



Book	Policy Manual
Section	2000 Program
Title	VISION OF THE CORPORATION
Code	po2104
Status	Active
Adopted	December 14, 2004

2104 - **VISION OF THE CORPORATION**

The vision of the Corporation is that of a dynamic organization that will work in partnership with the family and community to maintain and provide adequate resources for a safe, disciplined, and productive environment where all students and highly competent and committed adults are meaningfully engaged in learning. Our curriculum design and instructional practices will provide the knowledge, attitudes, skills, and habits for all students to become responsible citizens in American society, life-long learners, and successful participants in a global and technological society.



Book	Policy Manual
Section	2000 Program
Title	MISSION OF THE CORPORATION
Code	po2105
Status	Active
Adopted	April 12, 2005
Last Revised	January 1, 2007

2105 - MISSION OF THE CORPORATION

The mission of the Nineveh-Hensley-Jackson United School Corporation is to actively partner with students, staff, families, and community to ensure all students acquire and apply knowledge, attitudes, skills, and habits to be responsible citizens in American society, life-long learners and successful participants in a global and technological society by providing:

- A. open communication with parents and community about issues concerning the NHJ School District;
- B. prompt feedback to parents about student learning progress and guidance for home support for student learning;
- C. the community with reports concerning academic performance through graduation and beyond;
- D. data-driven, cost-analysis of student learning needs, financial operating costs, and facility requirements;
- E. school improvement plans that meet North Central Association requirements;
- F. a process of staff evaluation that connects student performance with professional development;
- G. a process for hiring highly competent staff;
- H. a comprehensive K-12 program in a safe environment that prepares students for successful post-secondary education;
- I. a comprehensive K-12 student assistance/guidance program that promotes career awareness, educational planning that includes post-secondary opportunities, self-awareness, self-esteem, and character development; and
- J. a continuous process of vision and mission review.



Book	Policy Manual
Section	2000 Program
Title	CURRICULUM DEVELOPMENT
Code	po2210
Status	Active
Adopted	January 9, 2001

2210 - CURRICULUM DEVELOPMENT

The School Board recognizes its responsibility for the quality of the educational program of the schools. To this end, the curriculum shall be developed, evaluated, and adopted on a continuing basis and in accordance with a plan for curriculum growth established by the Superintendent with approval by the Board..

For purposes of this policy, curriculum shall be defined as all the planned activities of the schools, both individual and group, necessary to accomplish the educational goals of the Corporation and procedure for evaluating the attainment of educational objectives.

The Board directs that the curriculum of this Corporation will:

- A. provide instruction in courses required by statute and the State Department of Education regulations necessary for performance-based accreditation;
- B. be consistent with the Corporation's philosophy and goals and result in their achievement;
- C. allow for the development of individual talents and interests as well as recognize that learning styles of students may differ;
- D. provide for continuous and cumulative learning through effective articulation at all school and grade levels;
- E. utilize a variety of learning resources to accomplish the educational goals;
- F. encourage students to utilize guidance and counseling in their academic and career planning.

As educational leader of the Corporation, the Superintendent shall be responsible to the Board for the development and evaluation of curriculum and preparation of courses of study. S/He shall establish administrative guidelines for curriculum which ensure proper development, implementation, and evaluation.

The Superintendent shall make progress reports to the Board periodically.

The Superintendent shall report to the Board each innovative program along with its objectives, evaluative criteria, and costs before each such program is initiated.

Legal	I.C. 20-10.1-1 et seq. 511 IAC 6-2-1 et seq.
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Book	Policy Manual
Section	2000 Program
Title	ADOPTION OF COURSES OF STUDY
Code	po2220
Status	Active
Adopted	January 9, 2001

2220 - ADOPTION OF COURSES OF STUDY

The School Board shall provide a comprehensive instructional program to serve the educational needs of the students of this Corporation. In furtherance of this goal and pursuant to law, the Board shall periodically adopt courses of study.

No course of study shall be taught in the schools of this Corporation unless it has been adopted by the Board.

The Superintendent shall recommend to the Board such courses of study as are deemed to be in the best interests of the students. The Superintendent's recommendation shall include the following information about each course of study:

- A. its applicability to students and an enumeration of those groups of students to be affected by it
- B. the intended learning objectives
- C. its scope and sequence
- D. suggested activities
- E. the resources that its implementation will require, including instructional materials, equipment, specially-trained personnel, etc.
- F. the plan for its continuous assessment which includes criteria and standards
- G. its developmental and operational history as well as data on results, where available

Each course of study is intended to provide a basic framework for instruction and learning. Within this framework, each teacher shall use the course of study in a manner best designed to meet the needs of the students for whom s/he is responsible. Deviation from its content must be approved in accordance with the Superintendent's administrative guidelines.

Legal	I.C. 20-10.1-4-1 et seq. 511 IAC Article 6
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Book	Policy Manual
Section	2000 Program
Title	MANDATORY CURRICULUM
Code	po2221
Status	Active
Adopted	January 9, 2001
Last Revised	December 13, 2022

2221 - **MANDATORY CURRICULUM**

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

- A. the Constitution of the United States and Indiana in grades 6 through 12
- B. the system of government in Indiana and the United States, methods of voting, party structures, election laws, and the responsibilities of citizen participation in government and in elections in grades 6 through 12
- C. American History in high school
- D. safety education in grade 8
- E. the principles of hygiene and sanitary science in grade 5, at a minimum
- F. the spread of disease by rats, flies, and mosquitoes, and its effects, and of disease prevention by the proper selection and consumption of food
- G. the nature of alcoholic beverages, tobacco, prescription drugs, controlled substances, and their effects on the human system and society at large in grades K through 12
- H. Human Immunodeficiency Virus (HIV), and to the extent possible, instruction on other serious communicable diseases
- I. instruction on human sexuality or sexually transmitted diseases, including abstinence from sexual activity outside of marriage as the expected standard for all school-age children, that abstinence is the only certain way to avoid sexually transmitted diseases, pregnancy, and other associated health problems, and the best way to avoid sexually-transmitted diseases and other associated health problems are to establish a mutually faithful monogamous relationship in the context of marriage
- J. instruction regarding breast and testicular cancer, including the significance of early detection through self-examination, and in the case of breast cancer, regularly-scheduled mammograms in high school
- K. career awareness and career development, employment matters, and work values in grades 1-12
- L. human organ donor program and blood donor program as part of the high school health education curriculum
- M. good citizenship instruction
- N. personal financial responsibility in grades 6 through 12

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

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

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

When required by law, the Board shall approve the course of instruction prior to its use in the classroom.

Revised 12/14/10

Revised 12/9/14

Revised 4/14/15

Revised 4/12/16

Revised 4/10/18

Revised 4/9/19

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Legal

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

I.C. 20-30-5

511 IAC Article 6

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

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

18 U.S.C. 2246

18 U.S.C. 2256

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

20 U.S.C. 6777

20 U.S.C. 9134 (2003)

20 U.S.C. 7131, Internet Safety

47 C.F.R. Part 54



Book	Policy Manual
Section	2000 Program
Title	COURSE GUIDES
Code	po2230
Status	Active
Adopted	April 12, 2005

2230 - **COURSE GUIDES**

The School Board recognizes that there may be a need from time to time to augment one or more segments of a course of study with a guide in order to better accomplish learning results with students.

As appropriate to the course of study, each guide shall contain:

- A. learning activities needed to achieve the outcome;
- B. appropriate materials and resources;
- C. suggested methods of instruction;
- D. evaluation criteria, standards, and methods which will confirm the extent to which learning outcomes have been achieved;
- E. a list of supplemental materials for the guidance of teachers.

The Superintendent shall be responsible for the preparation of course guides and shall establish administrative guidelines related to their preparation.

All new course guides and revision of existing guides shall be submitted to the Board for approval before they are implemented.

Copies of all current course guides shall be kept on file in the office of the Superintendent.

Legal	I.C. 20-30-5 et seq. 511 IAC 6
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Book	Policy Manual
Section	2000 Program
Title	CONTROVERSIAL ISSUES
Code	po2240
Status	Active
Adopted	January 9, 2001
Last Revised	November 9, 2021

2240 - **CONTROVERSIAL ISSUES**

The School Board believes that the consideration of controversial issues has a legitimate place in the instructional program of the School Corporation.

Properly introduced and conducted, the consideration of such issues can help students learn to identify important issues, explore fully and fairly all sides of an issue, weigh carefully the values and factors involved, and develop techniques for formulating and evaluating positions.

For purposes of this policy, a controversial issue is a topic on which opposing points of view have been promulgated by responsible opinion and/or likely to arouse both support and opposition in the community.

The Board will permit the introduction and proper educational use of controversial issues provided that their use in the instructional program:

- A. is related to the instructional goals of the course of study and level of maturity of the students;
- B. does not tend to indoctrinate or persuade students to a particular point of view;
- C. encourages open-mindedness and is conducted in a spirit of scholarly inquiry; and
- D. does not cause a substantial disruption in the school environment.

Controversial issues related to the program may be initiated by the students themselves, provided they are presented in the ordinary course of classroom instruction, relate to the topic of instruction, and do not cause substantial disruption into the school environment.

Controversial issues may not be initiated by a source outside the schools unless prior approval has been given by the principal.

When controversial issues have not been specified in the course of study, the Board will permit the instructional use of only those issues which have been approved by the principal.

In the discussion of any issue, a teacher may express a personal opinion, but shall identify it as such, and must not express such an opinion for the purpose of persuading students to the teacher's point of view. Teachers should be mindful that this does not permit them to offer opinions on topics which should not be the subject of discussion in the classroom due to their inappropriateness for the age(s) of the students involved. As always, teachers are expected to demonstrate good judgment as professionals in introducing controversial issues and expressing personal opinions in the classroom as exemplars for their students.

The Board recognizes that a course of study or certain instructional materials may contain content and/or activities that some parents find objectionable. If after careful, personal review of the program lessons and/or materials, a parent indicates to the school that either the content or activities conflicts with his/her religious beliefs or value system, the school will honor a written request for his/her child to be excused from a particular class for specified reasons. The student, however, will not be excused from participating in the course and will be provided alternate learning activities during times of such parent-requested absences.

The Superintendent shall develop administrative guidelines for dealing with controversial issues and with parental concerns about program content or the use of particular materials.

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Book	Policy Manual
Section	2000 Program
Title	INNOVATIVE PROGRAMS
Code	po2250
Status	Active
Adopted	April 12, 2005

2250 - **INNOVATIVE PROGRAMS**

The School Board wishes to promote the continued improvement of the instructional and curricular program of the schools through all appropriate means. The Board will encourage members of the school staff and of the student body who wish to pursue a promising program for school improvement.

An innovative program design shall address the steps below when appropriate to the project:

- A. rationale
- B. specific objectives
- C. supportive research
- D. cost factors
- E. in-service requirements
- F. plans for broader implementation
- G. methods for evaluation

Each innovative program shall be consistent with the Corporation's objectives and long-range plans. Programs designed for special education students must comply with Federal and State guidelines.



