
- C. Procedures directed toward the safety and health of students during transportation to and from school, at school, and during participation in school-related activities. These procedures shall include, but not be limited to, promoting bus safety for students, assessing the safety of school traffic patterns, operating school clinics, administering medication and medical treatment, promoting laboratory and shop safety, promoting safety in sports and other outdoor activities, inspecting playground equipment and promoting safety on playgrounds, and assessing environmental exposure.
- D. Procedures related to Corporation employee health and safety issues that include, but are not limited to, provision of work areas free from recognized hazards and OSHA-related programs that are required by Federal and State law, such as, employee safety and health training and training in hazard recognition, and defining employer and employee responsibilities and expectations related to health and safety.
- E. Procedures describing an accident reporting and investigation system that provides for identification of root causes, determination of remedial and programmed corrective actions, and provides communication about accidents to employees and stakeholders.

F. Procedures that detail plans for foreseeable emergencies and fire prevention.

## **ANIMALS IN CLASSROOMS**

Live animals shall be allowed in the classroom for educational purposes with the prior approval of the principal. No live animal will be allowed in the classroom longer than a semester.

Animals brought into a classroom must be humanely and properly housed in cages or leashed. Animals brought into the classroom must be known to be in good health. Animals that are poisonous, venomous, or dangerous will not be allowed in the classroom.

When bringing an animal into the classroom, considerations must be given to students or staff who may be allergic to the animal. In advance of the animal being brought to school, a notification will be sent home with the students in that class informing parents of the type of animal that will be coming into the classroom. Parents will have an opportunity to notify the teacher or the principal if their child is allergic to the animal. If a parent responds about a concern regarding a possible allergic reaction to the animal, the principal and teacher shall discuss options that may be considered. The name of the student with the allergy shall remain confidential.

If after an animal is brought to class and school officials become aware that an individual did have an allergic reaction, the school shall resolve the issue and provide the necessary cleaning of all surfaces in the classroom to remove the allergen.

The care of an animal is the responsibility of the teacher. Cages and aquariums shall be cleaned by the teacher, and/or student (s) who are under the direct supervision of the teacher with parent permission. . Animal waste and materials from the cages shall be bagged and disposed of in a proper manner in a proper outside trash container. Wastewater from an aquarium may be disposed of by flushing it down a toilet or any sink where food is not prepared. For animals staying in the classroom for longer than that day, it is the teacher's responsibility to provide care over the weekends and during vacations.

Under the teacher's supervision, students may handle the animal in the classroom after being given instruction on proper handling techniques for handling the animal, as well as proper hand washing techniques after handling the animal. When appropriate, students may feed the animal under the supervision of the teacher.

Live animal presentations and assemblies under the supervision and control of a trained professional may at times have more unique animals and may not be allowed in the classrooms. These presentations are allowed in accordance with the provisions of this policy.

Exceptions to this policy are service animals and fish in an aquarium provided the fish are of a reasonable size and quantity.

Owners of pets and service animals brought on school property are liable for any harm or injury caused by the animal to other students, staff, visitors, and/or property.

## **INDOOR AIR QUALITY (IAQ)**

The Superintendent shall appoint a person to serve as the Indoor Air Quality (IAQ) Coordinator for the school corporation. The IAQ Coordinator shall serve as the lead contact person for matters related to indoor air quality in the facilities operated by the School Corporation. The IAQ Coordinator contact information shall be available to all students, parents, employees, and visitors by publishing the information on the school corporation's website and in school handbooks. The school corporation shall also notify the Indiana State Department of Health (ISDH) of the IAQ Coordinator's name and contact information.

Each school facility is to meet criteria established by the ISDH. During inspections by the ISDH, the inspector will investigate any condition that is or could be contributing to poor air quality including but not limited to the following: carbon dioxide levels, humidity, evidence of mold or water damage, and excess dust.

Criteria established by the ISDH are as follows:

- A. Carbon dioxide levels shall never exceed 700 ppm over the outdoor carbon dioxide concentration.
- B. Outdoor air shall be supplied to classrooms when occupied.
- C. Heating facilities shall be capable of and operated during periods of student occupancy to maintain a temperature not less than sixty-eight (68) degrees Fahrenheit in all instructional rooms, offices, locker rooms, and cafeteria; sixty-five (65) degrees Fahrenheit in activity rooms and shops; and sixty (60) degrees Fahrenheit in interior toilet rooms.
- D. When air conditioning is being provided, the system shall be capable of providing and operating during times of student occupancy to maintain a temperature not to exceed seventy-eight (78) degrees Fahrenheit and sixty-five percent (65%) relative humidity.

E. The school corporation shall establish and maintain a written procedure for routine maintenance of the heating, ventilating and air conditioning system (HVAC). This procedure shall include the following items:

1. a schedule for inspecting the HVAC system, including annual inspection
2. ensuring that all supply and return air pathways in the HVAC system are unobstructed and perform as required
3. a schedule for cleaning the HVAC coils at least annually
4. a schedule for inspecting and changing filters

This written procedure for routine maintenance, as well as a log verifying the maintenance, was completed in a timely manner including the logging of cleaning and filter changes of the HVAC system, shall be made available for the State inspector's review and maintained for a minimum of three (3) years.

The Corporation shall comply with the ISDH's manual of best practices for managing indoor air quality at schools, including but not limited to the recommendations for radon testing.

The Board recognizes that excessive moisture levels within the schools can lead to conditions that are optimum for the development of biological contaminants, such as mold and fungi on building surfaces. The Board further recognizes that the presence of these contaminants can be harmful on contact with respiratory tissue.

Contributing factors to excessive moisture levels include the following:

- A. roof leaks
- B. structural defects in the building
- C. improperly controlled humidity levels
- D. faulty HVAC systems

As preventative measures, the Corporation shall do the following:

- A. address prevention of water intrusion as a priority IAQ issue and implement strategies toward its elimination

When a water leak or intrusion is discovered, corrective action shall be taken within forty-eight (48) hours.

- B. maintain environmental conditions in occupied areas that are in compliance with applicable regulations and strive to conform to consensus industry standards
- C. implement a preventative maintenance program for HVAC systems which shall include, but not limited to, periodic filter replacement, inspection, cleaning and disinfecting processes, and procedures to eliminate the contribution to indoor air quality problems caused by this equipment
- D. implement a system for insuring materials used and purchased for use in the construction, furnishing and maintenance, including cleaning of facilities, do not contribute to health hazards to employees and students by degrading the quality of indoor air

In addition, activities that create indoor air quality health hazards shall not be permitted.

- E. when mold or mold-contaminated material is discovered, corrective action shall be taken within forty-eight (48) hours

Further, the school corporation shall endeavor to reduce irritants by not allowing the use of ozone generators sold as air purifiers while students are present in the classroom. Scented candles and air fresheners are not be used in the classrooms.

In addition, the Superintendent shall develop administrative guidelines for the proper monitoring of the factors that contribute to excessive moisture and for the development of mitigation plans when, and if, problems with IAQ are identified.

#### **SCHOOL BUS AND OTHER VEHICLE IDLING**

In accordance with the Indiana State Department of Health regulations, the Board endeavors to limit vehicle emissions that may be introduced into school facilities harming the indoor air quality.

The Corporation shall determine areas where idling is prohibited and post signs.

Drivers of all public and private vehicles are to turn off the engine if the vehicle is to be stopped for more than five (5) minutes in locations where the vehicle exhaust may be drawn into the building or while on school grounds. See Policy 8615 and AG 8615.

The staff will be informed of this policy at the start of each school year. Parents and students will be informed of this policy at the start of each school year at annual orientations or through student/parent handbooks.

### **POLLUTION CONTROL AND PREVENTION**

In an effort to comply with environmental policy and applicable regulations, the Corporation shall develop and implement procedures designed to prevent air and water pollution, minimize or eliminate waste streams where possible, and identify possible sources of air and water pollution.

### **DRINKING WATER TESTING**

The Superintendent is responsible for implementing the appropriate testing of drinking water in all school buildings in the Corporation prior to January 1, 2023. The Superintendent must test the water to determine whether the drinking water equals or exceeds the action level for lead established in the Code of Federal Regulations of fifteen (15) parts per billion or fifteen one-thousandths (.015) milligram of lead per liter of water. The Superintendent may satisfy the requirement for testing the drinking water in a school building if the drinking water in the school building:

- A. was tested during the lead sampling program for school buildings conducted by the Indiana finance authority in 2017 and 2018;
- B. is tested in the lead sampling program for school buildings and child care facilities conducted by the Indiana finance authority in 2019 and 2020; or
- C. otherwise has been tested for compliance with the federal standards set forth above since calendar year 2016.

Any system exceeding the action level for lead shall implement all applicable source water treatment requirements established by the State of Indiana and pursuant to the Code of Federal Regulations necessary to reduce the lead level to below the action level for lead set forth above. After the implementation of applicable corrosion control and source water treatment requirements have been met, any system exceeding the lead action level shall complete a lead service line replacement. The Superintendent must provide a notice of lead tap water monitoring results to all students, staff, community members who are serving at the school sites that have been tested. If a system exceeds the lead action level, the Superintendent shall implement the public education requirements. The results of the treatment provisions shall be reported to the State of Indiana. The Corporation shall maintain records of the program in accordance with the Code of Federal Regulations.

The Superintendent shall seek any State and Federal grant money available for lead sampling or testing, including any money available under the lead sampling program for school buildings and child care facilities conducted by the Indiana finance authority.

### **SEE ALSO THE FOLLOWING RELATED POLICIES:**

Policy 8420 - Emergency Evacuation of Schools  
Policy 8431 - Chemical Management and Preparedness for Toxic or Asbestos Hazard  
Policy 8432 - Pest Control and Use of Pesticides  
Policy 8442 - Reporting Accidents  
Policy 8450 - Control of Casual-Contact Communicable Diseases  
Policy 8453 - Control of Noncasual-Contact Communicable Diseases  
Policy 8453.01 - Control of Blood-Borne Pathogens  
Policy 8615 - Idling School Buses and Other Idling Vehicles on School Property

Revised 4/11/17  
Revised 5/12/20

© Neola 2020

Legal                      Indiana Department of Health Model Policies  
                                 I.C. 16-19-3-5, 16-41-37.5  
                                 410 IAC 33-4-1 through 8



Book	Policy Manual
Section	8000 Operations
Title	DELEGATION FOR CONTINUED SCHOOL FUNCTIONING
Code	po8415
Status	Active
Adopted	January 12, 2021

#### 8415 - **DELEGATION FOR CONTINUED SCHOOL FUNCTIONING**

The Superintendent and/or his/her designee are hereby authorized, empowered, and directed, to take any and all action as such person deems necessary or desirable as provided in the attached Emergency Delegation for Continued School Functioning Policy and that is otherwise permitted by law to the governing body and/or the administration to ensure the safety and well-being of our school community for the remainder of the current school term or until the national emergency has ended, whichever concludes first, without further action by this governing body. The governing body hereby designates the Board President, and/or the Vice President, to approve claims for payment presented by the Superintendent. The Board shall allow those claims at its first meeting after the Public Health Emergency has ended. The resolution authorizes and is not limited to the payment of at-will and/or hourly employees on non-instructional days.

This policy expires at the time of the first governing body meeting following the end of the emergency period.

© Lewis Kappes 2020



Book	Policy Manual
Section	8000 Operations
Title	DELEGATION FOR CONTINUED SCHOOL FUNCTIONS DURING A DECLARED EMERGENCY
Code	po8416
Status	Active
Adopted	January 12, 2021

#### **8416 - DELEGATION FOR CONTINUED SCHOOL FUNCTIONS DURING A DECLARED EMERGENCY**

Upon declaration of an emergency by Federal, State, or local officials, the School Board authorizes the Superintendent and the Superintendent's designees the authority to act on behalf of the Board in accordance with applicable law with respect to the actions listed in this policy.