Book	Policy Manual
Section	2000 Program
Title	NONDISCRIMINATION AND ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY
Code	po2260
Status	Active
Adopted	January 9, 2001
Last Revised	December 13, 2022

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

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

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

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

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

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

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

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

Principal's Responsibilities

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

Superintendent's Responsibilities

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

A. Curriculum Content

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

B. Staff Training

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

C. Student Access

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

D. Corporation Support

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

E. Student Evaluation

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

Definitions

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

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

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

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

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

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

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

Corporation Compliance Officer(s)

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

Assistant Superintendent
802 South Indian Creek Drive
317-878-2100

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

The COs are responsible for coordinating the Corporation's efforts to comply with applicable Federal and State laws and regulations, including the Corporation's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination, retaliation, or denial of equal access. The COs also shall verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973 (as amended), and the Age Discrimination Act of 1975 is provided to students, their parents, staff members, and the general public. A copy of each of the Acts and regulations on which this notice is based may be found in the CO's office.

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

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

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

Reports and Complaints of Unlawful Discrimination and Retaliation

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

Members of the Corporation community, which includes students or Third Parties, who believe they have been unlawfully discriminated/retaliated against are entitled to utilize the complaint process set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the Complainant's employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

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

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

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

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

Investigation and Complaint Procedures (see Form 2260 F2)

Except for sex discrimination and/or Sexual Harassment that is covered by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities, any student who alleges to have been subjected to unlawful discrimination or retaliation may seek resolution of the complaint through the procedures described below. The formal complaint procedures involve an investigation of the individual's claims of discrimination/retaliation and a process for rendering a decision regarding whether the charges are substantiated.

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

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

Informal Complaint Procedure

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

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

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

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

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

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

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

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

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

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

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

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

Formal Complaint Procedure

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

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

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

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

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

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

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

Within two (2) business days of receiving the complaint, the CO or designee will initiate a formal investigation to determine whether the Complainant has been subjected to unlawful discrimination/retaliation. The Principal will not conduct an investigation unless directed to do so by the CO.

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

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

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

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

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

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

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

The decision of the Superintendent shall be final.

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

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

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

Privacy/Confidentiality

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

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

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

Remedial Action and Monitoring

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

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

Sanctions and Disciplinary Action

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

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

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

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

Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, made a report, formal complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws or this policy, or exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws or this policy.

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

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

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

Education and Training

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

Retention of Investigatory Records and Materials

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

- A. all written reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- B. any narratives that memorialize oral reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- C. any documentation that memorializes the actions taken by Corporation personnel or individuals contracted or appointed by the Board to fulfill its responsibilities related to the investigation and/or the Corporation's response to the alleged violation of this policy;
- D. written witness statements;
- E. narratives, notes from, and audio, video, or digital recordings of witness interviews/statements;
- F. e-mails, texts, and social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after-the-fact commentary about or media coverage of the incident);
- G. notes and summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;
- H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;
- I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any

consequences imposed as a result of a violation of this policy;

- J. documentation of any supportive measures offered and/or provided to the Complainant or the Respondent, including no-contact orders issued to both parties, the dates the no-contact orders were issued, and the dates the parties acknowledged receipt of the no-contact orders;
- K. documentation of all actions taken, both Individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;
- L. copies of the Board policy and procedures/guidelines used by the Corporation to conduct the investigation and any documents used by the Corporation at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Code of Conduct and/or Employee Handbooks);
- M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination, harassment, or retaliation;
- N. documentation of any training provided to Corporation personnel related to this policy, including but not limited to notification of the prohibitions and expectations of staff set forth in this policy and the role and responsibility of all Corporation personnel involved in enforcing this policy, including their duty to report alleged violations of this policy and/or conduct an investigation of an alleged violation of this policy.

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

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

Revised 4/12/05
 Revised 9/13/05
 Revised 8/14/12
 Revised 6/11/13
 Revised 4/12/16
 Revised 10/9/18
 Revised 11/9/21

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Legal	I.C. 20-33-1-1 Fourteenth Amendment, U.S. Constitution 20 U.S.C. 1701 et seq., Equal Educational Opportunities Act of 1974 20 U.S.C. 7905, Boy Scouts of America Equal Access Act 29 U.S.C. 794, Section 504 of the Rehabilitation Act of 1973, as amended 42 U.S.C. 2000 et seq., Civil Rights Act of 1964 42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act of 1973, as amended 42 U.S.C. 12101 et seq., The Americans with Disabilities Act of 1990, as amended 42 U.S.C. 6101 et seq., Age Discrimination Act of 1975 29 C.F.R. Part 1635 34 C.F.R. Part 110, The Age Discrimination Act Regulations Guidelines for Vocational Education Programs, Department of Education, Office for Civil Rights, March 21, 1979
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Book	Policy Manual
Section	2000 Program
Title	SECTION 504/ADA PROHIBITION AGAINST DISCRIMINATION BASED ON DISABILITY
Code	po2260.01
Status	Active
Adopted	December 14, 2010
Last Revised	November 9, 2021

2260.01 - **SECTION 504/ADA PROHIBITION AGAINST DISCRIMINATION BASED ON DISABILITY**

Pursuant to Section 504 of the Rehabilitation Act of 1973 ("Section 504"), the Americans with Disabilities Act of 1990, as amended ("ADA"), and the implementing regulations (collectively "Section 504/ADA"), no otherwise qualified individual with a disability shall be excluded from participation in, denied the benefits of, or subjected to discrimination under any program or activity receiving Federal financial assistance solely by reason of disability. The School Board does not discriminate in admission or access to, participation in, treatment in, or employment in its programs or activities. As such, the Board's policies and practices will not discriminate against employees and students with disabilities, and the Board will make its facilities, programs, and activities accessible to qualified individuals with disabilities. Discrimination will not be permitted against any individual with a disability on the sole basis of that disability in any of the programs, activities, policies, and/or practices of the Board.

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

Free Appropriate Public Education

The Board is committed to identifying, evaluating, and providing a free appropriate public education ("FAPE") to students with disabilities within its jurisdiction who are determined eligible for special education and related services under the Individuals with Disabilities Education Act ("IDEA") or Section 504, regardless of the nature or severity of their disabilities.

If a student has a physical or mental impairment that significantly limits one or more major life activities (see Definitions below), the Board shall provide the student a FAPE. An appropriate education may include regular or special education and related aids and services to accommodate the unique needs of students with disabilities. For students with disabilities who are not eligible for specially designed instruction under the IDEA, the related aids and services (including accommodations/modifications/interventions) they need in order to have their needs met as adequately as the needs of students without disabilities are met shall be delineated, along with their placement, in a Section 504 Plan (Form 2260.01A F13). Parents/guardians/custodians ("parents") are invited and encouraged to participate fully in the evaluation process and development of a Section 504 Plan. The quality of education services provided to students with disabilities shall be equal to the quality of services provided to students without disabilities.

The Board is committed to educating (or providing for the education of) each qualified student with a disability within its jurisdiction with students without disabilities to the maximum extent appropriate. Generally, the Corporation will place a student with a disability in the general education environment unless it is demonstrated that the education of the student in the general education environment, even with the use of supplementary aids and services, cannot be achieved satisfactorily. If the Corporation places a student in a setting other than the general education environment, it shall take into account the proximity of the alternate setting to the student's home. If the Board operates a separate class or facility that is identified as being provided for students with disabilities, the facility, program, and activities and services must be comparable to the facilities, programs, and activities and services offered to students without disabilities.

The Corporation will provide non-academic extracurricular services and activities in such a manner as is necessary to afford qualified students with disabilities an equal opportunity for participation in such services and activities. Nonacademic and extracurricular

services and activities may include counseling services, athletics, transportation, health services, recreational activities, special interests groups or clubs sponsored by the Corporation, referrals to agencies that provide assistance to individuals with disabilities, and employment of students. In providing or arranging for the provision of meals and recess periods and nonacademic and extracurricular services and activities, including those listed above, the Corporation will verify that students with disabilities participate with students without disabilities in such services and activities to the maximum extent appropriate.

In accordance with Section 504, parents and students shall be notified of their right to file an internal complaint regarding an alleged violation, misinterpretation, or misapplication of Section 504. In addition, students and their parents shall be notified of their right to file a complaint with the U.S. Department of Education's Office for Civil Rights ("OCR"). Finally, students and parents shall be advised of their right to request a due process hearing before an Impartial Hearing Officer ("IHO") regarding the identification, evaluation, or educational placement of persons with disabilities, and their right to examine relevant education records. (See also AG 2260.01B - Section 504/ADA - Complaint and Due Process Procedures)

Definitions

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

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

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

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

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

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

Individual with a disability means a person who has, has a record of, or is regarded as having a physical or mental impairment that substantially limits one (1) or more major life activities.

Major Life Activities

Major life activities are functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, eating, sleeping, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, sitting, reaching, interacting with others, and working.

Major life activities also include the operation of a major bodily function, including but not limited to functions of the immune system, special sense organs and skin, normal cell growth, and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, hemic, lymphatic, musculoskeletal and reproductive functions. The operation of a major bodily function includes the operation of an individual organ within a body system.

Impairment That Substantially Limits a Major Life Activity

The determination of whether an impairment substantially limits a major life activity must be made without regard to the ameliorative effects of mitigating measures such as medication, medical supplies, equipment or appliances, low-vision devices (not including ordinary eyeglasses or contact lenses), prosthetics (including limbs and devices), hearing aids and cochlear implants or other implantable hearing devices, mobility devices, oxygen therapy equipment or supplies, assistive technology, reasonable accommodations or auxiliary aids or services, or learned behavioral or adaptive neurological modifications.

An impairment that is episodic in nature or in remission is considered a disability if it would substantially limit a major life activity when active.

Qualified Individual with a Disability

With respect to public preschool, elementary and secondary educational services, a qualified individual with a disability means a student with a disability:

A. who is of an age during which persons without disabilities are provided educational services;

B. who is of any age during which it is mandatory under Indiana law to provide educational services to persons with disabilities; or

C. to whom the State is required to provide a free appropriate public education pursuant to the IDEA.

With respect to vocational education services, a qualified individual with a disability means a student with a disability who meets the academic and technical standards requisite to admission or participation in the vocational program or activity. The Board will not deny a student with a disability access to its vocational education programs or courses due to architectural and/or equipment barriers or because the student needs related aids or services to receive an appropriate education.

With respect to employment, a qualified individual with a disability means the individual satisfies the requisite skill, experience, education and other job-related requirements of the employment position the individual holds or desires and can perform the essential functions of the job in question, with or without reasonable accommodation.

Reasonable Accommodation

With respect to employment, the Board will provide a reasonable accommodation to a qualified individual who has an actual disability or who has a record of a disability, unless the accommodation would impose an undue hardship on the operation of the Board's program and/or activities. A reasonable accommodation is not required for an individual who is merely regarded as having a disability.

Facilities

No qualified person with a disability will be denied the benefits of, excluded from participation in, or otherwise subjected to discrimination under any program or activity to which Section 504/ADA applies because the Corporation's facilities are inaccessible to or unusable by persons with disabilities.

For facilities constructed or altered after June 3, 1977, the Corporation will comply with applicable accessibility standards. For those existing facilities constructed prior to June 3, 1977, the Corporation is committed to operating its programs and activities so that they are readily accessible to persons with disabilities.

Compliance Officer(s)

The Board designates the following individual(s) to serve as the Corporation's Compliance Officers (also known as Section 504 Compliance Officers/ADA Coordinators) (hereinafter referred to as the "COs").