The Superintendent will consult with the Board President, or if unavailable, the Vice President, on any actions considered to be taken when such action is not immediately required.

The Superintendent will advise the Board of any actions taken at the time when possible. The Superintendent must advise the Board of any actions taken no later than its next regularly scheduled board meeting. At such meeting, the School Board will review and ratify or approve the action(s) taken.

The Superintendent is authorized to take one or more of the following actions during a declared emergency but Federal, State, or local officials relating to a health, safety, or weather emergency:

- A. To employ, contract for, reassign, change schedules, or discharge employees necessary for school purposes during the public emergency period.
- B. To continue payment of the salaries and compensation of persons and services consistent with existing contractual obligations. To reassign staff to other duties to ensure continued wages when regular assignments are interrupted by online learning or school closures. To provide up to additional days of paid time off to address income losses impacted by the public emergency period.
- C. To determine the number of persons or the amount of services needed to continue school operations during the public emergency period.
- D. To determine the nature and extent of the duties of staff needed to continue school operations during the public emergency period including, but not limited to, reassignment of location, work schedule, specific duties, and job descriptions.
- E. To approve the use of school facilities for use by other governmental or community health agencies to respond to declared public emergency.
- F. To approve use of school vehicles, including buses, for transportation to respond to or to address community needs during the public emergency period.
- G. To the extent feasible, to ensure instructional services to students are maintained through alternative methods such as eLearning, reduced instructional days, or other means deemed appropriate during the public emergency period.
- H. To continue lunch program services for students, including permitting use of kitchens, kitchen facilities, kitchen equipment, and lunch rooms, and the purchases of materials and supplies for the lunch program, charging students for the operational costs of the lunch program, and fixing the price per meal or per food item during the public emergency period.

- I. To operate the lunch program as an extracurricular activity during the public emergency period.
- J. To participate in a surplus commodity or lunch aid program during the public emergency period.
- K. To purchase curricular materials, to furnish curricular materials without costs, or to rent curricular materials to students, and to participate in a curricular materials aid program during the public emergency period.
- L. To accept students transferred from other school corporations and to transfer students to other school corporations during the public emergency period.
- M. To enforce, amend, or suspend rules, regulations, and procedures for the governance, management, and operations of the schools, property, facilities, and activities of the school corporation, the school corporation's agents, employees, and students during the public emergency period.
- N. To determine the closure of schools to ensure the safety and health of students and staff when necessary during the public emergency period.

© Lewis Kappes 2020



Book	Policy Manual
Section	8000 Operations
Title	EMERGENCY PREPAREDNESS PLANS AND DRILLS
Code	po8420
Status	Active
Adopted	April 12, 2016
Last Revised	May 12, 2020

#### **8420 - EMERGENCY PREPAREDNESS PLANS AND DRILLS**

The School Board recognizes that its responsibility for the safety of students extends to possible natural and man-made disasters and such emergencies are best met by preparedness and planning.

The Superintendent shall ensure that a written emergency preparedness plan is developed for the School Corporation and each school in the Corporation in consultation with local public safety agencies. The plan shall contain the following:

- A. appropriate warning systems
- B. procedures for notifying other agencies and organizations
- C. posting of evacuation routes
- D. emergency preparedness instruction for staff and students
- E. public information procedures
- F. steps that will be taken prior to a decision to evacuate buildings or dismiss classes, and
- G. provisions to protect the safety and well-being of staff, students and the public in case of:
  - 1. fire;
  - 2. natural disaster, such as tornado, flood or earthquake;
  - 3. adverse weather conditions, such as winter storms or extreme heat;
  - 4. nuclear contamination, such as power plant or transport vehicle spills;
  - 5. exposure to chemicals, such as pesticides, industrial spills and contaminants, laboratory chemicals and cleaning agents; and
  - 6. man-made occurrences, such as student disturbance, weapon, weapon of mass destruction, contamination of water or air supply, hostage, and kidnapping incidents

Within sixty (60) days after the beginning of each school year, the Superintendent shall certify to the Indiana Department of Education that the emergency preparedness plans for the Corporation and each school have been reviewed and revised, if necessary. Within sixty (60) days of opening a new or significantly remodeled school, the Superintendent shall certify to the Indiana Department of Education that a new plan has been developed or that the existing plan has been reviewed and revised, if necessary.



In order to prepare students and staff for emergency situations, the Board requires the principal of each school in the Corporation to conduct emergency preparedness drills during the school year in compliance with the rules adopted by the State Board of Education, the State Fire Marshal and the Fire Prevention and Building Safety Commission, as applicable. Each school and attendance center will conduct at least one (1) tornado and one (1) man-made occurrence disaster drill per semester.

At least one (1) man-made occurrence disaster drill must be an active shooter drill and must be conducted within ninety (90) calendar days after the beginning of the school year.

These drills may be conducted instead of the monthly fire evacuation drill required by the State Fire Marshal; provided, however, that tornado and man-made occurrence drills conducted in place of a monthly fire drill may not be conducted in two (2) consecutive months and may not be conducted more than twice in a semester.

Each principal shall file a certified statement that all required drills have been conducted.

The Superintendent shall ensure that each principal complies with the requirement to file a certified statement that all required drills have been conducted.

All threats to the safety of Corporation facilities shall be identified by appropriate personnel and responded to promptly in accordance with the plan for emergency preparedness.

The Superintendent shall develop procedures for the handling of emergencies which include a plan for the prompt and safe evacuation of the schools.

© Neola 2019

Legal                      I.C. 20-34-3-20  
                                 511 IAC 6.1-2-2.5  
                                 675 IAC 22



Book	Policy Manual
Section	8000 Operations
Title	PANDEMICS AND EPIDEMICS
Code	po8420.01
Status	Active
Adopted	January 12, 2021

#### 8420.01 - **PANDEMICS AND EPIDEMICS**

Given the unprecedented school closures that resulted from the 2019 Novel Coronavirus Disease (COVID-19), the School Board acknowledges the need for a policy that addresses epidemics and pandemics. Epidemics and pandemics, although related, are different. The Centers for Disease Control and Prevention (CDC) defines an epidemic as "an increase, often sudden, in the number of cases of a disease above what is normally expected in that population in that area," and a pandemic as "an epidemic that has spread over several countries or continents, usually affecting a large number of people." To address epidemics and pandemics, the Superintendent shall establish a Pandemic/Epidemic Response Team ("PERT") to develop a Pandemic/Epidemic Plan in coordination with local government and law enforcement officials. The PERT may work as part of or in coordination with the Environmental Safety Committee and the plan developed in accordance with Policy 8405 - Environmental Health and Safety Program. The Superintendent is granted authority to take appropriate action as required in any instance where the School Corporation's plan is inadequate or does not cover the particular situation being addressed and the urgency of the situation dictates the necessity for immediate decisive action.

The Pandemic/Epidemic Plan may include:

- A. a communication method for school schedule changes, busing changes, and school closures;
- B. a designee responsible for communicating with the Indiana Department of Education, the Indiana State Department of Health and other governmental entities;
- C. an educational pandemic prevention program for staff and students;
- D. provision for the business office to maintain continuity of operations during an epidemic or pandemic;
- E. provision for continuous learning for students (i.e., Internet instruction, community channel broadcast, etc.) to maintain continuity of education;
- F. procedures for preventing the spread of infectious diseases during an epidemic or pandemic, including routine cleaning/disinfecting of school sites and equipment;
- G. procedures for staff and student absences and extended leaves of absence due to an epidemic or pandemic;
- H. procedures for isolation and possible transportation of students and staff who become ill at school due to an epidemic or pandemic;
- I. a plan of communication regarding epidemic and pandemic status to students, parents, and staff, including any restrictions imposed on staff or students upon travel to affected areas, which may include quarantine periods if recommended by authoritative health agencies;
- J. a plan for operating the Corporation with less staff due to an epidemic or pandemic;

- K. a designee responsible for establishing timelines within the Pandemic/Epidemic Plan and overseeing implementation of the plan and compliance with such timelines;
- L. other emergency procedures necessary for the Corporation to address an epidemic or pandemic;
- M. a plan for assessing cancellation of any planned staff or student travel, including field trips, competitions or performances, study abroad programs, or other travel that may involve travel to affected areas.

The Pandemic/Epidemic Plan shall be reviewed annually by the PERT and updated as appropriate.

© Neola 2020



Book	Policy Manual
Section	8000 Operations
Title	CHEMICAL MANAGEMENT AND PREPAREDNESS FOR TOXIC OR ASBESTOS HAZARD
Code	po8431
Status	Active
Adopted	July 1, 2003
Last Revised	December 11, 2012

#### **8431 - CHEMICAL MANAGEMENT AND PREPAREDNESS FOR TOXIC OR ASBESTOS HAZARD**

The School Board is concerned for the safety of the students and staff members and will attempt to comply with all Federal and State statutes and regulations to protect them from hazards that may result from exposure to toxic chemicals used in the classroom as a part of an instructional program, as well as toxic chemicals used for cleaning or maintenance or from the presence of asbestos materials used in previous construction.

#### **CHEMICAL MANAGEMENT/TOXIC HAZARDS**

In order to reduce student and staff exposure to chemical hazards used or kept at the school corporation facilities, the Superintendent will be responsible for developing and implementing a plan for minimizing exposure to these toxic hazards.

These hazards exist in chemicals and other substances used in the school setting such as in laboratories, science classrooms, kitchens, in the cleaning of school buildings, buses, and equipment, and the maintaining of school grounds.

The Superintendent will appoint an employee to serve as the Toxic Hazard Preparedness (THP) Officer who shall oversee the implementation of the Corporation's Chemical Management/Toxic Hazards Plan. The plan may include:

- A. provisions to ensure when chemicals are used during a class, such as but not limited to chemistry, biology, or industrial technology, appropriate ventilation in proper working order must be used to minimize potential exposure to these chemicals (either the National Institute for Occupational Safety and Health (NIOSH) or the Occupational Safety and Health Administration (OSHA) guidelines for evaluating student exposure must be used);
- B. identification of potential sources of toxic hazard in cooperation with material suppliers who shall supply the THP Officer with Material Safety Data Sheets (MSDs) which provide directions for proper use of materials which shall be followed by all Corporation employees in using said materials;
- C. maintenance of a Corporation wide inventory of toxic chemicals and a file of MSDs for all toxic chemicals on Corporation property;
- D. a purchasing procedure which requires the purchase of the least toxic chemical which will effectively do the job and provisions to avoid over stocking toxic chemical materials;
- E. a storage protocol which provides for safe storage and ensures that all incoming materials, including portable containers, are properly labeled with the identity of the chemical, the hazard warning, and the name and address of the manufacturer or responsible party;
- F. a written communication program which:
  1. details the methods used to inform staff and students of the hazards, and

2. describes the methods used to inform contractors and their employees of any hazardous substances to which they may be exposed and of any corrective measures to be employed;

G. a disposal procedure which adheres to State environmental protection guidelines;

H. a protocol which addresses actions to be taken in the event of a spill of toxic chemicals or other potential accidents.

In fulfilling these responsibilities, the THP Officer may enlist the aid of county and municipal authorities and, if possible, the owners or operators of identified potential sources of toxic hazard.

#### **PHASE-OUT/BANNED PRODUCTS**

The Superintendent shall require that any chemicals, insecticides, or other materials that the Federal government is phasing out and/or banning by a certain date be immediately banned from use on Board property.

#### **ASBESTOS**

In its efforts to comply with Asbestos Hazard Emergency Response Act (AHERA), the Board recognizes its responsibility to:

- A. inspect all Corporation buildings for the existence of asbestos or asbestos- containing materials;
- B. take appropriate actions based on the inspections;
- C. establish a program for dealing with friable asbestos, if found;
- D. maintain a program of periodic surveillance and inspection of facilities or equipment containing asbestos;
- E. comply with EPA regulations governing the transportation and disposal of asbestos and asbestos-containing materials.