Assistant Superintendent
802 S. Indian Creek Drive,
Trafalgar IN 46181
317-878-2100

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

The COs are responsible for coordinating the Corporation's efforts to comply with applicable Federal and State laws and regulations, including the Corporation's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination/retaliation or denial of equal access. The COs also shall verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and Title VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973 (as amended), and the Age Discrimination in Employment Act of 1975 is provided to staff members and the general public. A copy of each of the Acts and regulations on which this notice is based will be made available upon request from the CO.

The Board will provide for the prompt and equitable resolution of complaints alleging violations of Section 504/ADA. See below. The Board further will establish and implement a system of procedural safeguards in accordance with Section 504, including the right to an impartial due process hearing, for parents of students with disabilities.

Reports and Complaints of Unlawful Discrimination and Retaliation

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

Members of the Corporation community, which includes students or Third Parties, who believe they have been unlawfully discriminated/retaliated against are entitled to utilize the complaint process set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the Complainant's employment or participation in educational or extra-curricular programs.

While there are no time limits for initiating complaints under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

A student and/or parent may initiate the internal complaint procedure when they believe that a violation, misapplication or misinterpretation of Section 504 has occurred. Additionally, the following procedure may be used for any disagreement with respect to actions regarding the identification, evaluation, or educational program or placement of students who are identified as having a disability or believed to have a disability pursuant to Section 504 and are not eligible under the IDEA, except in the case of disciplinary actions where the provisions of the Student Code of Conduct apply. Use of the internal complaint procedure is not a prerequisite to the pursuit of other remedies, including the filing of a complaint with the OCR or requesting an impartial due process hearing.

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

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

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

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

Investigation and Complaint Procedures (See Form 2260.01B F2)

Any person who alleges to have been subjected to unlawful discrimination or retaliation on the basis of disability may seek resolution of the complaint through the procedures described below. The formal complaint procedures involve an investigation of the individual's claims of discrimination/retaliation and a process for rendering a decision regarding whether the charges are substantiated.

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

The procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of unlawful discrimination or retaliation with the United States Department of Education Office for Civil Rights ("OCR"), the Indiana Civil Rights Commission ("ICRC") or the Equal Employment Opportunity Commission ("EEOC").

Informal Complaint Procedure

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

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

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

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

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

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

All informal complaints must be reported to one (1) of the COs, who either will facilitate an informal resolution as described below or appoint another individual to facilitate an informal resolution.

The Corporation's informal complaint procedure is designed to provide the Complainant with a range of options aimed at bringing about a prompt resolution of the Complainant's concerns. Depending upon the nature of the complaint and the wishes of the Complainant, informal resolution may involve but is not limited to one (1) or more of the following:

A. Advising the Complainant about how to communicate concerns to the Respondent.

B. Distributing a copy of Policy 2260.01 - Section 504/ADA Prohibition Against Discrimination Based on Disability to the individuals in the school building or office where the Respondent works/attends school.

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

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

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

Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, one (1) of the parties requested that the informal complaint process be terminated to move to the formal complaint process, the Complainant elects to file a formal complaint from the outset, or the CO determines the allegations are not appropriate for resolution through the informal process, the formal complaint process shall be implemented.

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

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

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

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

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

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

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

Simultaneously, the CO will inform the Respondent that a formal complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including Policy 2260.01 - Section 504/ADA Prohibition Against Discrimination Based on Disability. The Respondent also must be informed of the opportunity to submit a written response to the formal complaint within five (5) business days.

Although certain cases may require additional time, the CO or a designee will attempt to complete an investigation into the allegations of discrimination/retaliation within fifteen (15) business days of receiving the formal complaint.

The investigation will include:

- A. interview(s) with the Complainant;
- B. interview(s) with the Respondent;
- C. interviews with any other witnesses who reasonably may be expected to have any information relevant to the allegations; and
- D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

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

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

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

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

The decision of the Superintendent shall be final.

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

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

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

Privacy/Confidentiality

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

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

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

Remedial Action and Monitoring

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

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

Sanctions and Disciplinary Action

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

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

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

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

Impartial Due Process Hearing

A student and/or parent may request an impartial due process hearing regarding the identification, evaluation, or placement of a student with a disability. The student and/or parent may but are not required to first exhaust the above complaint procedure before requesting an impartial due process hearing. The parent of a student with a disability and a student over 18 years old (if not under guardianship) or an emancipated student has the right to: (1) examine records or documents that the school relied on in making its decision about the student; (2) request an impartial due process hearing that provides the parent and/or student with an opportunity to participate and permits representation by an attorney; and (3) have an opportunity for review of the decision made at the hearing.

A request for an impartial due process hearing should be made as soon as possible following a dispute in order to ensure that witnesses are available but no more than two years following the date of the matter in dispute. A request for an impartial due process hearing must be put in writing, identify the specific circumstances or areas of dispute that have given rise to the request for a hearing, and offer possible solutions to the dispute. The request for due process hearing must be filed with a Corporation CO within the time limits specified above. The CO is available to assist individuals in filing a request for an impartial due process hearing.

When a request for an impartial due process hearing is received, the aggrieved party will have the opportunity to receive a hearing conducted by an IHO (i.e., by a person not employed by the Corporation, not involved in the education or care of the child, and not having a personal or professional interest that would conflict with the IHO's objectivity in the hearing). The Corporation will maintain a list of trained IHOs that may include IDEA/Article 7 hearing officers, attorneys, and Directors of Special Education outside the Corporation. The Corporation CO will appoint an IHO from that list, and the Corporation will bear the costs of the hearing. The appointment of an IHO will be made within fifteen (15) school days after the request for an impartial due process hearing is received.

A party to an impartial due process hearing has the right to:

- A. be accompanied and advised by legal counsel and individuals with special knowledge or training with respect to the problems of students with disabilities at the party's own cost;
- B. present evidence and confront, cross-examine and compel the attendance of witnesses;
- C. a written or electronic verbatim record of the hearing; and
- D. written findings of fact and conclusions of law setting forth the reasons for the decision.

The IHO shall conduct the impartial due process hearing within a reasonable period of time (i.e., not to exceed ninety (90) calendar days from the request for a hearing, unless this time-frame is mutually waived by the parties or is determined by the IHO to be impossible to comply with due to extenuating circumstances). The IHO will give the parent and/or student written notice of the date,

time and place of the hearing. Notice will be given no less than twenty-one (21) calendar days prior to the date of the hearing, unless otherwise agreed to by the parent and/or student. The notice shall include:

- A. a statement of the time, place and nature of the hearing;
- B. a statement of the legal authority and jurisdiction under which the hearing is being held;
- C. a reference to the particular section(s) of the statutes and rules involved;
- D. a statement of the availability of relevant records for examination;
- E. a short and plain statement of the matters asserted; and
- F. a statement of the right to be represented by counsel.

The IHO shall conduct the hearing in a manner that will afford all parties a full and fair opportunity to present evidence and otherwise to be heard. The parent and/or student may be represented by another person of the parent or student's choice, including an attorney. The IHO shall make a full and complete record of the proceedings.

The IHO shall render a decision in writing to the parties within thirty (30) calendar days following the conclusion of the hearing. The decision will be based solely on the testimony and demonstrative evidence presented at the hearing and include a summary of the evidence (i.e., findings of fact) and the reason for the decision (conclusions of law). The IHO's decision shall include a statement that either party may appeal the decision.

Appeal of the IHO's decision may be made to a Federal court of competent jurisdiction.

OCR Complaint

At any time, if a student or parent believes that the student has been subjected to discrimination based upon disability in violation of Section 504 or the ADA, the student or parent may file a complaint with the OCR. The OCR can be reached at:

U.S. Department of Education
Office for Civil Rights
Chicago Office
John C. Kluczynski Federal Building
230 S. Dearborn Street, 37th Floor
Chicago, IL 60604
Telephone: 312-730-1560
FAX: 312-730-1576
TDD: 800-877-8339
E-mail: OCR.Chicago@ed.gov
Web: <http://www.ed.gov/ocr>

Except in extraordinary circumstances, the OCR does not review the result of individual placement and other educational decisions, so long as the Corporation complies with the "process" requirements of Subpart D of Section 504.

Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful discrimination/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, made a report/formal complaint, testified, assisted or participated, or refused to participate in any manner in an investigation, proceeding, or hearing under those laws or this policy, or exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws or this policy.

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

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

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

Education and Training

In support of this policy, the Board promotes preventative educational measures to create greater awareness of unlawful

discriminatory practices. The Superintendent shall provide appropriate information to all members of the Corporation community related to the implementation of this policy and shall provide training for Corporation students and staff where appropriate. All training and information provided regarding the Board's policy and discrimination in general will be age and content appropriate.

Retention of Investigatory Records and Materials

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

- A. all written reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- B. any narratives that memorialize oral reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- C. any documentation that memorializes the actions taken by Corporation personnel or individuals contracted or appointed by the Board to fulfill its responsibilities related to the investigation and the Corporation's response to the alleged violation of this policy;
- D. written witness statements;
- E. narratives, notes from, and audio, video, or digital recordings of witness interviews/statements;
- F. e-mails, texts, and social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after-the-fact commentary about or media coverage of the incident);
- G. notes and summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;
- H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;
- I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of this policy;
- J. documentation of any supportive measures offered and/or provided to the Complainant or the Respondent, including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;
- K. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;
- L. copies of the Board policy and procedures/guidelines used by the Corporation to conduct the investigation and any documents used by the Corporation at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Codes of Conduct and/or Employee Handbooks);
- M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment;
- N. documentation of any training provided to Corporation personnel related to this policy, including but not limited to notification of the prohibitions and expectations of staff set forth in this policy and the role and responsibility of all Corporation personnel involved in enforcing this policy, including their duty to report alleged violations of this policy and/or conduct an investigation of an alleged violation of this policy.

Additionally, the CO shall retain copies of any written request for an impartial due process hearing, the IHO's notices to the parties, the evidence entered in the hearing, any transcript of the hearing, and the IHO's decision.

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

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

Revised 8/14/12

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

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

29 C.F.R. Part 1630, ADA Regulations

34 C.F.R. Part 104, Section 504 Regulations



Book	Policy Manual
Section	2000 Program
Title	TITLE I SERVICES
Code	po2261
Status	Active
Adopted	January 9, 2001
Last Revised	October 8, 2019

2261 - **TITLE I SERVICES**

The School Board elects to augment the educational program of educationally disadvantaged students by the use of Federal funds and in accordance with Title I of the Amendments to the Elementary and Secondary School Improvement Act of 1965, as amended.

Title I Plan

The Superintendent shall prepare and present to the State Department of Education a plan for the delivery of services which meets the requirements of the law, including those described below. The plan shall be developed by appropriate staff members and parents of students who will be served by the plan. The Corporation will periodically review and revise the plan as necessary.

A. Assessment

The Corporation shall annually assess the educational needs of eligible children, as determined by Federal and State criteria. Such assessment shall include performance measures mandated by the Department of Education as well as those determined by the Corporation's professional staff, that will assist in the diagnosis, teaching, and learning of the participating students.

B. Scope

Each school shall determine whether the funds will be used to upgrade the educational program of an entire school in Title I schools that qualify as schoolwide schools and/or to establish or improve programs that provide services only for eligible students in greatest need of assistance. The schoolwide program, for an entire school and/or a Targeted Assistance School, shall include the components required by law as well as those agreed upon by participating staff and parents.

C. Participation

The Title I program shall be developed and evaluated in consultation with parents and professional staff members, including teachers, principals, and school leaders, paraprofessionals, specialized instructional support personnel, charter school leaders, administrators and other appropriate school personnel involved in its implementation. Appropriate training will be provided to staff members who provide Title I services. Parent participation shall be in accord with Board Policy 2261.01 and shall meet the requirements of Section 1116 of the Act.

D. Supplement Not Supplant Comparability of Services

Title I funds will be used only to augment, not to replace, State and local funds. The Corporation will document its compliance with the supplement not supplant provisions by using a written methodology that ensures State and local funds are allocated to each school on the same basis, regardless of whether a school receives Title I funding.

The Superintendent shall use State and local funds to provide educational services in schools receiving Title I assistance that, taken as a whole, are at least comparable to services being provided in schools that are not receiving Title I assistance. The determination of the comparability of services may exclude State and local funds expended for language instruction

educational programs and the excess costs of providing services to children with disabilities as determined by the Corporation.

The determination of comparability of services will not take into account unpredictable changes in student enrollments or personnel assignments that occur after the beginning of a school year.

In order to achieve comparability of services, the Superintendent shall assign teachers, administrators, and auxiliary personnel and provide curriculum materials and instructional supplies in such a manner as to ensure equivalence throughout the Corporation.

E. Professional Development

Members of the professional staff may participate in the design and implementation of staff development activities that:

1. involve parents in the training, when appropriate;
2. combine and consolidate other available Federal and Corporation funds;
3. allocate part of the staff development to the following types of strategies:
 - a. performance-based student assessment
 - b. use of technology
 - c. working effectively with parents
 - d. meeting children's special needs
 - e. fostering gender-equitable education

Complaints

If a parent/legal guardian or an eligible student has a complaint about Title I services, s/he may submit that complaint pursuant to the complaint procedure described in Policy 2260 Nondiscrimination and Access to Equal Educational Opportunity. If the matter cannot be resolved or if the parent/legal guardian or eligible student prefers not to access that complaint procedure, the Corporation Compliance Officer shall advise the individual of the Complaint Procedure available through the Indiana Department of Education (IDOE) for Title I complaints.

A parent/legal guardian or an eligible student always has the option of pursuing the Complaint Procedure available through the IDOE for Title I complaints rather than the Corporation complaint procedure.

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Legal 20 U.S.C. 6301 et seq.
 34 C.F.R. Part 200, et seq.



Book	Policy Manual
Section	2000 Program
Title	PARENT AND FAMILY MEMBER PARTICIPATION IN TITLE I PROGRAMS
Code	po2261.01
Status	Active
Adopted	July 1, 2003
Last Revised	October 8, 2019

2261.01 - **PARENT AND FAMILY MEMBER PARTICIPATION IN TITLE I PROGRAMS**

In accordance with the requirement of Section 1118 of Title I, as amended by Section 1010 of the Every Student Succeeds Act (ESSA), programs supported by Title I funds must be designed and implemented in consultation with parents and family members of the students being served.

The Superintendent shall require that the Title I plan contain a written statement of guidelines which has been developed with, approved by, and distributed to parents and family members of participating students. The guidelines shall describe:

- A. the School Corporation's expectations and objectives for meaningful parent and family involvement in the program, including their participation in jointly developing the Corporation Title I plan and any State-mandated comprehensive support and improvement plans;
- B. how the Corporation will provide coordination, technical assistance and other support necessary to assist and build the capacity of all participating schools within the Corporation in planning and implementing effective parent and family involvement activities to improve student academic achievement and school performance, which may include meaningful consultation with employers, business leaders, and philanthropic organizations or individuals with expertise in effectively engaging parents and family members in education;
- C. an annual evaluation of the content and effectiveness of the parent and family engagement policy in improving the academic quality of all Title I schools to be conducted with meaningful involvement of parents and family members that include:
 - 1. identifying any barriers to greater parental involvement (such as limited English proficiency, limited literacy, economic disadvantage, disability, racial or ethnic minority background, etc.);
 - 2. determining the needs of parents and family members to assist with the learning of their children, including engaging with school personnel and teachers; and
 - 3. devising strategies to support successful school and family interactions.
- D. how the Corporation will coordinate and integrate parent and family engagement strategies under Title I with parent and family engagement strategies, to the extent feasible and appropriate, under other Federal, State, and local laws and programs;
- E. use of the findings of the annual evaluation referenced above to:
 - 1. design evidence-based strategies for more effective parental/family member involvement; and
 - 2. revise the parent and family engagement guidelines, if necessary;

- F. involvement of parents and family members in the activities of Title I schools, which may include establishing a parent and family member advisory council comprised of a sufficient number and representative group of parents or family members served by the Corporation to adequately represent the needs of the population served by the Corporation for purposes of developing, revising and reviewing the parent and family engagement guidelines;
- G. provide opportunities for the informed participation of parents and family members (including parents and family members who have limited English proficiency and/or disabilities, and parents and family members of migratory children), including providing information and school reports in a format, and to the extent practicable in a language, such parents can understand;
- H. conduct meetings with parents and family members, including provisions for flexible scheduling and assistance to parents and family members to better assure their attendance at meetings;
- I. develop agendas for parent/family member meetings to include review and explanation of the curriculum, means of assessments, and the proficiency levels students are expected to achieve and maintain;
- J. provide opportunities for parents and family members to formulate suggestions, interact and share experiences with other parents/family members, and participate appropriately in the decision-making about the program and revisions in the plan;
- K. involve parents and family members in the planning, review, and improvement of the Title I program;
- L. communicate information concerning school performance profiles and their child's individual performance to parents and family members;
- M. assist parents and family members in helping their children in achieving the objectives of the program by such means as ensuring regular attendance, monitoring television-watching, providing adequate time and the proper environment for homework, guiding nutritional and health practices, and the like;
- N. provide timely responses to parental/family member questions, concerns, and recommendations;
- O. coordinate and provide technical assistance and other support necessary to assist Title I schools to develop effective parent and family member participation activities to improve academic achievement;
- P. conduct other activities as appropriate to the Title I plan and State and Federal requirements;
- Q. other activities to be conducted as appropriate to the plan and State or Federal requirements.

The School Board will reserve the requisite percent of its allocation of Federal Title I funds to carry out the above-described activities. Parents and family members of children receiving Title I services shall be involved in the decisions regarding how the reserved funds are allotted for parent and family member involvement activities. Reserved funds shall be used to carry out activities and strategies consistent with the Board's parent and family engagement policy (Policy 2281), including at least one (1) of the following:

- A. Supporting schools and nonprofit organizations in providing professional development for the Corporation and school personnel regarding parent and family engagement strategies, which may be provided jointly to teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals, early childhood educators, and parents and family members.
- B. Supporting programs that reach parents and family members at home, in the community, and at school.
- C. Disseminating information on best practices focused on parent and family engagement, especially best practices for increasing the engagement of economically disadvantaged parents and family members.
- D. Collaborating, or providing sub-grants to schools to enable such schools to collaborate, with community-based or other organizations or employers with a record of success in improving and increasing parent and family engagement.
- E. Engaging in any other activities and strategies that the Board determines are appropriate and consistent with its parent and family engagement policy.

The Superintendent also shall require that each Title I participating school develops a specific plan, with parent and family engagement, to:

- A. convene an annual meeting at a convenient time to which parents and family of low-income students are invited and encouraged to attend, to inform the parents/family members that the school receives Title I funds, receipt of these funds subjects the school to certain requirements, and the parents/family members have a right to be involved;

- B. offer a flexible number of engagement meetings at convenient times for families and describe assistance to encourage parental/family member involvement, such as child care, transportation, home visits, or similar aid;
- C. involve parents and family members in an organized, on-going and timely way in the development, review and improvement of parent/family member involvement activities, including the planning, review and improvement of the school parent and family engagement policy, and the joint development of the schoolwide program plan, if appropriate;
- D. provide parents and families with:
 - 1. timely information about Title I program and the school's parent and family engagement policy;
 - 2. an explanation of the curriculum and achievement levels the school uses;
 - 3. opportunities for regular meetings, upon request, to participate in decisions relating to their student's education and receive responses regarding the parents' and family members' suggestions about their student's education as soon as practicably possible;
- E. submit any parents' and family members' comments to the Superintendent when a written plan is not satisfactory to the parents/family members of participating children;
- F. develop jointly with parents and family members of low-income students a school-parent agreement which outlines the responsibilities of families, the school, staff, and students for improved student academic achievement and develop a partnership to help students achieve the State's high standards, including:
 - 1. a description of the school's responsibility to provide high quality curriculum, and instruction in a supportive, effective learning environment that enables students to meet the academic achievement standards and the ways in which each parent and family member will be responsible for supporting learning, including volunteering in their child's classroom and participating in decisions related to the education of their children;
 - 2. the importance of communication between families and staff through, at a minimum, parent-teacher or family member-teacher conferences in elementary schools, at least annually, during which the agreement/compact will be discussed as it related to the individual child's achievement; frequent progress reports to the parents/family members; and opportunities to volunteer in or observe their student's class;
 - 3. ensuring regular two-way meaningful communication between family members and school staff in a language they understand;
- G. ensure the effective involvement of parents and family members and support a partnership among the school, parents/family members and the community to improve student academic achievement by the following activities:
 - 1. providing assistance to parents and family members in understanding the State's academic standards, State and local academic assessments, the requirements of Title I, and how to monitor a student's progress and work with educators;
 - 2. providing materials and training to help parents and family members to work with their students to improve their achievement;
 - 3. educating school personnel, with the assistance of parents and family members, in the value and utility of the contributions of parents/family members, and in how to reach out to, communicate with, and work with parents/family members as equal partners;
 - 4. integrating engagement strategies with other Federal and State programs, including preschool programs;
 - 5. ensuring that information related to programs, meetings, and other activities is sent to parents and family members in a format and a language they can understand;
 - 6. providing other reasonable support for engagement activities;
 - 7. providing opportunities for the informed participation of families with limited English proficiency or disabilities and families of migratory children in a format and language they understand;
 - 8. providing reasonable support for parental/family member involvement activities as parents and family members request them;

9. involving parents and family members in the development of engagement training for school personnel;
 10. paying reasonable and necessary costs associated with engagement activities including transportation and child care costs, to allow parents and family members to participate;
 11. arranging school meetings between teachers and parents/family members who are unable to attend such conferences at school;
 12. implementing model approaches to improving parental/family members involvement;
- H. Parents and family members of children receiving Title I services must be notified about their school's parent and family engagement policy in an understandable and uniform format, and, to the extent practicable, in a language the parents/family members can understand. These policies also must be made available to the community.
- I. School-level parent and family engagement policies must be updated periodically to meet the changing needs of parents/family members and the schools.