The Superintendent shall appoint a person to develop and implement the Corporation's Asbestos-Management Program which will ensure proper compliance with Federal and State laws and the appropriate instruction of staff and students.

The Superintendent shall also ensure that, when conducting asbestos abatement projects, each contractor employed by the Corporation is licensed pursuant to the Indiana Department of Health Regulations.

Nothing in this policy should be construed in any way as an assumption of liability by the Board for any death, injury, or illness that is the consequence of an accident or equipment failure or negligent or deliberate act beyond the control of the Board or its officers and employees.

© Neola 2012

Legal                      Asbestos School Hazard Abatement, 20 U.S.C. 4011 et seq.  
                                 Asbestos Hazard Emergency Act, 40 C.F.R. Part 763  
                                 Toxic Substances Control Act 15, U.S.C. 2601 et seq.  
                                 I.C. 16-9-3-5, 16-41-37.5  
                                 410 IAC 33-4-8



Book	Policy Manual
Section	8000 Operations
Title	PEST CONTROL AND USE OF PESTICIDES
Code	po8432
Status	Active
Adopted	January 9, 2001

#### **8432 - PEST CONTROL AND USE OF PESTICIDES**

The School Corporation is committed to providing a safe environment for students. It seeks to prevent children from being exposed to pests and pesticides. While pesticides protect children from pests that may be found in the school and its surrounding grounds, under some circumstances they may pose a hazard to children. Therefore, pest control practices may involve a variety of chemical and non- chemical methods that are designed to control pests effectively while minimizing potential pesticide exposure to children.

The Corporation will:

- A. inform annually parents and staff members of the Corporation's pest control policy, initially by separate memorandum and there after as a provision in the student handbook;
- B. provide the name and phone number of the person to contact for information regarding pest control;
- C. establish a registry of parents and staff members who want to receive advance notice of all pesticide use and provide such notice;
- D. provide notice of planned pesticide applications to parents and employees who have requested advance notice;
- E. provide notice of all pesticide applications to school nurses;
- F. maintain written record for ninety (90) days of any pesticide applications.

The Corporation will provide notice to those in the registry at least two (2) school days prior to the date and time the pesticide application is to occur. The notice will include the date and time of the pesticide application, the general area where the pesticide is to be applied and the telephone number to contact the school for more information.

In case of emergency pesticide applications, because of immediate threat to the public health, the school shall give notice as soon as possible.

The Corporation may provide for training of school employees to become certified pest control applicators. Financial support for such training may be provided by the Corporation subject to budgetary constraints of the Corporation.

Legal	ISBA, IAPSS, IASBO, Memorandum Dtd. 6/13/2000
-------	---



Book	Policy Manual
Section	8000 Operations
Title	REPORTING ACCIDENTS
Code	po8442
Status	Active
Adopted	January 9, 2001

#### 8442 - REPORTING ACCIDENTS

The School Board directs that all reasonable efforts be made to ensure a safe learning and working environment for the students and employees of this Corporation. To that end, and so that legitimate employee claims for worker's compensation be expedited, the Board requires that accidents be reported and evaluated. Any accident that results in an injury, however slight, to a student, an employee of the Board, or a visitor to the schools must be reported promptly and in writing to the Corporation business office. Injured persons shall be referred immediately to the appropriate personnel for such medical attention as may be needed.

The injured employee, visitor, or the staff member responsible for an injured student shall complete a form, available in the office of the principal, that includes the date, time, and place of the incident; the names of persons involved; the nature of the injury to the extent that it is known; and a description of all relevant circumstances.

Any employee of the Board who suffers a job-related injury must report the injury and its circumstances to the principal or job supervisor, as appropriate, as soon as possible following the occurrence of the injury. The failure of an employee to comply with this mandate may result in disciplinary action.

The Superintendent shall prepare administrative guidelines which should include procedures for notification of the insurer.



Book	Policy Manual
Section	8000 Operations
Title	CONTROL OF CASUAL-CONTACT COMMUNICABLE DISEASES
Code	po8450
Status	Active
Adopted	August 14, 2012
Last Revised	January 12, 2021

#### 8450 - CONTROL OF CASUAL-CONTACT COMMUNICABLE DISEASES

The School Board recognizes that control of the spread of communicable disease spread through normal school contact is essential to the well-being of the school community and to the efficient School Corporation operation.

For purposes of this policy, "casual-contact communicable disease" shall include the 2019 Novel Coronavirus Disease (COVID-19), diphtheria, invasive pneumococcal disease, measles, meningococcal disease, mumps, norovirus infection, pertussis (whooping cough), rubella, scarlet fever and other strep infections, tuberculosis, varicella (chickenpox), and others designated by the Indiana Department of Public Health.

In order to protect the health and safety of the students, Corporation personnel, and the community at large, the Board shall follow all State statutes, Executive Orders, and Health Department regulations which pertain to immunization and other means for controlling casual-contact communicable disease spread through normal interaction in the school setting.

If a student exhibits symptoms of a casual-contact communicable disease, the principal will isolate the student in the building and contact the parents/guardians. Protocols established by the State and County Health Department shall be followed.

The Superintendent shall develop administrative guidelines for the control of communicable disease which shall include:

- A. instruction of professional staff in the detection of these common diseases and measures for their prevention and control;
- B. removal of students from Corporation property to the care of a responsible adult;
- C. preparation of standards for the readmission of students who have recovered from casual-contact, communicable diseases;
- D. filing of reports as required by statute and the State Department of Health.

© Neola 2020

Legal I.C. 20-34-3-9





Book	Policy Manual
Section	8000 Operations
Title	PROTECTIVE FACIAL COVERINGS DURING PANDEMIC/EPIDEMIC EVENTS
Code	po8450.01
Status	Active
Adopted	January 12, 2021

#### 8450.01 - **PROTECTIVE FACIAL COVERINGS DURING PANDEMIC/EPIDEMIC EVENTS**

During times of elevated communicable disease community spread (pandemic or epidemic), the Superintendent will issue periodic guidance through School Board plans/resolution(s) in alignment with Federal, State, and local public health officials and/or in accordance with governmental edicts or guidelines. In the case of health and safety emergencies, when there is a pandemic or epidemic, the School Corporation will follow the Pandemic and Epidemic Plan as established in Policy 8420.01 allowing for continuity of operations and establish necessary procedures and plans for re-opening to provide for a safe and healthy school environment.

School settings can be a source of community spread. Pursuant to the Centers for Disease Control (CDC), wearing face masks/coverings is important during these times and can help mitigate the risk of exposure from person to person.

These re-opening plans will address matters of dress related to health, such as the wearing of face masks or face coverings. As such, during times of elevated communicable disease community spread, all Corporation staff, students, volunteers, and visitors (including vendors) must wear appropriate face masks/coverings on school grounds unless:

- A. not mandated by governmental guidelines or the Corporation-approved re-opening plan;
- B. it is unsafe to do so;
- C. doing so would significantly interfere with the Corporation's educational or operational processes; or
- D. an employee's Section 504 plan or a student's individualized education program ("IEP") or Section 504 plan provides otherwise.

Face masks/shields will be provided by the Corporation to employees. Alternatively, employees may elect to wear their own face coverings if they meet the requirements the Corporation-approved re-opening plan, as well as any requirements issued by State or local health departments.

All face masks/coverings shall meet the requirements of the appropriate dress/staff grooming policies.

When face masks/coverings are required by the Board, and no exception included in this policy in the Corporation-approved re-opening plan has been applied, staff members who violate this policy shall be subject to disciplinary action in accordance with policies of the Board.

Face masks/coverings should:

- A. Fully cover the mouth, nose, and chin;
- B. Fit snugly against the side of the face so there are no gaps;
- C. Not create difficulty breathing while worn;
- D. Be held securely through either a tie, elastic, earloops, etc. to prevent slipping.

**Exceptions include:**

- A. Face masks/coverings in the school setting are prohibited by law or regulation;
- B. Face masks/coverings are in violation of documented industry standards;
- C. Face masks/coverings are not advisable for health reasons;
- D. Face masks/coverings are in violation of the school's documented safety policies;
- E. Face masks/coverings are not required when the staff works alone in an assigned work area; or
- F. There is a functional (practical) reason for a staff member or volunteer not to wear a face mask/covering in the workplace.

The Board may be required to provide written justification to local health officials upon request explaining why a staff member is not required to wear a face mask/covering in the school. Therefore, if any exceptions are made to the requirement for face masks/coverings, the request for such exception must be submitted in writing to the individual's supervisor, and a decision on the request will be provided in writing.

**Face Shields**

Face shields that wrap around the face and extend below the chin can be considered as an alternative to face masks/coverings. Some situations where face shields would be useful include:

- A. When interacting with students, such as those with disabilities, where communication could be impacted;
- B. When interacting with English-language learners or when teaching a foreign language;
- C. Settings where face masks/coverings might present a safety hazard (i.e. science labs); or
- D. For individuals who have difficulty wearing a face mask/covering.

If individuals receive approval from the Corporation administration after discussing their request not to wear a face mask/covering/shield due to a physical, mental or developmental health condition, and/or if wearing a face mask/covering/shield would lead to a medical emergency or would introduce significant safety concerns, Corporation administration also may discuss other possible accommodations for the staff member. Such discussion shall follow Board policies and guidelines under Section 504 of the Rehabilitation Act of 1973 ("Section 504") and the Americans with Disabilities Act ("ADA").

School nurses or staff who care for individuals with symptoms must use appropriate personal protective equipment (PPE), provided by the Corporation, in accordance with OSHA standards.

© Neola 2020



Book	Policy Manual
Section	8000 Operations
Title	PEDICULOSIS (HEAD LICE)
Code	po8451
Status	Active
Adopted	April 14, 2015

#### **8451 - PEDICULOSIS (HEAD LICE)**

Head lice is a universal problem and is particularly prevalent among elementary school-age children. Control of lice infestation is best handled by adequate treatment of the infested person and his/her immediate household and other close personal contacts. Head lice are spread most commonly by direct head-to-head (hair-to-hair) contact. Rarely are they spread by sharing clothing or belongings.

Communication from the school to parents directly and through parent and classroom education to the students will help increase the awareness for both parents and child. Parents need to continually observe their child for this potential problem and treat adequately and appropriately as necessary.

The school nurse or his/her designee shall be the only ones authorized to conduct examinations of students for head lice.

If a student in the Corporation is found to have head lice, the student's parent will be contacted to have the child treated and to pick him/her up at the end of the school day.

After treatment and upon returning to school, the student may be examined by the school nurse or designee, which may include the principal. The Corporation practices a policy of "no live lice" as the criterion for return to school.

The Superintendent shall prepare administrative guidelines to provide for the implementation of this policy.

© Neola 2014



Book	Policy Manual
Section	8000 Operations
Title	AUTOMATIC EXTERNAL DEFIBRILLATORS (AED)
Code	po8452
Status	Active
Adopted	September 13, 2005

#### 8452 - **AUTOMATIC EXTERNAL DEFIBRILLATORS (AED)**

The School Board has determined that it may enhance school safety to have an automatic external defibrillator (AED) placed in building(s) within the Corporation.

An AED is a medical device that contains a heart monitor and defibrillator that is used to administer an electric shock through a person's chest wall to the heart. The built-in computer system of the AED assesses the patient's heart rhythm, determines whether defibrillation is needed, and then administers a shock, if necessary. Audible and/or visual prompts guide the user through the process of using the AED.

The Board directs the Superintendent to develop guidelines that govern AEDs, including the use of the AED, placement of the AED, training and oversight by a medical doctor or by the local EMS Medical Director. The Board also directs the Superintendent, in conjunction with the Medical Director, to review the guidelines, as appropriate. The AED devices will be located at school buildings for use by employees with proper AED training.