In order to involve parents and family members in the education of their children and to support a partnership among the school, parents/family members and the community for improving student academic achievement, the Superintendent and building principals must include provisions in the Corporation and school-level parent and family engagement policies regarding:

- A. assisting parents and family members of children served under Title I in understanding such topics as the State academic standards, State and local academic assessments, Title I, and how to monitor their child's progress and how to work with educators to improve their child's achievement;
- B. providing materials and training to help parents and family members work with their children to improve achievement, such as literacy training and using technology (including education about the harms of copyright privacy);
- C. educating teachers, specialized instructional support personnel, school leaders (including principals), and other staff, with the assistance of parents and family members, about the value and utility of contributions of parents/family members, how to reach out to, communicate with, and work with parents/family members as equal partners, how to implement and coordinate parent/family member programs, and how to build ties between parents/family members and the school;
- D. to the extent feasible and appropriate, coordination and integration of parent/family member involvement programs and activities with other Federal, State and local programs (including public preschool programs), and conducting other activities that encourage and support parents and family members to more fully participate in the education of their children (e.g., parent resource centers);
- E. providing information related to school and parent/family member programs, meetings, and other activities to parents and family members of participating children in a format, and, to the extent practicable, in a language they can understand;
- F. providing such reasonable support for parent involvement activities as parents may request.

In order to build the Corporation's capacity for parent involvement, the Superintendent and building principals also may:

- A. involve parents and family members in the development of training for teachers and administrators and other educators to improve the effectiveness of such training;
- B. provide necessary literacy training from Title I funds if the Corporation has exhausted all other reasonably available sources of funding for such training;
- C. pay reasonable and necessary expenses associated with parental/family member involvement activities to enable parents to participate in school-related meetings and training sessions, including transportation and child care costs;
- D. train parents/family members to enhance the involvement of other parents and family members;
- E. arrange school meetings at a variety of times, or conduct in-house conferences between teachers or other educators who work directly with participating children, with parents and family members who are unable to attend such conferences at school, in order to maximize parental/family member involvement and participation;
- F. adopt and implement model approaches to improving parental/family member involvement;
- G. establish a Corporation-wide parent and family member advisory council to provide advice on all matters related to parental/family member involvement in Title I programs;

H. develop appropriate roles for community-based organizations and businesses in parental/family member involvement activities.

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Legal

20 U.S.C. 6318 et seq., Elementary and Secondary Education Act of 1965
Section 1010 of the Every Student Succeeds Act (ESSA)
34 C.F.R. Part 200 et seq.



Book	Policy Manual
Section	2000 Program
Title	TITLE I – PARENTS’ RIGHT TO KNOW
Code	po2261.02
Status	Active
Adopted	July 1, 2003

2261.02 - **TITLE I – PARENTS’ RIGHT TO KNOW**

In accordance with the requirement of Section 1111 of Title I, for each school receiving Title I funds, the Superintendent shall make sure that all parents of students in that school are notified that they may request, and the Corporation will provide the following information on the student’s classroom teachers:

- A. whether the teacher(s) have met the State qualification and licensing criteria for the grade level and subject areas they are teaching
- B. whether the teacher(s) is teaching under any emergency or provisional status in which the State requirements have been waived
- C. the undergraduate major of the teacher(s) and the area of study and any certificates for any graduate degrees earned
- D. the qualifications of any paraprofessionals providing services to their child(ren)

In addition, the parents **shall** be provided:

- E. information on the level of achievement of their child(ren) on the required State academic assessments;
- F. timely notice if the student is assigned to a teacher who is not "highly qualified" as required, or if the student is taught for more than four (4) weeks by a teacher who is not highly qualified.

The notices and information shall be provided in an understandable format, and to the extent possible, in a language the parent(s) understand.

Legal	20 U.S.C.6311, Elementary and Secondary Education Act of 1965 34 C.F.R. Part 200 et seq.
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Book	Policy Manual
Section	2000 Program
Title	LATCH-KEY PROGRAMS
Code	po2262
Status	Active
Adopted	July 1, 2003
Last Revised	April 10, 2018

2262 - LATCH-KEY PROGRAMS

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

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

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

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

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

A. If the program is limited to students in Kindergarten through Grade 5, the maximum number of children to be supervised by one (1) staff person is:

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

B. If the program includes preschool age children, the maximum number of children to be supervised by one (1) staff person is:

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

The program shall follow the regulations of the Division of Family and Children with respect to the maximum number of children to be supervised by one (1) staff member for children younger than five (5) years of age.

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



Book	Policy Manual
Section	2000 Program
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2266 – **NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS OR ACTIVITIES**

Introduction

The School Board of the Nineveh - Hensley - Jackson United School Corporation (hereinafter referred to as "the Board" or "the Corporation") does not discriminate on the basis of sex (including sexual orientation or gender identity) in its education programs or activities and is required by Title IX of the Education Amendments of 1972 and its implementing regulations not to discriminate in such a manner. The requirement not to discriminate in its education program or activity extends to admission and employment.

The Board is committed to maintaining an education and work environment that is free from discrimination based on sex, including sexual harassment.

The Board prohibits Sexual Harassment that occurs within its education programs and activities. When the Corporation has actual knowledge of Sexual Harassment in its education program or activity against a person in the United States, it shall promptly respond in a manner that is not deliberately indifferent.

Pursuant to its Title IX obligations, the Board is committed to eliminating Sexual Harassment and will take appropriate action when an individual is determined responsible for violating this policy. Members of the Corporation Community who commit Sexual Harassment are subject to the full range of disciplinary sanctions set forth in this policy. Third Parties who engage in Sexual Harassment also are subject to the disciplinary sanctions listed in this policy. The Board will provide persons who have experienced Sexual Harassment ongoing remedies as reasonably necessary to restore or preserve access to the Corporation's education programs and activities.

Coverage

This policy applies to Sexual Harassment that occurs within the Corporation's education programs and activities and that is committed by a member of the Corporation Community or Third Party.

This policy does not apply to Sexual Harassment that occurs off school grounds, in a private setting, and outside the scope of the Corporation's education programs and activities; such Sexual Misconduct / Sexual Activity may be prohibited by the Student Code of Conduct if committed by a student, or by Board policies and administrative guidelines, applicable State and/or Federal laws if committed by a Corporation employee.

Consistent with the U.S. Department of Education's implementing regulations for Title IX, this policy does not apply to Sexual Harassment that occurs outside the geographic boundaries of the United States, even if the Sexual Harassment occurs in the Corporation's education programs or activities. Sexual Harassment that occurs outside the geographic boundaries of the United States is governed by the Student Code of Conduct if committed by a student or by Board policies and administrative guidelines, applicable State and/or Federal laws if committed by a Corporation employee.

Complaints alleging sexual harassment and/or discrimination on the basis of sex also are covered by and subject to the investigation procedures in Board Policy 5517 - Anti-Harassment. Complaints not covered by this policy still may be governed by and subject to the procedures in Policy 5517 - Anti-Harassment.

Definitions

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

Sexual Harassment: "Sexual Harassment" means conduct on the basis of sex that satisfies one or more of the following:

- A. A Corporation employee conditioning the provision of an aid, benefit, or service of the Corporation on an individual's participation in unwelcome sexual conduct (often called "quid pro quo" harassment);
- B. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the Corporation's education program or activity; or
- C. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), or "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

"Sexual assault" means any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent, and the "nonforcible" sex offenses of Incest and Statutory Rape. Sexual assault includes rape, sodomy, sexual assault with an object, fondling, incest, and statutory rape.

1. Rape is the carnal knowledge of a person (i.e., penetration, no matter how slight, of the genital or anal opening of a person), without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
2. Sodomy is oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
3. Sexual Assault with an Object is using an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity. An "object" or "instrument" is anything used by the offender other than the offender's genitalia.
4. Fondling is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
5. Incest is nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by State law.
6. Statutory Rape is nonforcible sexual intercourse with a person who is under the statutory age of consent as defined by State law.
7. Consent refers to words or actions that a reasonable person would understand as agreement to engage in the sexual conduct at issue. A person may be incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity. A person who is incapacitated is not capable of giving consent.
8. Incapacitated refers to the state where a person does not understand and/or appreciate the nature or fact of sexual activity due to the effect of drugs or alcohol consumption, medical condition, disability, or due to a state of unconsciousness or sleep.

"Domestic violence" includes felony or misdemeanor crimes of violence committed by:

- A. A current or former spouse or intimate partner of the victim;
- B. A person with whom the victim shares a child in common;
- C. A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
- D. A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime occurred; or
- E. Any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime occurred.

"Dating violence" means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

"Stalking" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to – (1) fear for the person's safety or the safety of others; or (2) suffer substantial emotional distress.

Complainant: "Complainant" means an individual who is alleged to be the victim of conduct that could constitute Sexual Harassment.

Respondent: "Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute Sexual Harassment.

Formal Complaint: "Formal Complaint" means a document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Harassment against a Respondent and requesting that the Corporation investigate the allegation(s) of Sexual Harassment. At the time of filing a Formal Complaint with the Corporation, a Complainant must be participating in or attempting to participate in the Corporation's education program or activity. A "document filed by a complainant" means a document or electronic submission (such as by electronic mail or through an online portal that the Board provides for this purpose) that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the Formal Complaint. Where the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator is not a Complainant or a party to the Formal Complaint and must not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

Actual Knowledge: "Actual knowledge" means notice of Sexual Harassment or allegations of Sexual Harassment to the Corporation's Title IX Coordinator, or any Corporation official who has authority to institute corrective measures on behalf of the Board, or any Corporation employee. The mere ability or obligation to report Sexual Harassment or to inform a student about how to report Sexual Harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of the Corporation. "Notice" includes, but is not limited to, a report of Sexual Harassment to the Title IX Coordinator. This standard is not met when the only Corporation official with actual knowledge is the Respondent.

Supportive Measures: "Supportive measures" means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Such measures are designed to restore or preserve equal access to the Corporation's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the Corporation's educational environment or deter Sexual Harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, school/campus escort services, mutual restrictions of contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the campus (including school buildings and facilities), , and other similar measures.

Education Program or Activity: "Education program or activity" refers to all operations of the Corporation, including but not limited to in-person and online educational instruction, employment, extracurricular activities, athletics, performances, and community engagement, and outreach programs. The term applies to all activity that occurs on school grounds or on other property owned or occupied by the Corporation. It also includes locations, events, and circumstances that take place off-school property/grounds over which the Board exercises substantial control over both the Respondent and the context in which the Sexual Harassment occurs.

Corporation Community: "Corporation Community" refers to students and Corporation employees (i.e., administrators and professional and classified staff), as well as Board members, agents, volunteers, contractors, and other persons subject to the control and supervision of the Board.

Third Parties: "Third Parties" include, but are not limited to, guests and/or visitors on Corporation property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with the Board, and other individuals who come in contact with members of the Corporation Community at school-related events/activities (whether on or off Corporation property).

Inculpatory Evidence: "Inculpatory evidence" is evidence that tends to establish a Respondent's responsibility for alleged Sexual Harassment.

Exculpatory Evidence: "Exculpatory evidence" is evidence that tends to clear or excuse a Respondent from allegations of Sexual Harassment.

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

Eligible Student: "Eligible Student" means a student who has reached eighteen (18) years of age or is attending an institution of postsecondary education.

Title IX Coordinator(s)

The Board designates and authorizes the following individual(s) to oversee and coordinate its efforts to comply with Title IX and its implementing regulations:

Assistant Superintendent
802 S. Indian Creek Dr.
Trafalgar, IN 46181
317-878-2100

The Title IX Coordinator shall report directly to the Superintendent except when the Superintendent is a Respondent. In such matters, the Title IX Coordinator shall report directly to the Board Attorney. Questions about this policy should be directed to the Title IX Coordinator.