Legal	I.C. 16-31-3.5, 34-30-12-1
-------	----------------------------



Book	Policy Manual
Section	8000 Operations
Title	CONTROL OF NONCASUAL-CONTACT COMMUNICABLE DISEASES
Code	po8453
Status	Active
Adopted	April 12, 2005

### 8453 - CONTROL OF NONCASUAL-CONTACT COMMUNICABLE DISEASES

The School Board seeks to provide a safe educational environment for both students and staff. It is the Board's intent to ensure that any student or member of the staff who contracts a communicable disease that is not communicated through casual contact will have his/her status in the Corporation examined by appropriately licensed medical personnel and that the rights of both the affected individual and those of other staff members and students will be acknowledged and respected.

For purposes of this policy, "noncasual-contact communicable disease" shall include:

- A. AIDS - Acquired Immune Deficiency Syndrome;
- B. ARC - AIDS Related Complex;
- C. persons infected with HIV (human immunodeficiency);
- D. Hepatitis B;
- E. other like diseases that may be specified by the State Board of Health.

In its effort to assist in the prevention and control of communicable diseases of any kind, the Board has established policies on Immunization, Hygienic Management, and Control of Casual-Contact Communicable Diseases. The purpose of this policy is to protect the health and safety of the students, Corporation personnel, and the community at large, from the spread of the above-mentioned diseases.

The Board seeks to keep students and staff members in school unless there is definitive evidence to warrant exclusion. When the Superintendent learns that a student or Corporation employee may be infected with a noncasual-contact communicable disease, the Superintendent shall consult with the infected person's physician and/or the Johnson-Morgan County Health Department to determine if the initial evidence warrants exclusion.

If the evidence is not sufficient to justify exclusion, the person shall remain in his/her current school environment.

If the County Health Officer determines the evidence indicates the person should be excluded from the school environment, the person shall be temporarily excluded.

The Corporation shall provide an alternative education program for any student removed from the school setting as a consequence of the health officer's decision. Such a program shall be in accordance with this Board's policy and administrative guidelines on Homebound Instruction.

When the Superintendent learns that an affected student is eligible for services under the IDEA and the student's physician or the County Health Department Officer believes the student must be removed from school, the Superintendent will direct the Students' Case Conference Committee to design an appropriate out of school program for the student.

The rights of any affected student, as well as those of any affected staff member, shall be protected in accordance with Federal and State laws on privacy, and confidentiality. In addition, the exclusion of any staff member from the Corporation by the County Health Officer's decision will be done in accord with relevant sections of Indiana Statutes concerning sick leave.

Further, it is the Board's policy that all students and staff members should maintain normal contact with an affected student or staff member whose continued presence in the school setting has been determined by this process.

The Board directs the Superintendent to develop an educational program in accordance with Indiana Statute that will ensure proper instruction of students, professional staff, and/or support staff, on the principal means by which noncasual-contact communicable diseases are transmitted, as well as how they are not transmitted, and the more effective methods for restricting and/or preventing these diseases.

The Superintendent shall include in this, those educational materials which advocate prevention through abstinence.

Legal                      20 U.S.C. 1232(g)  
                                 I.C. 20-34-3-17, 16-41-9, 20-34-3-9



Book	Policy Manual
Section	8000 Operations
Title	CONTROL OF BLOOD-BORNE PATHOGENS
Code	po8453.01
Status	Active
Adopted	January 9, 2001

**8453.01 - CONTROL OF BLOOD-BORNE PATHOGENS**

The School Board seeks to protect those staff members who may be exposed to blood pathogens and other potentially infectious materials in their performance of assigned duties.

The Superintendent shall implement administrative guidelines which will:

- A. identify those categories of employees whose duties create a reasonable anticipation of exposure to blood and other infectious materials;
- B. provide for inoculation of the Hepatitis B vaccine at no cost to the staff member and in accordance with Federally- mandated scheduling;
- C. ensure proper training in the universal precautions against exposure and/or contamination including the provision of appropriate protective supplies and equipment;
- D. establish appropriate procedures for the reporting, evaluation, and follow-up to any and all incidents of exposure;
- E. provide for record-keeping of all of the above which complies with both Federal and State laws;
- F. develop an exposure control plan.

Legal	29 USC 1910.1030
-------	------------------



Book	Policy Manual
Section	8000 Operations
Title	COACH TRAINING, REFERENCES, AND IHSAA REPORTING
Code	po8455
Status	Active
Adopted	April 14, 2015
Last Revised	May 12, 2020

#### 8455 - **COACH TRAINING, REFERENCES, AND IHSAA REPORTING**

The School Corporation shall comply with State law governing the training and certification of all coaches and athletic activity sponsors. This applies to all coaches, whether employees, volunteers, or other individuals, who are coaching student-athletes.

The School Board requires that:

A. Prior to coaching football to students who are less than twenty (20) years of age, all head and assistant football coaches shall complete a certified coaching education course approved by the Indiana Department of Education not less than once during a two (2)-year period that:

1. is sport specific;
2. contains player safety content, including content on:
  - a. concussion awareness;
  - b. equipment fitting;
  - c. heat emergency preparedness; and
  - d. proper technique;
3. requires a coach to complete a test demonstrating comprehension of the content of the course; and
4. awards a certificate of completion to a coach who successfully completes the course.

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

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

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



4. awards a certificate of completion to a coach who successfully completes the course.

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

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

Additionally, the Board requires that:

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

If the coach receives notice from the Corporation that new information has been added to the course before the end of the two (2)-year period, the coach must complete instruction and successfully complete a test concerning the new information.
- B. All coaches and athletic activity sponsors of interscholastic or intramural sports for students of any age shall receive training about concussions, sudden cardiac arrest, and heat-related medical issues at least once during a two (2)-year period.
- C. All coaches and athletic activity sponsors, other than football coaches, shall be required to complete a coaching education course that contains player safety content on concussion awareness, equipment fitting, heat emergency preparedness, and proper technique. The course must be completed prior to coaching or serving as an athletic activity sponsor. Each coach must complete a course not less than once during a two (2)-year period.

The Superintendent shall require that each person employed as a coach is qualified, has cleared a background check as required by State law and Board Policy 1521, Policy 3121, Policy 4121, Policy 8120, or Policy 8121 and has received the training required by State law and this policy. Before allowing an individual to be a volunteer coach, the Corporation shall conduct an expanded criminal history check (as defined in I.C. 20-26-2-1.5) on him/her. Additionally, before the Corporation hires or allows an individual to coach an Indiana High School Athletic Association recognized sport, the Corporation must take the following steps:

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

All coaches and athletic activity sponsors shall be informed of Corporation policies regarding reporting requirements and investigation requirements for complaints of bullying or harassment and suspected child abuse/sexual abuse.

The Corporation shall report to the association, in a manner prescribed by the association, when a nonteaching or 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. Kidnapping (I.C. 35-42-3-2).

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

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

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

- A. Kidnapping (I.C. 35-42-3-2).
- B. Criminal confinement (I.C. 35-42-3-3).
- C. Rape (I.C. 35-42-4-1).
- D. Criminal deviate conduct (I.C. 35-42-4-2) (before its repeal).
- E. Child molesting (I.C. 35-42-4-3).
- F. Child exploitation (I.C. 35-42-4-4(b) or I.C. 35-42-4-4(c)).
- G. Vicarious sexual gratification (I.C. 35-42-4-5).
- H. Child solicitation (I.C. 35-42-4-6).
- I. Child seduction (I.C. 35-42-4-7).
- J. Sexual misconduct with a minor (I.C. 35-42-4-9).
- K. Incest (I.C. 35-46-1-3).
- L. Dealing in or manufacturing cocaine or a narcotic drug (I.C. 35-48-4-1).

- M. Dealing in methamphetamine (I.C. 35-48-4-1.1).
- N. Manufacturing methamphetamine (I.C. 35-48-4-1.2).
- O. Dealing in a schedule I, II, or III controlled substance (I.C. 35-48-4-2).
- P. Dealing in a schedule IV controlled substance (I.C. 35-48-4-3).
- Q. Dealing in a schedule V controlled substance (I.C. 35-48-4-4).
- R. Dealing in a counterfeit substance (I.C. 35-48-4-5).

The Corporation shall report suspected misconduct by an individual serving as a coach that may constitute a crime to local law enforcement.

Revised 4/9/19

© Neola 2019

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



Book	Policy Manual
Section	8000 Operations
Title	CHILD ABUSE AND NEGLECT
Code	po8462
Status	Active
Adopted	January 9, 2001
Last Revised	April 13, 2021

#### 8462 - CHILD ABUSE AND NEGLECT

As an agency of the State, the School Board is concerned with the physical and mental well-being of the children of this School Corporation and will cooperate in the identification and reporting of cases of suspected child abuse or neglect in accordance with law.

Each staff member employed by this Corporation shall be responsible for reporting immediately every case, whether ascertained or suspected, of abuse, abandonment, cruelty, or neglect resulting in physical or mental injury to a student by other than accidental means. If a staff member has reason to believe a child is a victim of abuse or neglect, s/he shall immediately make a report to the Department of Child Services ("DCS") by calling the Indiana Child Abuse and Neglect Hotline at 1-800-800-5556. After making the report, the staff member shall notify the appropriate building administrator of the circumstances that led to the report that the staff member made to DCS or the police. The building administrator shall document the report and, if unable to confirm the date and time it was made and/or the identity of the person to whom the report was made, shall contact DCS to ensure that they have received the report and an investigation has begun.

The building administrator shall secure prompt medical attention for any such injuries reported.

Information concerning alleged abuse or neglect of a student is confidential information and is not to be shared with anyone other than the administration, DCS, the local prosecutor, and the local law enforcement agency. If the parent or a member of the household is not the subject of the investigation, the Corporation may notify the parents that a report was made.

Failing to report suspected child abuse or neglect is a Class B misdemeanor, which is punishable by up to 180 days in jail and a \$1,000 fine.

Building administrators should be mindful of the possibility of physical or mental abuse inflicted by a staff member. A staff member who violates this policy also may be subject to disciplinary action. Information concerning alleged abuse of a student by a teacher is confidential information and is not to be shared with anyone other than the parent(s), administration, DCS, and the local law enforcement agency. Any such instances, real or alleged, should be dealt with in accordance with the administrative guidelines established by the Superintendent after making a report of suspected abuse or neglect as described above.

The Board requires that each Corporation employee who is likely to have direct, ongoing contact with children within the scope of his/her employment attend or participate in training on child abuse and neglect, including

A. training on the duty to report suspected child abuse or neglect under I.C. 31-33-5; and

B. training on recognizing possible signs of child abuse or neglect

at least once every two (2) years. This training may include:

A. an in-person presentation;

B. an electronic or technology-based medium, including self-review modules available on an online system;

C. an individual program of study of designated materials.

The training required by this policy shall count toward the Board's requirements for professional development and be provided during the Corporation employee's contracted day or at a time chosen by the employee.

Also, the Board requires each Corporation employee who is likely to have direct, ongoing contact with children within the scope of the employee's employment to attend or participate in at least one (1) hour of training at least every two (2) years on the identification and reporting of human trafficking. The format of this training may include:

A. an in-person presentation;

B. an electronic or technology-based medium, including self-review modules available on an online system;

C. an individual program of study of designated materials.

This training shall count toward the requirements for professional development required by the Board.

Annually, the Corporation shall provide age-appropriate and research and evidence-based instruction on child abuse and child sexual abuse to students in Kindergarten through Grade 12. This instruction may be delivered by a school safety specialist, school counselor, school social worker, school psychologist, or any person with training and expertise in the area of child abuse and child sexual abuse.