The Superintendent shall notify applicants for admission and employment, students, parents or legal guardians of elementary and secondary school students, Corporation employees, and all unions or professional organizations holding collective bargaining or professional agreements with the Board of the following information:

The Board of the Nineveh - Hensley - Jackson United School Corporation does not discriminate on the basis of sex in its education program or activity and is required by Title IX and its implementing regulations not to discriminate in such a manner. The requirement not to discriminate in its education program or activity extends to admission and employment. The Corporation's Title IX Coordinator(s) is/are:

Assistant Superintendent
802 S. Indian Creek Dr.
Trafalgar, IN 46181
317-878-2100

Any inquiries about the application of Title IX and its implementing regulations to the Corporation may be referred to the Title IX Coordinator(s), the Assistant Secretary for the U.S. Department of Education's Office for Civil Rights, or both.

The Board has adopted a grievance process that provides for the prompt and equitable resolution of student and employee complaints alleging any action that is prohibited by Title IX and/or its implementing regulations. The grievance process is included in Policy 2266 – Nondiscrimination on the Basis of Sex in Education Programs or Activities, which is available at: www.indiancreekschools.com. The grievance process specifically addresses how to report or file a complaint of sex discrimination, how to report or file a formal complaint of Sexual Harassment, and how the Corporation will respond.

The Superintendent also shall prominently display the Title IX Coordinator's(s') contact information – including Name(s) and/or Title(s), Phone Number(s), Office Address(es), and Email Address(es) – and this Policy on the Corporation's website and in each handbook or catalog that the Board makes available to applicants for admission and employment, students, parents or legal guardians of elementary and secondary school students, Corporation employees, and all unions or professional organizations holding collective bargaining or professional agreements.

Grievance Process

The Board is committed to promptly and equitably resolving student and employee complaints alleging Sexual Harassment. The Corporation's response to allegations of Sexual Harassment will treat Complainants and Respondents equitably, including providing supportive measures to the Complainant and Respondent, as appropriate, and following this Grievance Process before the imposition of any disciplinary sanctions or other actions, other than supportive measures, against the Respondent.

The Title IX Coordinator(s), along with any investigator(s), decision-maker(s), or any person(s) designated to facilitate an informal resolution process, shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

If a determination of responsibility for Sexual Harassment is made against the Respondent, the Board will provide remedies to the Complainant. The remedies will be designed to restore or preserve equal access to the Corporation's education program or activity. Potential remedies include, but are not limited to, individualized services that constitute supportive measures. Remedies also may be disciplinary or punitive in nature and may burden the Respondent.

The Process described herein relates exclusively to complaints brought under this Policy. The Corporation will continue to handle complaints subject to the Corporation's other nondiscrimination and anti-harassment policies, including Policy 5517 - Anti-Harassment; Policy 5517.01 - Bullying; Policy 2260 - Nondiscrimination and Access to Equal Educational Opportunity; Policy 2260.01 - Section 504/ADA Prohibition Against Discrimination Based on Disability; 1422/3122/4122 - Nondiscrimination and Equal Employment Opportunity; and 1662/3362/4362 - Anti-Harassment.

Report of Sexual Discrimination/Harassment

Any person may report sex discrimination, including Sexual Harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or Sexual Harassment), in person, by mail, by telephone, or by electronic mail, using the Title IX Coordinator's(s') contact information listed above, or by any other means that results in the Title IX Coordinator receiving the person's oral or written report. Reports may be made at any time (including during non-business hours), by using the telephone number(s) or electronic mail address(es), or by mail to the office address(es), listed for the Title IX Coordinator(s).

Students, Board members, and Corporation employees are required, and other Corporation Community members and Third Parties are encouraged, to report allegations of sex discrimination or Sexual Harassment promptly to the/a Title IX Coordinator or to any Corporation employee, who will, in turn, notify the/a Title IX Coordinator. Reports can be made orally or in writing and should be as specific as possible. The person making the report should, to the extent known, identify the alleged victim(s), perpetrator(s), and witness(es), and describe in detail what occurred, including date(s), time(s), and location(s).

If a report involves allegations of Sexual Harassment by or involving the Title IX Coordinator, the person making the report should submit it to the Superintendent, or another Board employee who, in turn, will notify the Superintendent of the report. The Superintendent will then serve in place of the Title IX Coordinator for purposes of addressing that report of Sexual Harassment.

The Board does business with Third Parties who are not students or employees of the Board. Notwithstanding any rights that a given Third Party Respondent may have under this policy, the Board retains the right to limit any vendor's, contractor's, or Third Party's access to school grounds for any reason. The Board further retains all rights it enjoys by contract or law to terminate its relationship with any Third Party irrespective of any process or outcome under this policy.

A person may file criminal charges simultaneously with filing a Formal Complaint. A person does not need to wait until the Title IX investigation is completed before filing a criminal complaint. Likewise, questions or complaints relating to Title IX may be filed with the U.S. Department of Education's Office for Civil Rights at any time.

Any allegations of Sexual Misconduct / Sexual Activity not involving Sexual Harassment will be addressed through the procedures outlined in Board policies, the applicable Student Code of Conduct, or Employee / Administrator Handbook(s).

Because the Board is considered to have actual knowledge of Sexual Harassment or allegations of Sexual Harassment if any Corporation employee has such knowledge, and because the Board must take specific actions when it has notice of Sexual Harassment or allegations of Sexual Harassment, a Corporation employee who has independent knowledge of or receives a report involving allegations of sex discrimination and/or Sexual Harassment must notify the/a Title IX Coordinator within two (2) days of learning the information or receiving the report. The Corporation employee must also comply with mandatory reporting responsibilities regarding suspected abuse, abandonment or neglect of a child pursuant to I.C. 31-33-5-1 and Policy 8462- Student Abuse and Neglect, if applicable. If the Corporation employee's knowledge is based on another individual bringing the information to the Corporation employee's attention and the reporting individual submitted a written complaint to the Corporation employee, the Corporation employee must provide the written complaint to the Title IX Coordinator.

If a Corporation employee fails to report an incident of Sexual Harassment of which the Corporation employee is aware, the Corporation employee may be subject to disciplinary action, up to and including termination.

When a report of Sexual Harassment is made, the Title IX Coordinator shall promptly (i.e., within two (2) days of the Title IX Coordinator's receipt of the report of Sexual Harassment) contact the Complainant (including the parent/guardian if the Complainant is under eighteen (18) years of age or under guardianship) to discuss the availability of supportive measures, consider the Complainant's wishes with respect to supportive measures, inform the Complainant of the availability of supportive measures with or without the filing of a Formal Complaint, and explain to the Complainant the process for filing a Formal Complaint. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. Any supportive measures provided to the Complainant or Respondent shall be maintained as confidential, to the extent that maintaining such confidentiality will not impair the ability of the Corporation to provide the supportive measures.

Emergency Removal: Subject to limitations and/or procedures imposed by State and/or Federal law, the Corporation may remove a student Respondent from its education program or activity on an emergency basis after conducting an individualized safety and risk analysis. The purpose of the individualized safety and risk analysis is to determine whether the student Respondent poses an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Harassment that justifies removal. If the Corporation determines the student Respondent poses such a threat, it will so notify the student Respondent and the student Respondent will have an opportunity to challenge the decision immediately following the removal. See Policy 5605 – Suspension and Expulsion of Students with Disabilities 5610 – Suspension and Expulsion of Students, Policy 5611 – Due Process Rights, and 5620 – Court Assisted Resolution of Suspension and Expulsion.

If the Respondent is a non-student employee, the Corporation may place the Respondent on administrative leave during the pendency of the grievance process.

For all other Respondents, including other members of the Corporation Community and Third Parties, the Board retains broad discretion to prohibit such persons from entering onto its school grounds and other properties at any time and for any reason, whether after receiving a report of Sexual Harassment or otherwise.

Formal Complaint of Sexual Harassment

A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information set forth above. If a Formal Complaint involves allegations of Sexual Harassment by or involving the Title IX Coordinator, the Complainant should submit the Formal Complaint to the Superintendent, who will designate another person to serve in place of the Title IX Coordinator for the limited purpose of implementing the grievance process with respect to that Formal Complaint.

When the Title IX Coordinator receives a Formal Complaint or signs a Formal Complaint, the Corporation will follow its Grievance Process, as set forth herein. Specifically, the Corporation will undertake an objective evaluation of all relevant evidence, including both inculpatory and exculpatory evidence, and will not make credibility determinations based solely on a person's status as a Complainant, Respondent, or witness.

It is a violation of this policy for a Complainant(s), Respondent(s), and/or witness(es) to knowingly making false statements or knowingly submitting false information during the grievance process, including intentionally making a false report of Sexual Harassment or submitting a false Formal Complaint. The Board will not tolerate such conduct, which is a violation of the Student Code of Conduct and the Employee/Administrator Handbook.

The Respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

Timeline

The Corporation will seek to conclude the grievance process, including resolving any appeals, within ninety (90) days of receipt of the Formal Complaint.

If the Title IX Coordinator offers informal resolution processes, the informal resolution processes may not be used by the Complainant or Respondent to unduly delay the investigation and determination of responsibility. The timeline, however, may be subject to a temporary delay of the grievance process or a limited extension for good cause with written notice to the Complainant and the Respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as: the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; and the need for language assistance or accommodation of disabilities.

Upon receipt of a Formal Complaint, the Title IX Coordinator will provide written notice of the following to the parties who are known:

- A. Notice of the Board's grievance process, including any informal resolution processes;
- B. Notice of the allegations of misconduct that potentially constitute Sexual Harassment as defined in this policy, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting Sexual Harassment, and the date and location of the alleged incident, if known. The written notice must:
 1. include a statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the grievance process;
 2. inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence.
 3. inform the parties of any provision in the Student Code of Conduct, this policy, that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, during the course of the investigation, the investigator becomes aware of allegations about the Complainant or Respondent that are not included in the original notice provided to the parties, the investigator will notify the Title IX Coordinator, and the Title IX Coordinator will decide whether the investigator should investigate the additional allegations; if the Title IX Coordinator decides to include the new allegations as part of the investigation, the Title IX Coordinator will provide notice of the additional allegations to the parties whose identities are known.

Dismissal of a Formal Complaint

The Corporation shall investigate the allegations in a Formal Complaint, unless the conduct alleged in the Formal Complaint:

- A. would not constitute Sexual Harassment (as defined in this policy) even if proved;

B. did not occur in the Corporation's education program or activity; or

C. did not occur against a person in the United States.

If one of the preceding circumstances exist, the Title IX Coordinator shall dismiss the Formal Complaint. If the Title IX Coordinator dismisses the Formal Complaint due to one of the preceding reasons, the Corporation may still investigate and take action with respect to such alleged misconduct pursuant to another provision of an applicable code of conduct, Board policy, and/or Employee / Administrator Handbook.

The Title IX Coordinator may dismiss a Formal Complaint, or any allegations therein, if at any time during the investigation:

A. a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein;

B. the Respondent is no longer enrolled in the Corporation or employed by the Board; or

C. specific circumstances prevent the Corporation from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.

If the Title IX Coordinator dismisses a Formal Complaint or allegations therein, the Title IX Coordinator promptly must send written notice of the dismissal and the reason(s) therefor simultaneously to the parties.

Consolidation of Formal Complaints

The Title IX Coordinator may consolidate Formal Complaints as to allegations of Sexual Harassment against more than one (1) Respondent, or by more than one (1) Complainant against one (1) or more Respondents, or by one (1) party against the other party, where the allegations of Sexual Harassment arise out of the same facts or circumstances.

Where a grievance process involves more than one (1) Complainant or more than one (1) Respondent, references in this policy to the singular "party," "Complainant," or "Respondent" include the plural, as applicable.

Informal Resolution Process

Under no circumstances shall a Complainant be required as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, to waive any right to an investigation and adjudication of a Formal Complaint of Sexual Harassment. Similarly, no party shall be required to participate in an informal resolution process.

If a Formal Complaint is filed, the Title IX Coordinator may offer to the parties an informal resolution process. If the parties mutually agree to participate in the informal resolution process, the Title IX Coordinator shall designate a trained individual to facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication. The informal resolution process may be used at any time prior to the decision-maker(s) reaching a determination regarding responsibility.

If the Title IX Coordinator is going to propose an informal resolution process, the Title IX Coordinator shall provide to the parties a written notice disclosing:

A. the allegations;

B. the requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a Formal Complaint arising from the same allegations; and

C. any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

Any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the Formal Complaint.

Before commencing the informal resolution process, the Title IX Coordinator shall obtain from the parties their voluntary, written consent to the informal resolution process.

During the pendency of the informal resolution process, the investigation and adjudication processes that otherwise would occur are stayed and all related deadlines are suspended.

The informal resolution process is not available to resolve allegations that a Corporation employee or another adult member of the Corporation Community or Third Party sexually harassed a student.

The informal resolution process is not available to resolve allegations regarding a sexual assault involving a student Complainant and a student Respondent.

Investigation of a Formal Complaint of Sexual Harassment

In conducting the investigation of a Formal Complaint and throughout the grievance process, the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility is on the Corporation, not the parties.

In making the determination of responsibility, the decision-maker(s) is/are directed to use the preponderance of the evidence standard. The decision-maker(s) is charged with considering the totality of all available evidence, from all relevant sources.

The Corporation is not permitted to access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the party provides the Corporation with voluntary, written consent to do so; if a student party is not an Eligible Student, the Corporation must obtain the voluntary, written consent of a parent.

Similarly, the investigator(s) and decision-maker(s) may not require, allow, rely upon or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege in writing.

As part of the investigation, the parties have the right to:

- A. present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence; and
- B. have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney. The Corporation may not limit the choice or presence of an advisor for either the Complainant or Respondent in any meeting or grievance proceeding.

Neither party shall be restricted in their ability to discuss the allegations under investigation or to gather and present relevant evidence.

The Corporation will provide to a party whose participation is invited or expected written notice of the date, time, location, participants, and purpose of all , investigative interviews or other meetings, with sufficient time for the party to prepare to participate. The investigator(s) and decision-maker(s) must provide a minimum of one (1) days' notice with respect to investigative interviews and other meetings.

Both parties shall have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which the Corporation does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation.

Prior to completion of the investigative report, the investigator will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have at least ten (10) calendar days to submit a written response, which the investigator will consider prior to completion of the investigative report.

At the conclusion of the investigation, the investigator shall create an investigative report that fairly summarizes relevant evidence and send the report to each party and the party's advisor, if any, for their review and written response. The investigator will send the investigative report in an electronic format or a hard copy, at least ten (10) calendar days prior to the decision-maker(s) issuing a determination regarding responsibility.

Determination of Responsibility

The Title IX Coordinator shall appoint a decision-maker(s) to issue a determination of responsibility. The decision-maker(s) cannot be the same person(s) as the Title IX Coordinator(s) or the investigator(s).

After the investigator sends the investigative report to the parties and the decision-maker(s), and before the decision-maker(s) reaches a determination regarding responsibility, the decision-maker(s) will afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.

Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

Determination regarding responsibility: The decision-maker(s) will issue a written determination regarding responsibility. To reach this determination, the decision-maker(s) must apply the preponderance of the evidence standard

The written determination will include the following content:

- A. Identification of the allegations potentially constituting Sexual Harassment pursuant to this policy;
- B. A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, [and] methods used to gather other evidence
- C. Findings of fact supporting the determination;
- D. Conclusions regarding the application of the applicable code of conduct to the facts;
- E. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the decision-maker(s) is recommending that the Corporation impose on the Respondent(s) and whether remedies designed to restore or preserve equal access to the Corporation's education program or activity should be provided by the Corporation to the Complainant(s); and
- F. The procedures and permissible bases for the Complainant(s) and Respondent(s) to appeal.

Informal or formal disciplinary sanctions/consequences may be imposed on a student Respondent who is determined responsible for violating this policy (i.e., engaging in Sexual Harassment):

A. Informal Discipline

- 1. writing assignments;
- 2. changing of seating or location;
- 3. before-school, lunchtime, after-school detention;
- 4. in-school discipline;
- 5. Saturday school.

B. Formal Discipline

- 1. suspension of bus riding/transportation privileges;
- 2. removal from co-curricular and/or extra-curricular activity(ies), including athletics;
- 3. emergency removal;
- 4. suspension for up to ten (10) school days;
- 5. expulsion for up to eighty (80) school days or the number of school days remaining in a semester, whichever is greater;
- 6. expulsion for up to one (1) year; and
- 7. any other sanction authorized by the Student Code of Conduct.

If the decision-maker(s) determines the student Respondent is responsible for violating this policy (i.e., engaging in Sexual Harassment), the decision-maker(s) will recommend appropriate remedies, including disciplinary sanctions/consequences. The Title IX Coordinator will notify the Superintendent of the recommended remedies, so an authorized administrator can consider the recommendation(s) and implement an appropriate remedy(ies) in compliance with Policy 5600 – Student Discipline, Policy 5605 – Suspension/Expulsion of Students with Disabilities, Policy 5610 – Suspension and Expulsion of Students, Policy 5610.02 – In-School Discipline, and Policy 5611 – Due Process Rights. Discipline of a student Respondent must comply with the applicable provisions of the Individuals with Disabilities Education Act (IDEA), as amended, and/or Section 504 of the Rehabilitation Act of 1972, and their respective implementing regulations.

Disciplinary sanctions/consequences may be imposed on an employee Respondent who is determined responsible for violating this policy including but not limited to (i.e., engaging in Sexual Harassment):

- A. oral or written warning;
- B. written reprimands;
- C. performance improvement plan;
- D. required counseling;
- E. required training or education;

F. demotion;

G. suspension with pay;

H. suspension without pay;

I. termination;

J. any other sanction authorized by any applicable Employee/Administrator Handbook and/or applicable collective bargaining agreement.

If the decision-maker(s) determines the employee Respondent is responsible for violating this policy (i.e., engaging in Sexual Harassment), the decision-maker(s) will recommend appropriate remedies, including disciplinary sanctions/consequences. The Title IX Coordinator will notify the Superintendent of the recommended remedies, so an authorized administrator can consider the recommendation(s) and implement an appropriate remedy(ies) in compliance with applicable due process procedures, whether statutory or contractual. If the Superintendent is the Respondent, the Title IX Coordinator will notify the Board Attorney

Discipline of an employee will be implemented in accordance with Federal and State law, Board policy, and applicable provisions of any relevant collective bargaining agreement.

Disciplinary sanctions/consequences may be imposed on a non-student/non-employee member of the Corporation Community or a Third Party who is determined responsible for violating this policy (i.e., engaging in Sexual Harassment), including but not limited to:

A. oral or written warning;

B. suspension or termination/ cancellation of the Board's contract with the Third Party vendor or contractor;

C. mandatory monitoring of the Third Party while on school property and/or while working/interacting with students;

D. restriction/prohibition on the Third Party's ability to be on school property; and

E. any combination of the same.

If the decision-maker(s) determines the Third Party Respondent is responsible for violating this policy (i.e., engaging in Sexual Harassment), the decision-maker(s) will recommend appropriate remedies, including imposition of sanctions. The Title IX Coordinator will notify the Superintendent of the recommended remedies, so appropriate action can be taken.

The decision-maker(s) will provide the written determination to the Title IX Coordinator who will provide the written determination to the parties simultaneously.

In ultimately imposing a disciplinary sanction/consequence, the Superintendent (or the Board when the Superintendent is the Respondent) will consider the severity of the incident, previous disciplinary violations (if any), and any mitigating circumstances. If the Respondent is a Member of the Board, s/he shall be excluded from any determination regarding the imposition of a disciplinary sanction/consequence by the remaining School Board members.

The Corporation's resolution of a Formal Complaint ordinarily will not be impacted by the fact that criminal charges involving the same incident have been filed or that charges have been dismissed or reduced.

At any point in the grievance process and procedures, the Superintendent (or the Title IX Coordinator if the Superintendent is the Respondent) may involve local law enforcement and/or file criminal charges related to allegations of Sexual Harassment that involve a sexual assault.

The Title IX Coordinator is responsible for effective implementation of any remedies.

Appeal

Both parties have the right to file an appeal from a determination regarding responsibility, or from the Title IX Coordinator's dismissal of a Formal Complaint or any allegations therein, on the following bases:

A. Procedural irregularity that affected the outcome of the matter (e.g., material deviation from established procedures);

B. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made that could affect the outcome of the matter; and

C. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant(s) or Respondent(s) that affected the outcome of the matter.

D. The recommended remedies (including disciplinary sanctions/consequences) are unreasonable in light of the findings of fact (i.e., the nature and severity of the Sexual Harassment);

The Complainant(s) may not challenge the ultimate disciplinary sanction/consequence that is imposed.

Any party wishing to appeal the decision-maker(s)'s determination of responsibility or the Title IX Coordinator's dismissal of a Formal Complaint or any allegations therein must submit a written appeal to the Title IX Coordinator within five (5) days after receipt of the decision-maker(s)'s determination of responsibility or the Title IX Coordinator's dismissal of a Formal Complaint or any allegations therein.

Nothing herein shall prevent the Superintendent (or the Board when the Superintendent is the Respondent) from implementing appropriate remedies, excluding disciplinary sanctions, while the appeal is pending.

As to all appeals, the Title IX Coordinator will notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties.

The decision-maker(s) for the appeal shall not be the same person(s) as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator(s). The decision-maker(s) for the appeal shall not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant(s) or Respondent(s) and shall receive the same training as required of other decision-makers.

Both parties shall have a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.

The decision-maker(s) for the appeal shall determine when each party's written statement is due.

The decision-maker(s) for the appeal shall issue a written decision describing the result of the appeal and the rationale for the result. The original decision-maker(s)' determination of responsibility will stand if the appeal request is not filed in a timely manner or the appealing party fails to show clear error and/or a compelling rationale for overturning or modifying the original determination. The written decision will be provided to the Title IX Coordinator who will provide it simultaneously to both parties. The written decision will be issued within five (5) days of when the parties' written statements were submitted.

The determination of responsibility associated with a Formal Complaint, including any recommendations for remedies / disciplinary sanctions, becomes final when the time for filing an appeal has passed or, if an appeal is filed, at the point when the decision-maker(s) for the appeal's decision is delivered to the Complainant and the Respondent. No further review beyond the appeal is permitted.