A staff member who violates this policy in any way may be subject to disciplinary action, up to and including termination.

Revised 5/12/20

© Neola 2020

Legal	I.C. 20-26-5-35.5
	I.C. 20-28-3-4.5
	I.C. 20-28-3-7
	I.C. 20-30-5-5.7
	I.C. 31-33-1-1
	I.C. 31-33-5-1
	I.C. 31-33-5-2(b)
	I.C. 31-33-5-3
	I.C. 31-33-5-5(b)
	I.C. 31-33-22-1(a)



Book	Policy Manual
Section	8000 Operations
Title	REGISTERED SEX OR VIOLENT OFFENDERS
Code	po8470
Status	Active
Adopted	April 12, 2016

#### 8470 - REGISTERED SEX OR VIOLENT OFFENDERS

Indiana's "Sex Offender Registration and Community Notification" law requires all "sex or violent offenders" to register with the chief of police of the consolidated city or the sheriff of the county (if it does not contain a consolidated city) in which they reside, work, or study. The chief of police or sheriff must then immediately update the Indiana Sex and Violent Offender Registry website established under I.C. 36-2-13-5.5 by making and publishing a photograph of the sex or violent offender on the Indiana Sex and Violent Offender Registry website, notify every law enforcement agency having jurisdiction in the county where the sex or violent offender resides, and update the National Crime Information Center National Sex Offender Registry data base via the Indiana data and communications system (IDACS). The School Board is committed to assisting the chief of police/sheriff and the local law enforcement agency with their responsibility for Community Notification of registered sex or violent offenders as required by law.

The Superintendent shall request that the chief of police/sheriff provide notice to the Superintendent at the same time that s/he provides notice to every law enforcement agency having jurisdiction in the county where the sex or violent offender resides, works, or studies when a sex or violent offender registers in the county where the School Corporation is located.

If the chief of police/sheriff refuses to provide such notice to the Superintendent/designee, then the Superintendent shall periodically, but no less than once every nine (9) weeks during the school year, check the Indiana Sex and Violent Offender Registry website to assess whether any new sex or violent offenders have registered in the county where the Corporation is located.

The Superintendent shall periodically, but no less than once every nine (9) weeks during the school year, check the Indiana Sex and Violent Offender Registry website to assess whether any new sex or violent offenders have registered in the county where the Corporation is located.

When the Superintendent receives information from the chief of police/sheriff concerning the registration of a sex or violent offender in the county where the Corporation is located, obtains information concerning the registration of a sex or violent offender in the county where the Corporation is located from his/her period. I.C. checks of the Indiana Sex and Violent Offender Registry website, the Superintendent shall disseminate the information to all Corporation employees whose duties include the supervision of and/or responsibility for students.

Employees who receive said information shall promptly notify the building principal if a registered sex or violent offender who does not attend the school is observed in the vicinity of the school or a bus stop area.

The building principal shall promptly notify the Superintendent if s/he is informed by an employee that if a registered sex or violent offender who does not attend the school is observed in the vicinity of the school or a bus stop area.

The Superintendent shall notify the local law enforcement agency if, in the judgment of the Superintendent, the presence of a registered sex or violent offender on school property appears to be without a legitimate purpose or otherwise creates concern for the safety of children. The Superintendent shall cooperate with the local law enforcement agency if any additional action is to be taken.

I.C. 35-42-4-14(b) makes it a Level 6 felony for a registered sex or violent offender who also is a "serious sex offender" within the meaning of I.C. 35-42-4-14(a) to enter school property. The Superintendent shall notify the local law enforcement agency if s/he learns that a registered sex or violent offender who also is a "serious sex offender" within the meaning of I.C. 35-42-4-14(a) is on school property.

© Neola 2015

Legal

I.C. 11-8-8, Sex Offender Registration ("Zachary's Law")

I.C. 35-42-4-14

I.C. 36-2-13-5.5



Book	Policy Manual
Section	8000 Operations
Title	FOOD SERVICE PROGRAM
Code	po8500
Status	Active
Adopted	December 9, 2014
Last Revised	December 13, 2022

### 8500 - **FOOD SERVICE PROGRAM**

The School Board will provide cafeteria or serving facilities in all schools where space and facilities permit and food service for the purchase and consumption of lunch for all students.

The Board also will provide a breakfast program in accordance with procedures established by the State Department of Education.

The Board does not discriminate on the basis of race, color, national origin, sex (including sexual orientation or gender identity), disability, age (except as authorized by law), religion, military status, ancestry, genetic information, or any other legally protected category (collectively, "Protected Classes") in its educational programs or activities, including the Food Service program. Students and all other members of the School Corporation community and third parties are encouraged to promptly report incidents of unlawful discrimination and/or retaliation related to the Food Service program to a teacher, administrator, supervisor, or other Corporation official so that the Board may address the conduct. See Policy 2260 – Nondiscrimination and Access to Equal Educational Opportunity.

The Food Service program will comply with Federal and State regulations pertaining to the selection, preparation, consumption, and disposal of food and beverages, including but not limited to the current USDA school meal pattern requirements and the USDA Smart Snacks in School nutrition standards, as well as to the fiscal management of the program. In addition, as required by law, a food safety program that is based on the principles of the Hazard Analysis and Critical Control Point (HACCP) system shall be implemented with the intent of preventing food-borne illnesses. For added safety and security, access to the facility and the food stored and prepared therein shall be limited to food service program staff and other authorized persons.

Further, the Food Service program shall comply with the School Lunch Fund provisions of Chapter 4 of the State Board of Accounts *Uniform Compliance Guidelines for Indiana Public School Corporations*.

### **Dietary Modifications**

A request for substitutions to the standard meal requirements due to food allergies shall be accommodated, when requested by an adult student with a disability or the parent of a student with a disability, without delay and at no additional charge. The adult student with a disability or the parent of a student with disability making such a request of the Food Service Director shall be informed that medical certification that the student has a disability that restricts his/her diet, in accordance with the criteria set forth in 7 C.F.R. Part 15b must be submitted within ten (10) school days from a health care provider who has prescriptive authority in the State of Indiana or the dietary modification may be discontinued until such statement is received.

The medical certification must identify:

- A. the child's physical or mental impairment and why the student's disability or medical condition necessitates such a restriction of the child's diet;
- B. an explanation of what the Food Service Program must do to accommodate the child's disability; and



- C. the food(s) to be omitted from the student's diet and the recommended food or choice of foods that must be substituted (e.g., caloric modifications or use of liquid nutritive formula).

After a request for a dietary modification is submitted to the Director of Food Service (Director), the Director shall, in turn, notify the Principal, school nurse, and the members of the student's IEP or 504 Team that the dietary modification shall be made for the student, pending the receipt of the required medical certification.

If deemed necessary by the student's IEP or 504 Team, the dietary modification shall be included in the student's IEP or 504 plan.

An adult student with a disability or the parent of a student with a disability who believes the accommodation requested is not being appropriately addressed may access the processes and assistance described in Policy 2260 and/or Policy 2260.01 by contacting the Corporation's Compliance Coordinator named in those policies.

A request for substitutions to the standard meal requirements due to food allergies shall be accommodated, when requested by an adult student who is not identified as having a disability or the parent of a student who is not identified as having a disability, without delay and at no additional charge. An adult student who is not identified as having a disability or the parent of a student who is not identified as having a disability making such a request of the Food Service Director shall be informed that a signed medical statement from a health care provider who has prescriptive authority in the State of Indiana that the student cannot consume certain food items due to a medical condition or some other special dietary need must be submitted within ten (10) school days or the dietary modification may be discontinued until such statement is received.

To qualify for continuing consideration and substitutions the medical statement must identify:

- A. the medical or dietary need that restricts the student's diet;
- B. an explanation of what the Food Service Program must do to address the student's medical or dietary restriction; and
- C. the food(s) to be omitted from the student's diet and the recommended food or choice of foods that must be substituted (e.g., caloric modifications or use of liquid nutritive formula).

The request for such dietary modifications shall be submitted to the Director, who shall, in turn, notify the Principal and school nurse that the dietary modification shall be made for the student. Upon request of the parent or adult student, a meeting of a team including the parent, the Director of Food Service, school nurse, and principal shall be convened to determine the specific substitution(s) that will be made to the standard meal pattern for the student.

For students who need a nutritionally equivalent milk substitute, only a signed request by a parent or guardian is required.

The Food Service Program shall not accommodate a student's request for specific substitutions to the standard meal pattern requirements that are based solely on religious or lifestyle choices.

### **Operation and Supervision of the Food Service Program**

The operation and supervision of the Food Service program is the responsibility of the Food Service Director. The Food Service program will be operated on a self-supporting basis with revenue from students, staff, Federal reimbursement, and surplus food. The Board will assist the program by furnishing available space, initial major equipment, and utensils.

### **Meal Charges**

Lunches sold by the Corporation may be purchased by students, staff members and community residents in accordance with the procedures established by the Superintendent.

The Superintendent shall recommend and the Board shall approve the cost of meals for elementary, middle, and high schools annually.

The Board recognizes that circumstances may result in a student's need to charge lunch or breakfast on occasion and shall permit such charges.

Staff members and adult community residents shall not be permitted to charge meals.

The Superintendent shall develop procedures regarding meal charges (AG 8500B), which shall be implemented by the Food Service Director. The procedures will provide direction so that deposits into a student's account are not considered income to the child nutrition program until the student charges a meal to his/her account. Further, the procedures will: 1) provide direction so that students attending Corporation schools who do not have funds in their account or on-hand to cover the cost of their meal at the time of service are treated consistently, 2) address feeding students with unpaid meal balances without stigmatizing them, 3) provide for

notification of parents when a student charges a meal, and 4) establish a plan to collect the charges made by students so that the unpaid charges are not classified as "bad debt" at the end of the school year.

Significant negative lunch account balances shall not be permitted. A significant negative lunch account balance is any balance owed in excess of \$20.00.

If a student has a significant negative lunch account balance, s/he shall be provided a regular reimbursable meal that follows the USDA meal pattern, the cost of which shall continue to accrue to his/her negative lunch account balance.

Furthermore, if a student has a negative lunch account balance, the student shall not be permitted to charge any à la carte food or beverage items.

Any significant negative lunch account balance should be pursued for collection before it is determined to be uncollectible pursuant to Policy 6151.

The Board's policy and Superintendent's procedure related to meal charges shall be distributed in writing to all households at the start of each school year and to households transferring to the school or Corporation during the school year. Additionally, the Board's policy and Superintendent's procedure related to meal charges shall be distributed to all Corporation staff responsible for policy enforcement, including Corporation food service employees, accounting staff, and all other staff involved in enforcing any aspect of the meal charge policy at the beginning of the school year and upon hire during the school year. If the Corporation contracts with any third party to provide food services, the Board policy and Superintendent's procedure also must be distributed to the contractor and its employees working in the Corporation schools.

A lunch account becomes inactive after eighteen (18) weeks with no deposits or withdrawals. An inactive lunch account that has a positive balance of \$10.00 or less may be receipted back into the school lunch fund where the School Lunch Program funds are maintained. An inactive lunch account that has a nominal negative account balance of \$10.00 or less may be offset against the positive balances in the Fund; provided, however, that if the parent requests and can document entitlement to the positive balance in the account, the parent is entitled to a refund of that amount.

#### **Bad Debt/Uncollectable Debt**

Significant negative lunch account balances that are not collected in the year when the debt was incurred shall be classified as bad debt. Bad debt incurred through the inability to collect lunch payment from students is not an allowable cost chargeable to any Federal program. Once classified as bad debt, non-Federal funding sources shall reimburse the school lunch program account for the total amount of the bad debt. If funds to reimburse the Corporation for this bad debt are not available from another source, such as school or community organizations (like the PTA) or any other non-Federal source, the funds to reimburse the school lunch program shall be transferred from the Corporation operations fund or other State or local funding to make that reimbursement.

Once the uncollectable/delinquent debt charges are converted to bad debt, records relating to those charges must be maintained in accordance with the record retention requirements in 7 C.F.R. 210.9(b)(17) and 7 C.F.R. 210.15(b). Any related collection costs, including legal costs, arising from such bad debt after they have been determined to be uncollectable also are unallowable.

Bad debt may be removed from accounts receivable in accordance with Policy 6151.

#### **Additional Compliance**

In accordance with Federal law, the Food Service Director will take such actions as are necessary to obtain a minimum of two (2) food safety inspections per school year, which are conducted by the State or local governmental agency responsible for food safety inspections. The report of the most recent inspection will be posted in a publicly visible location, and a copy of the report will be available upon request.

A periodic review of the Food Service accounts will be made by the Corporation Treasurer.

Any surplus funds from the National School Lunch Program will be used to reduce the cost of the service to students or to purchase cafeteria equipment. Surplus funds from à la carte foods may accrue to the Food Service program.

With regard to the operation of the Corporation Food Service program, the Superintendent shall require:

- A. maintenance of sanitary, neat premises free from fire and health hazards;
- B. preparation of food that complies with Federal food safety regulations;
- C. planning and execution of menus in compliance with USDA requirements;

- D. purchase of food and supplies in accordance with State and Federal law, USDA regulations, and Board policy; (see Policy 1130, Policy 1214, Policy 3113, Policy 3214, Policy 4113, Policy 4214, and Policy 6460);
- E. compliance with food holds and recalls in accordance with USDA regulations;
- F. accounting and disposition of food-service funds pursuant to Federal and State law and USDA regulations;
- G. safekeeping and storage of food and food equipment pursuant to State and Federal law and USDA regulations;
- H. regular maintenance and replacement of equipment;
- I. compliance with the Corporation's time and effort record-keeping policy by all Corporation employees whose salaries are paid from USDA funds or with non-Federal funds used to meet a match or cost share requirement. (See Policy 6116)

The Corporation's Food Service program will serve only food items and beverages as determined by the Food Service Department to be in compliance with the current USDA Dietary Guidelines for Americans. Any competitive food items and beverages that are available for sale to students à la carte in the dining area between midnight and thirty (30) minutes following the end of the last lunch period also shall comply with the current USDA *Nutrition Standards for the National School Lunch and School Breakfast Programs* and the USDA *Smart Snacks in Schools* regulations. Foods and beverages unassociated with the food-service program may be vended subject to the rules and regulations set forth in Policy 8540.

The Superintendent shall require that the Food Service program serve foods in the schools of the Corporation that are wholesome and nutritious and reinforce the concepts taught in the classroom.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: [www.usda.gov/sites/default/files/documents/Complain\\_combined-6-8-23-608.pdf](http://www.usda.gov/sites/default/files/documents/Complain_combined-6-8-23-608.pdf), or at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

1. Mail: U.S. Department of Agriculture  
Director, Center for Civil Rights Enforcement  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410;
2. Fax: (202) 690-7442; or
3. E-mail: [program.intake@usda.gov](mailto:program.intake@usda.gov).

This institution is an equal opportunity provider.

All verbal or written civil rights complaints regarding the school nutrition programs that are filed with the Corporation must be forwarded to the Civil Rights Division of USDA Food and Nutrition Service within three (3) days.

Revised 11/10/15  
Revised 4/12/16  
Revised 6/7/16  
Revised 11/14/17  
Revised 4/9/19  
Revised 10/8/19  
Revised 11/9/21

© Neola 2022

Legal

Healthy, Hunger-Free Kids Act of 2010 and Richard B. Russell National School Lunch Act, 42 U.S.C. 1751 et seq.

Child Nutrition Act of 1966, 42 U.S.C. 1771 et seq.

7 CFR Parts 15b, 210, 215, 220, 225, 226, 227, 235, 240, 245, 3015

2 C.F.R. Part 200

USDA Smart Snacks in School Food Guidelines (effective July 1, 2014)

SP 32-2015 Statements Supporting Accommodations for Children with Disabilities in the Child Nutrition Programs

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

34 CFR Part 104

Uniform Compliance Guidelines for Indiana Public School Corporation (Indiana State Board of Accounts)



Book	Policy Manual
Section	8000 Operations
Title	WELLNESS
Code	po8510
Status	Active
Adopted	August 8, 2006
Last Revised	November 9, 2021

#### 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:

1. Nutrition education shall be included in the health curriculum 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, 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.

**B. With regard to physical activity:**

**1. Physical Education**

- a. A sequential, comprehensive physical education program shall be provided for students in K-12 in accordance with the physical education academic content standards and benchmarks adopted by the State.
- b. The sequential, comprehensive physical education curriculum shall provide students with opportunities to learn, practice, and be assessed on developmentally appropriate knowledge, attitudes, and skills necessary to engage in lifelong, health-enhancing physical activity.
- c. Planned instruction in physical education shall be sufficient for students to achieve a proficient level with regard to the standards and benchmarks adopted by the State.
- d. Planned instruction in physical education shall promote participation in physical activity outside the regular school day.
- e. 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.
- f. All students in grades KG-9, 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.
- g. The physical education curriculum shall provide sequential instruction related to the knowledge, attitudes, and skills necessary to participate in lifelong, health-enhancing physical activity.
- h. 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.
- i. The sequential, comprehensive physical education curriculum shall stress the importance of remaining physically active for life.
- j. 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.
- k. Teachers properly certificated/licensed in the subject area of physical education shall provide all instruction in physical education.

- l. Professional development opportunities should focus on the physical education content area.
- m. All physical education classes shall have a student/teacher ratio comparable to the student/teacher ratio in other curricular areas.
- n. Planned instruction in physical education shall teach cooperation, fair play, and responsible participation.
- o. Planned instruction in physical education shall meet the needs of all students, including those who are not athletically gifted.
- p. Planned instruction in physical education shall be presented in an environment free of embarrassment, humiliation, shaming, taunting, bullying, or harassment of any kind.
- q. Planned instruction in physical education shall include cooperative as well as competitive games.
- r. Planned instruction in physical education shall take into account gender and cultural differences.

## 2. Physical Activity

- a. Physical activity shall not 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.
- 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 shall be provided with a daily recess period.
- e. 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.
- f. The school shall encourage families and community organizations to help develop and institute programs that support physical activity of all sorts.
- g. 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.
- h. All students shall have the opportunity to participate in extracurricular activities that emphasize physical activity.
- i. All students in grades 6-12 shall have the opportunity to participate in interscholastic sports programs.
- j. Schools may 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.
- k. All before/after school programs shall provide developmentally appropriate physical activity for the students who participate.
- l. Schools shall discourage extended periods of student inactivity without some physical activity.

### C. With regard to other school-based activities:

- 1. **Free drinking water shall be available to students during designated meal times and may be available throughout the school day.**
- 2. The schools shall provide at least thirty (30) minutes daily for students to eat.
- 3. The schools shall schedule mealtimes so there is minimum disruption by bus schedules, recess, and other special programs or events.

4. The school shall provide attractive, clean environments in which the students eat.
  5. Students at all school buildings are permitted to have bottled water only in the classroom.
  6. Activities, such as tutoring or club meetings, shall not be scheduled during mealtimes, unless students may eat during those meetings.
  7. Schools may limit the number of celebrations involving serving food during the school day
  8. 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.
  9. An organized wellness program shall be available to all staff.
  10. The schools may use environmentally friendly practices, such as the use of locally grown foods and non-disposable tableware and dishes.
  11. The schools may provide opportunities for staff, parents, and other community members to model healthy eating habits by dining with students in the school dining areas.
  12. The schools may demonstrate support for the health of all students by hosting health clinics and screenings and encouraging parents to enroll their eligible children in Medicaid or in other children's health insurance programs for which they may qualify.
  13. 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.
  14. 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.
- 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.

Additionally, the Corporation shall:

1. encourage students to increase their consumption of healthful foods during the school day;
2. create an environment that reinforces the development of healthy eating habits, including offering the following healthy foods:
  - 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.

Furthermore, with the objectives of enhancing student health and well being, and reducing childhood obesity, the following guidelines are established:

- A. In accordance with Policy 8500, entitled Food Service, the food service program shall comply with Federal and State regulations pertaining to the selection, preparation, consumption, and disposal of food and beverages as well as to the fiscal management of the program.
- B. The sale of foods of minimal nutritional value in the food service area during the lunch period is prohibited.
- C. As set forth in Policy 8531, entitled Free and Reduced Price Meals, the guidelines for reimbursable school meals are not less restrictive than the guidelines issued by the U.S. Department of Agriculture (USDA).
- D. The sale to students of foods and beverages that do not meet the USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards to be consumed on the school campus during the school day is prohibited. Competitive foods available for purchase by students à la carte in the dining area, foods or beverages sold from vending machines, and foods and beverages provided by the school or school staff for classroom parties or holiday celebrations are subject to this prohibition.
- E. 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 food and beverage standards approved by the Superintendent.
- 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. All food items and beverages available for sale to students for consumption on campus between midnight and thirty (30) minutes 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.
- I. The school food service program may involve students, parents, staff, and/or school officials in the selection of competitive food items to be sold in the schools.
- J. Nutrition information for competitive foods available during the school day shall be readily available near the point of purchase.
- K. 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.
- L. Any food items sold for consumption on campus from thirty (30) minutes after the end of the last lunch period until thirty (30) minutes after the school day ends in a fundraiser by approved student clubs and organizations and Corporation support organizations shall meet the current USDA Dietary Guidelines for Americans.
- M. The food service program shall be administered by a director who is properly qualified, certificated, licensed, or credentialed, according to current professional standards.
- N. All food service personnel shall receive pre-service training in food service operations.
- O. Continuing professional development shall be provided for all staff of the food service program.

The Board designates 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 shall appoint a Corporation wellness committee that 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.

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 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  
[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 on the School Corporation's website.

Revised 1/15

Revised 11/8/16

Revised 11/14/17

© Neola 2021

Legal

I.C. 20-26-9-18

42 U.S.C. 1751 et seq.

42 U.S.C. 1758b

42 U.S.C. 1771 et seq.

7 C.F.R. Parts 210 and 220



Book	Policy Manual
Section	8000 Operations
Title	FREE AND REDUCED-PRICE MEALS
Code	po8531
Status	Active
Adopted	November 8, 2016

### 8531 - FREE AND REDUCED-PRICE MEALS

The School Board recognizes the importance of good nutrition to each student's educational performance.

The Board shall provide eligible children with lunch at a reduced rate or at no charge to the student. It also shall provide breakfast in accordance with provisions in I.C. 20-26-9-1 et seq.

Eligibility of students for free or reduced-priced meals shall be determined by the criteria established by the Child Nutrition Program.

The Board designates the Food Services Director to determine the eligibility of students for free and reduced-price meals in accordance with the criteria issued annually by the Federal government through the State Department of Education.

The schools shall annually notify all families of the availability, eligibility requirements, and application procedure for free and reduced-price meals by distributing an application to the family of each student enrolled in the school and shall seek out and apply for such Federal, State, and local funds as may be applied to the Corporation's program of free and reduced-price meals.

The Corporation shall follow the current Federal and State statutes and regulations governing school lunch programs, including but not limited to those governing the application process, accounting standards, and audit requirements of the Free and Reduced Lunch Program. All employees responsible for the collection and processing or auditing of free and reduced price lunch applications shall be trained in the requirements of the Free and Reduced Lunch Program, including but not limited to the eligibility requirements, accounting standards, and audit requirements.

In addition, applications for students to qualify for free and reduced price lunches shall be audited a second time by a Corporation employee other than the Corporation employee who collects and processes the applications initially. This employee also shall be trained in the requirements of the Free and Reduced Lunch Program, including but not limited to the eligibility requirements, accounting standards, and audit requirements. Applications will be audited a second time as follows:

A review will be completed of 100% of applicants.

The Superintendent shall establish whatever administrative guidelines are necessary to ensure the program is conducted in accordance with guidelines established by the U.S. Department of Agriculture and the Indiana Department of Education.

© Neola 2016

Legal	I.C. 20-26-9-1 et seq.
	I.C. 20-41-2-1 et seq.
	42 U.S.C. 1751 et seq.
	42 U.S.C. 1771 et seq.





Book	Policy Manual
Section	8000 Operations
Title	VENDING MACHINES
Code	po8540
Status	Active
Adopted	December 9, 2014
Last Revised	November 8, 2016

#### 8540 - **VENDING MACHINES**

The School Board recognizes that vending machines can produce revenues that are useful to augment programs and services to students and staff. It will, therefore, authorize their use in Corporation facilities provided that the following conditions are satisfied:

- A. The installation, servicing, stocking, and maintenance of each machine is contracted for with a reputable supplier of vending machines and their products.
- B. The Corporation's share of the revenues is managed by the Treasurer in accordance with relevant Board policies and administrative guidelines.
- C. No products are vended between 12:00 am midnight and thirty (30) minutes following the end of the school day that would conflict with or contradict information or procedures contained in the Corporation's educational programs on health and nutrition or with Policy 8510 - Wellness.
- D. Food items and beverages available for sale to students in vending machines for consumption on campus between 12:00 am midnight and thirty (30) minutes following the end of the school day shall comply with the current USDA's *Dietary Guidelines for Americans* and *Smart Snacks for Schools* regulations.

The Superintendent shall develop and implement administrative guidelines that require that these conditions are adhered to on a continuing basis and that the proper procedures are established regarding location, operation, and maintenance of the equipment as well as for the dispensing of products.

© Neola 2016

Legal	42 U.S.C. 1779
	7 C.F.R. 210.11(a)(5)



Book	Policy Manual
Section	8000 Operations
Title	TRANSPORTATION
Code	po8600
Status	Active
Adopted	January 9, 2001
Last Revised	April 13, 2021

#### **8600 - TRANSPORTATION**

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

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

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

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

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.

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 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).

A special purpose bus may be used for transportation of students from one school to another school.

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

A special purpose bus may be used to transport homeless or foster students. If more than seven (7) students are being transported to schools in the same school corporation, a school bus or a special purpose bus must be used. If seven (7) or fewer students are

being transported to schools in the same school corporation, a special purpose bus or an "appropriate vehicle" may be used to transport the students. The driver must meet the qualifications for the driver of a school bus or special purpose bus 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 eight (8) passengers including the driver. The term "appropriate vehicle" includes a car, truck, sport utility vehicle, or minivan.

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

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

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

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

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

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

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

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

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

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

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

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

#### **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.

Revised 4/9/19

Revised 5/12/20

© Neola 2020

## Legal

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

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

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

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

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

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

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

I.C. 20-27-11-1

I.C. 20-27-10-0.5

I.C. 20-27-12-0.1

I.C. 20-27-12-0.3

I.C. 20-27-12-5

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

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





Book	Policy Manual
Section	8000 Operations
Title	BUS DRIVERS AND CELLULAR TELEPHONE USE
Code	po8606
Status	Active
Adopted	November 8, 2016
Last Revised	November 9, 2021

#### 8606 - **BUS DRIVERS AND CELLULAR TELEPHONE USE**

It is the policy of the School Board to take every step necessary to maintain the safety of its students while riding in school buses that are used to transport School Corporation students. This policy shall be implemented in compliance with Federal and State law and regulations of the Indiana State Board of Education and the State School Bus Committee.

#### **Definitions:**

"Electronic device" includes, but is not limited to, a cellular telephone; personal digital assistant; pager; computer; or any other device used to input, write, send, receive, or read text.

"Mobile telephone" means a mobile communication device that falls under or uses any commercial mobile radio service, as defined in regulations of the Federal Communications Commission, 47 CFR 20.3. It does not include two (2)-way or Citizens Band Radio services.

"Telecommunications device" means an electronic or digital telecommunications device. The term includes a:

- A. wireless telephone;
- B. personal digital assistant;
- C. pager; or
- D. text messaging device.

The term does not include:

- A. amateur radio equipment that is being operated by a person licensed as an amateur radio operator by the Federal Communications Commission under 47 CFR Part 97; or

- B. a communications system installed in a commercial motor vehicle weighing more than 10,000 pounds.

"Text message" means a communication in the form of electronic text sent from a telecommunications device.

#### **Federal and State Laws:**

Federal and State law prohibit texting, emailing, and using a telecommunications device or hand-held mobile telephone, including a cellular telephone, while driving commercial motor vehicles, including school buses, except in a bona fide emergency.

Federal regulations prohibit operators of commercial motor vehicles from texting while driving. Federal regulations also prohibit operators of commercial motor vehicles from using a hand-held mobile telephone while driving. For purposes of the Federal regulations, "driving" does not include operating a commercial motor vehicle when the driver has moved the vehicle to the side of, or off, a highway and has halted in a location where the vehicle can safely remain stationary.

State law prohibits a person from using a telecommunications device to:

- A. type a text message or an electronic mail message;
- B. transmit a text message or an electronic mail message; or
- C. read a text message or an electronic mail message;

while operating a moving motor vehicle unless the device is used in conjunction with hands-free or voice-operated technology, or unless the device is used to call 911 to report a bona fide emergency.

Furthermore, it is a serious traffic violation under State law to drive a commercial motor vehicle while using a hand-held device as described in the Federal regulations at 49 CFR 383 through 384 and 49 CFR 390 through 392.

#### **Prohibitions:**

In light of the Corporation's policy to protect the safety of its students to the greatest extent possible and the State and Federal laws referenced herein, all Corporation employees and any independent contractors or employees of independent contractors who drive school buses or other motor vehicles to transport Corporation students are prohibited from holding or using a telecommunication device while operating a moving motor vehicle.

As referenced above, an exception to this prohibition is to call 911 to report a bona fide emergency. In cases of a bona fide emergency, if possible, the driver should move to the side of the road and stop the vehicle before using the cellular telephone, electronic device, mobile telephone or telecommunications device. A telecommunication device may be used in conjunction with hands-free or voice-operated technology.

A Corporation employee who violates this policy shall be subject to disciplinary action, up to and including termination. The Board directs that any contracts entered into with an independent contractor for bus transportation shall provide that: 1) the Corporation requires compliance by the independent contractor and its employees or subcontractors with this policy as a condition of the contract; and 2) the violation of this policy by an independent contractor or its employees or subcontractors may result in the termination of the contract.

© Neola 2021

Legal	I.C. 9-13-2-31 ("commercial motor vehicle" defined)
	I.C. 9-13-2-161 ("school bus" defined)
	I.C. 9-13-2-177.3 ("telecommunications device" defined)
	I.C. 9-13-2-177.4 and I.C. 9-21-8-0.5 ("text message" defined)
	I.C. 9-21-8-59 (prohibition against use of telecommunications device while operating a moving motor vehicle)
	I.C. 9-24-6-6(a)(12) (driving a commercial motor vehicle while using a hand-held mobile device)
	49 C.F.R. 383.5 (definition of "commercial motor vehicle," "electronic device" and "mobile telephone")
	49 C.F.R. 383.51 (disqualification of drivers)
	49 C.F.R. 391.15 (disqualification of drivers)
	49 C.F.R. 392.80 (prohibition against texting while driving)
	49 C.F.R. 392.82 (prohibition against using a hand-held mobile telephone while driving)



Book	Policy Manual
Section	8000 Operations
Title	IDLING SCHOOL BUSES AND OTHER IDLING VEHICLES ON SCHOOL PROPERTY
Code	po8615
Status	Active
Adopted	December 11, 2012

#### **8615 - IDLING SCHOOL BUSES AND OTHER IDLING VEHICLES ON SCHOOL PROPERTY**

The Board seeks to limit vehicle emissions that might be brought into school corporation buildings to reduce exposure to these emissions and to improve indoor air quality for students, staff, and visitors. This policy applies to all public and private vehicles on any school property and to school buses while transporting students at any time.

The school shall post signs in areas where idling is prohibited. Drivers of vehicles are to turn off the engine if the vehicle is to be stopped for more than five (5) minutes.

Exceptions to this policy include, but are not limited to:

**A. Safety of children or emergencies**

1. use of lift equipment during loading of individuals with special needs
2. use of defroster, heater, air conditioning, or other equipment during loading or unloading for health or safety concerns
3. use of bus headlights or flasher warning lights for safety or visibility purposes
4. other safety or emergency issues

**B. Hot or cold weather**

1. during hot weather and the bus has air conditioning to keep students cool while on the bus
2. during cold weather to warm the bus (this should be done outside the school zone)

**C. Maintenance operations**

1. buses may idle as necessary as part of a pre-safety inspection
2. if necessary to make emergency repairs to vehicles

The staff will be informed of this policy at the start of each school year. Parents and students will be informed of this policy at the start of each school year at annual orientations or through student/parent handbooks.

The Superintendent shall prepare administrative guidelines to implement anti-idling and smart driving procedures for all personnel driving School Corporation owned vehicles or drivers of buses contracted to transport students.

Complaints of non-compliance are to be filed with the Superintendent.

© Neola 2012

Legal

I.C. 16-9-3-5, 16-41-37.5

410 IAC 33-4-3

Indiana Department of Health Idling Vehicles Sample Policy



Book	Policy Manual
Section	8000 Operations
Title	TRANSPORTATION FOR FIELD AND OTHER CORPORATION-SPONSORED TRIPS
Code	po8640
Status	Active
Adopted	January 9, 2001

#### **8640 - TRANSPORTATION FOR FIELD AND OTHER CORPORATION-SPONSORED TRIPS**

It shall be the policy of the School Board to use regular or special-purpose, school vehicles for transportation on field and other Corporation-sponsored trips.

The transportation for all field and other Corporation-sponsored trips is to be by vehicles owned or approved by the Corporation and driven by approved drivers. Exceptions must have the approval of the Superintendent.

The Corporation shall assume transportation costs for all field trips.

It will also assume the transportation costs for all other trips including co-curricular, athletic, and other extra-curricular trips.

Transportation may be limited by the availability of vehicles, drivers, and scheduling and will not be available when needed for general school purposes.

All field trips shall be supervised by members of the staff. All other Corporation-sponsored trips shall be supervised by either staff members or adults from the sponsoring organization. Any time students are on the vehicle, at least one (1) sponsor, chaperone, or staff member is expected to ride in the vehicle as well as to supervise students upon return to the Corporation and while they are waiting for rides home.

All students are expected to ride the approved vehicle to and from each activity. A special request must be made to the staff member or sponsor by the parent, in writing or in person, to allow an exception.

Corporation students not affiliated with the trip activity, noncorporation students, and/or children of preschool age shall not be permitted to ride on the trip vehicle.

No student is allowed to drive on any trip. An exception may be made by the principal on an individual basis provided the student has written parental permission.

The Superintendent shall prepare administrative guidelines to ensure that all transportation is in compliance with Board policy on use of Corporation vehicles and/or use of private vehicles.

Legal	I.C. 8-2.1-25, 20-9.1-5-3.5 et seq.
-------	-------------------------------------



Book	Policy Manual
Section	8000 Operations
Title	NONSCHOOL USE OF CORPORATION VEHICLES
Code	po8651
Status	Active
Adopted	January 9, 2001
Last Revised	July 1, 2003

#### **8651 - NONSCHOOL USE OF CORPORATION VEHICLES**

The School Board will permit school vehicles, owned or leased by this Corporation, to be used to transport individuals or groups in accordance with law.

Such transportation shall be limited to those hours and days when vehicles are not required for the transportation of students. The Board reserves the right to refuse or cancel any nonschool transportation in the interest of the educational program or the efficient operation of the Corporation.

Vehicles must be operated by the holder of a valid bus driver's license who is an employee of this Corporation or someone approved by the Board. The cost of nonschool transportation shall be based on administrative guidelines established by the Superintendent.

Legal	I.C. 20-9,1-5-3,5
-------	-------------------



Book	Policy Manual
Section	8000 Operations
Title	INSURANCE
Code	po8710
Status	Active
Adopted	April 12, 2005

#### 8710 - **INSURANCE**

The School Board shall purchase with Corporation funds the type and amount of insurance necessary to protect the Corporation from major financial losses.

Insurance purchased shall include, but need not be limited to, the following:

- A. fire and extended coverage on buildings and contents
- B. comprehensive bodily injury, property damage on automobiles, buses, and trucks
- C. boiler and machinery
- D. special coverage for equipment not ordinarily covered under a standard policy
- E. employee insurance coverage as specified in the Master Agreement(s) or by Board action
- F. worker's compensation coverage
- G. open stock burglary
- H. legal liability for Board members and employees

Insurance for a given coverage shall be obtained at the lowest possible cost, assuming that service and company reliability are satisfactory. The Superintendent shall administer the insurance program.

Legal	I.C. 20-26-5-4, 20-27-5-9, 20-9.1-2-6, 21-2-5.6-1 et seq.
-------	---



Book	Policy Manual
Section	8000 Operations
Title	BONDING
Code	po8740
Status	Active
Adopted	January 9, 2001

#### 8740 - **BONDING**

The School Board recognizes that prudent trusteeship of the resources of this Corporation dictate that employees responsible for the safekeeping of Corporation monies and property be bonded.

The Corporation shall be indemnified against loss of money and property by bonding of employees holding the positions and in the amounts determined by the Board.

The Board shall bear the cost of bonding each employee required to be bonded by this policy.





Book	Policy Manual
Section	8000 Operations
Title	DEFENSE AND INDEMNIFICATION OF BOARD MEMBERS AND EMPLOYEES
Code	po8750
Status	Active
Adopted	April 12, 2005
Last Revised	November 12, 2013

#### **8750 - DEFENSE AND INDEMNIFICATION OF BOARD MEMBERS AND EMPLOYEES**

It is the policy of the Board to defend and indemnify Board members and employees in claims brought against them if:

- A. the acts and omissions which gave rise to a claim arise out of their office or employment;
- B. the Board receives timely notice of the claim and has the opportunity to evaluate and defend against the claim; and
- C. the Board member or employee's acts or omissions which are the basis of the claim are not predicated on or arise out of bad faith or malfeasance.

The Board may purchase one (1) or more policies of insurance or self-insure to implement this policy. Where counsel is provided by an insurance carrier, the Board shall be advised in the implementation of this policy by that counsel and the school attorney appointed by the Board.

As used in this policy, the term "Board members and employees" means Board members, employees, volunteers, student teachers, and/or parent organizations.

As used in this policy, "defend and indemnify" means paying all costs of defense including attorneys' fees, court costs, and costs of litigation as well as any judgment or settlement of a claim. Pursuant to the authority given to the Board by I.C. 20-26-5-4(15), the Board may purchase liability insurance or self-insure to pay these expenses.

As used in this policy, the term "claim" includes a demand or cause of action based upon an alleged tort, breach of contract, or violation of an Indiana or Federal statute or constitution.

In implementing this policy, the Board may authorize the defense and indemnification of a Board member or employee by adopting a resolution pursuant to the authority given the Board in I.C. 20-26-5-4(17). A resolution adopted pursuant to this policy may reserve to the Board the right to make a final determination concerning the defense and indemnification of the Board member or employee when the facts which gave rise to the claim have been fully investigated and evaluated. If a resolution of the Board reserves a right to make a final determination, and the Board does not exercise that reserved right, the preliminary resolution shall become the Board's final determination. Failure to pass a resolution shall not affect the Board's authority or responsibility to defend or indemnify a Board member or employee. However, if a resolution is put to a vote by the Board and the resolution fails, the Board shall not defend or indemnify the Board member or employee pursuant to this policy.

It is the policy of the Board to pay all costs and fees incurred by or on behalf of any employee of the Corporation, including a member of a committee, a commission, an authority, or another instrumentality of the Board, in defense of any suit arising out of the performance of duties for, or employment with, the Corporation, provided the Board by resolution determines that such action was taken in good faith. The Corporation shall, subject to the provisions of Statute, also pay any judgment, compromise, or settlement of the claim or suit when the Board determines that it is in the best interest of the Corporation, the act or omission causing the loss is within the scope of the employee's employment, and the employee did not act in bad faith or with malfeasance in office or employment. The intent is to hold any such employee harmless from any liability, cost, or damage in connection therewith,

including but not limited to the payment of any legal fees, except where such liability, cost, or damage is predicated on, or arises out of, the bad faith of such employee or is a claim or judgment based on his/her malfeasance in employment.

Revised 12/11/12

© Neola 2013

Legal

I.C. 20-26-5-4(15) and (17), 34-13-2 through 4, 34-13-3-20



Book	Policy Manual
Section	8000 Operations
Title	RELIGIOUS/PATRIOTIC CEREMONIES AND OBSERVANCES
Code	po8800
Status	Active
Adopted	January 9, 2001
Last Revised	April 13, 2021

#### **8800 - RELIGIOUS/PATRIOTIC CEREMONIES AND OBSERVANCES**

Decisions of the United States Supreme Court have made it clear that it is not the province of a public school to advance or inhibit religious beliefs or practices. Under the First and Fourteenth Amendments to the Constitution, this remains the inviolate province of the individual and the church of his/her choice. The rights of any minority, no matter how small, must be protected. No matter how well-intended, either official or unofficial sponsorship of religiously-oriented activities by the school are offensive to some and tend to supplant activities which should be the exclusive province of individual religious groups, churches, private organizations, or the family.

School Corporation staff members shall not use prayer, religious readings, or religious symbols as a devotional exercise or an act of worship or celebration. The Corporation shall not act as a disseminating agent for any person or outside agency for any religious or anti-religious document, book, or article. Distribution of such materials on Corporation property by any party shall be in accordance with Policy 7510 and AG 7510A - Use of Corporation Facilities and Policy 9700 and AG 9700 - Relations with Special Interest Groups.

The School Board acknowledges that it is prohibited from adopting any policy or rule respecting or promoting an establishment of religion or prohibiting any person from the free, individual, and voluntary exercise or expression of the individual's religious beliefs. Such exercise or expression may be limited to lunch periods or other non-instructional time periods when individuals are free to associate. However, an individual who is required by his/her religious beliefs to engage in religious exercise (e.g. a formal prayer during the school day) will be accommodated unless such accommodation would disrupt an educational function.

In order that the right of each student to the free exercise of religion is guaranteed within the school and the freedom of each student to either engage in or refrain from religious observation on school grounds is subject to the least possible coercion from the State, the Board shall establish the daily observance of a moment of silence in each classroom or on school grounds.

Observance of religious holidays through devotional exercises or acts of worship is also prohibited. Acknowledgement of, explanation of, and teaching about religious holidays of various religions is encouraged. Celebration activities involving nonreligious decorations and use of secular works are permitted, but it is the responsibility of all faculty members to ensure that such activities are strictly voluntary, do not place an atmosphere of social compulsion or ostracism on minority groups or individuals, and do not interfere with the regular school program.

The United States flag shall be displayed in each classroom of every school in the Corporation.

The flags of the United States and of Indiana shall be raised above each school and/or at other appropriate places during all school sessions, weather permitting. The flags shall be raised before the opening of school and taken down at its close every day.

The Board shall provide a daily opportunity for students to voluntarily recite the Pledge of Allegiance in each classroom or on school grounds. A student is exempt from participation and may not be required to participate if the student chooses not to or the student's parent chooses not to have the student participate. The Superintendent shall develop administrative guidelines which ensure that any staff member who conducts this activity does it at an appropriate time, in an appropriate manner, and with due regard to the need to protect the rights and the privacy of a nonparticipating student.

The Corporation may place a durable poster or framed picture of the national motto "In God We Trust" and an accurate representation of the United States flag and Indiana State flag positioned under the national motto in each school library and classroom within the Corporation. The durable poster or framed picture must meet the specifications outlined by State statute. The representation of the United States flag and the Indiana State flag must comply with any applicable federal or state laws concerning the design, dimensions, or presentation of the respective flags.

Revised 7/11/06

Revised 4/10/18

© Neola 2020

Legal	I.C. 1-1-11-2
	I.C. 1-2-2-1
	I.C. 1-2-3-6
	I.C. 20-30-3-5
	I.C. 20-30-5-0.5
	I.C. 20-30-5-4.5
	I.C. 20-33-12
	20 U.S.C. 4071 et seq.



Book	Policy Manual
Section	8000 Operations
Title	ANTI-FRAUD
Code	po8900
Status	Active
Adopted	June 10, 2008

#### 8900 - **ANTI-FRAUD**

This policy is implemented to advise employees about activities which may be fraudulent, illegal or otherwise unethical. The Corporation will not tolerate such activities and disciplinary measures will be implemented as appropriate.

##### **Scope**

This policy applies to any fraud, or suspected fraud, involving employees as well as consultants, vendors, contractors, outside agencies doing business with employees of such agencies, and any other parties with a business relationship with the Corporation.

##### **Policy**

Fraud and fraudulent activity is strictly prohibited.

Each employee or agent of the Corporation shall be responsible for reporting any observed or suspected fraud or fraudulent activity to the Business Office, the Superintendent or the Board President.

All administrators shall be vigilant for any conduct that may appear to constitute fraud within the areas of their responsibility.

All reporting and investigation shall be done in accordance with the Corporation's Whistleblower's Guideline. (AG 1411).

##### **Fraud – Definitions**

Fraud is defined as the intentional, false representation or concealment of a material fact for the purpose of inducing another to act upon his/her injury.

The following are examples of prohibited acts:

- A. falsification of any Corporation record with the intent to conceal information to the Corporation's detriment or the individual's advantage, particularly financial records
- B. forgery of a check, bank draft, wire transfer or any other Corporation financial document
- C. unauthorized alteration of a financial document or account belonging to the Corporation
- D. misappropriation of funds, supplies or other assets of the Corporation
- E. impropriety in the handling or reporting of money or financial transactions
- F. disclosing confidential and proprietary information to outside parties for personal gain (either directly or indirectly)
- G. asking for or accepting anything of material value from contractors, vendors or persons providing services or materials to the Corporation, except as provided in gift policies

H. unauthorized destruction, removal, or use of records, furniture, fixtures and/or equipment for personal gain (either directly or indirectly)

I. misuse of State or Federal funds for other than their designated purposes

This list is meant to illustrate the types of activities that are prohibited. It is not comprehensive. Other misconduct of a similar nature is similarly prohibited.

### **Confidentiality**

The Corporation will maintain confidentiality with regard to the reports of suspected misconduct and the investigation, to the extent consistent with the conduct of an appropriate investigation and its obligations under the Freedom of Information Act. However, absolute confidentiality for reporting witnesses and investigation results cannot be guaranteed.

Except as authorized by the Superintendent, the reporting witness and others interviewed are not to discuss the allegations or investigation with other Corporation employees or officials, vendors or contractors. Such discussions may interfere with the investigation. Further, because of the nature of the alleged misconduct, unsubstantiated allegations which are not privileged could harm an innocent individual's reputation and result in potential civil liability.

### **Non-Retaliation**

Those who, in good faith, report suspected fraudulent activity will not be subject to any retaliation as a result of bringing the suspected misconduct forward. They will be subject to protection of the Corporation's Whistleblower's Policy 1411.