Retaliation

Neither the Board nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, or because the individual made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or Sexual Harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or Formal Complaint of Sexual Harassment, for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, constitute(s) retaliation. Retaliation against a person for making a report of Sexual Harassment, filing a Formal Complaint, or participating in an investigation, is a serious violation of this policy that can result in the imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Complaints alleging retaliation may be filed according to the grievance process set forth above.

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

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy shall not constitute retaliation, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

Confidentiality

The Corporation will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a Formal Complaint of Sexual Harassment, any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act ("FERPA"), 20 U.S.C. 1232g, or FERPA's regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder (i.e., the Corporation's obligation to maintain confidentiality shall not impair or otherwise affect the Complainant's and Respondent's receipt of the information to which they are entitled related to the investigative record and determination of responsibility).

Application of the First Amendment

The Board will construe and apply this policy consistent with the First Amendment to the U.S. Constitution. In no case will a Respondent be found to have committed Sexual Harassment based on expressive conduct that is protected by the First Amendment.

Training

The Corporation's Title IX Coordinator, along with any investigator(s), decision-maker(s), or person(s) designated to facilitate an informal resolution process, must receive training on:

- A. the definition of Sexual Harassment (as that term is used in this policy);
- B. the scope of the Corporation's education program or activity;
- C. how to conduct an investigation and implement the grievance process, appeals and informal resolution processes, as applicable; and
- D. how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interests, and bias.

All Corporation employees will be trained concerning their legal obligation to report Sexual Harassment to the Title IX Coordinator. This training will include practical information about how to identify and report Sexual Harassment.

Recordkeeping

As part of its response to alleged violations of this policy, the Corporation shall create, and maintain for a period of seven (7) calendar years, records of any actions, including any supportive measures, taken in response to a report or Formal Complaint of Sexual Harassment. In each instance, the Corporation shall document the basis for its conclusion that its response was not deliberately indifferent and document that it has taken measures designed to restore or preserve equal access to the Corporation's education program or activity. If the Corporation does not provide a Complainant with supportive measures, then the Corporation will document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the Corporation in the future from providing additional explanations or detailing additional measures taken.

The Corporation shall maintain for a period of seven (7) calendar years the following records:

- A. Each Sexual Harassment investigation including any determination regarding responsibility any disciplinary sanctions recommended and/or imposed on the Respondent(s), and any remedies provided to the Complainant(s) designed to restore or preserve equal access to the Corporation's education program or activity;
- B. Any appeal and the result therefrom;
- C. Any informal resolution and the result therefrom; and
- D. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process.

The Corporation will make its training materials publicly available on its website. If a person is unable to access the Corporation's website, the Title IX Coordinator will make the training materials available upon request for inspection by members of the public.

Outside Appointments, Dual Appointments, and Delegations

The Board retains discretion to appoint suitably qualified persons who are not Corporation employees to fulfill any function of the Board under this policy, including, but not limited to, Title IX Coordinator, investigator, decision-maker, decision-maker for appeals, facilitator of informal resolution processes, and advisor.

The Board also retains discretion to appoint two or more persons to jointly fulfill the role of Title IX Coordinator, investigator, decision-maker, decision-maker for appeals, facilitator of informal resolution processes, and advisor.

The Superintendent may delegate functions assigned to a specific Corporation employee under this policy, including but not limited to the functions assigned to the Title IX Coordinator, investigator, decision-maker, decision-maker for appeals, facilitator of informal resolution processes, and advisor, to any suitably qualified individual, and such delegation may be rescinded by the Superintendent at any time.

Discretion in Application

The Board retains discretion to interpret and apply this policy in a manner that is not clearly unreasonable, even if the Board's interpretation or application differs from the interpretation of any specific Complainant and/or Respondent.

Despite the Board's reasonable efforts to anticipate all eventualities in drafting this policy, it is possible unanticipated or extraordinary circumstances may not be specifically or reasonably addressed by the express policy language, in which case the Board retains discretion to respond to the unanticipated or extraordinary circumstance in a way that is not clearly unreasonable.

The provisions of this policy are not contractual in nature, whether in their own right, or as part of any other express or implied contract. Accordingly, the Board retains discretion to revise this policy at any time, and for any reason. The Board may apply policy revisions to an active case provided that doing so is not clearly unreasonable.

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Legal

- I.C. 31-33-5-1
- I.C. 20-33-8
- 20 U.S.C. 1681 et seq., Title IX of the Education Amendments of 1972 (Title IX)
- 20 U.S.C. 1400 et seq., The Individuals with Disabilities Education Act of 2004 (IDEA), as amended
- 42 U.S.C. 2000c et seq., Title IV of the Civil Rights Act of 1964
- 42 U.S.C. 2000d et seq.
- 42 U.S.C. 2000e et seq.
- 42 U.S.C. 1983
- 34 C.F.R. Part 106
- OCR's Revised Sexual Harassment Guidance (2001)
- 20 U.S.C. 1092(F)(6)(A)(v)
- 34 U.S.C. 12291(a)(10)
- 34 U.S.C. 12291(a)(8)
- 34 U.S.C. 12291(a)(30)



Book	Policy Manual
Section	2000 Program
Title	RELIGION IN THE CURRICULUM
Code	po2270
Status	Active
Adopted	January 9, 2001
Last Revised	November 12, 2013

2270 - RELIGION IN THE CURRICULUM

Based on the First Amendment protection against the establishment of religion in the schools, no Corporation employee will promote religion in the classroom or in the Corporation's curriculum, or compel or pressure any student to participate in devotional exercises. Instructional activities shall not be permitted to advance or inhibit any particular religion or religion in general.

The School Board believes that an understanding of religions and their effects on civilization is essential to the thorough education of young people and to their appreciation of a pluralistic society. To that end, curriculum may include, as appropriate to the various ages and attainments of the students, instruction about the religions of the world.

The Board acknowledges the degree to which a religious consciousness has permeated the arts, literature, music, and issues of morality. The instructional and resource materials approved for use in the school frequently contain religious references or concern moral issues that have traditionally been the focus of religious concern. That such materials may be religious in nature shall not, by itself, bar their use by the Corporation. The Board directs that professional staff members employing such materials be neutral in their approach and avoid using them to advance or inhibit religion in any way.

The Board recognizes that religious traditions vary in their perceptions and doctrines regarding the natural world and its processes. The curriculum is chosen for its place in the education of the Corporation's students, not for its conformity to religious principles. Students should receive unbiased instruction in the schools so they may accept or reject privately the knowledge thus gained, in accordance with their own religious tenets.

Accordingly, no student shall be exempted from attendance in a required course of study on the grounds that the instruction therein interferes with the free exercise of his/her religion.

The Superintendent shall prepare administrative guidelines regarding observances and activities which have religious overtones. Such guidelines are to be in compliance with State laws and First Amendment rights.

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Legal	U.S. Constitution, Amendment 1
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Book	Policy Manual
Section	2000 Program
Title	COLLEGE AND UNIVERSITY PROGRAMS
Code	po2271
Status	Active
Adopted	January 9, 2001
Last Revised	November 8, 2016

2271 - **COLLEGE AND UNIVERSITY PROGRAMS**

The Board recognizes the value to students and to the School Corporation for students to participate in programs offered by accredited colleges and universities in Indiana.

The Board may allow students who meet the criteria to enroll in approved postsecondary programs while in attendance in the Corporation.

Definitions:

"Dual credit course" means a course taught by a high school faculty member, a college faculty member, or a college adjunct faculty member that a high school student may take to earn both high school and college credits. Dual credit courses may include any of the following:

A. A concurrent enrollment college course that is taught:

1. in a high school classroom;
2. by a regular high school faculty member who is approved by an eligible institution; and
3. to high school students who earn high school credit for the course and may also earn college credit through an agreement between an eligible institution and a school corporation under I.C. 21-43-4- 3.5.

B. An on-campus course, that:

1. is taught:
 - a. on the campus of an eligible institution;
 - b. by a faculty member of the eligible institution; and
 - c. as a regular course offering to postsecondary students attending the eligible institution in which a high school student enrolls and attends; and
2. is approved by the high school that the high school student attends for secondary credit requirements.

C. A college course, that is taught:

1. in a high school classroom;
2. by a faculty member of an eligible institution; and

3. to high school students who may earn both secondary and postsecondary credits.

D. An online college course, that:

1. is taught:

a. by a faculty member of an eligible institution; and

b. as a regular course offering to postsecondary students attending the eligible institution in which a high school student enrolls and attends; and

2. is approved by the high school that the high school student attends for secondary credit requirements.

"Early college" means an academic program consisting of a series of dual credit courses or concurrent enrollment courses, or both, which allow high school students to earn both a high school diploma and:

A. an associate degree that has been approved by the commission for higher education; or

B. up to two (2) years of academic credit toward a baccalaureate degree.

"Eligible institution" means an accredited public or private:

A. college; or

B. university;

located in Indiana that grants a baccalaureate or an associate degree and offers postsecondary enrollment opportunities.

"Postsecondary credit" means credit toward:

A. an associate degree;

B. a baccalaureate degree; or

C. a career and technical education certification;

that is granted by an eligible institution upon the successful completion of a course taken in a high school setting under a postsecondary enrollment opportunity.

"Postsecondary enrollment opportunity" refers to programs established under I.C. 21-43-4, including dual credit courses, concurrent enrollment courses, and early college programs.

"Program" means a postsecondary enrollment program authorized by the Board in which an eligible student participates.

"Secondary credit" means credit toward graduation requirements granted by the Corporation upon the successful completion of a course taken under the program.

Postsecondary Enrollment Opportunities:

The Board authorizes the Superintendent to collaborate with eligible institutions to offer the following postsecondary enrollment programs:

A. early college programs

B. college courses taught by faculty members of eligible institutions

C. concurrent enrollment college courses

that meet the educational objectives of the Corporation and are offered by eligible institutions in secondary school locations.

Students enrolled in such programs will be eligible to receive secondary credit in addition to any postsecondary credit earned for the successful completion of the course. All instructors shall meet the requirements established by State law and the Higher Learning Commission for teaching a course for which graduation credit is awarded.

A student is eligible to participate in a postsecondary enrollment program if they meet the criteria set by the eligible institution and:

- A. participation will not delay the student's progress toward high school graduation;
- B. participation will not result in the cancellation of the same course offered by the student's school due to low enrollment.

The criteria for determining the courses approved for secondary credit are as follows:

- A. the eligible institution and the Corporation, through its Superintendent, shall determine the terms and conditions under which the Corporation will award credit, if any, for a specified course successfully completed by a student through the Corporation;
- B. the eligible institution shall determine the terms and conditions under which the Corporation will award secondary credit, if any, for a specific course successfully completed through the eligible institution; and
- C. secondary credit also will be awarded for the successful completion of the following courses:
 - 1. a course that is approved by the principal of the high school that the student attends for secondary credit requirements,
 - 2. a course that is a dual credit course or concurrent enrollment college course which is listed by an eligible institution in the statewide core transfer library under the principles set forth in IC 21-42-5-4.

Before February 1 of each year, the Corporation shall provide each student in grades 8, 9, 10, and 11 with information concerning postsecondary enrollment opportunities.

A student who intends to enroll in an eligible institution shall notify the principal of the school in which the student is enrolled.

A Corporation representative, by agreement with an eligible institution and using information that may be provided by the eligible institution, shall meet with each student who intends to participate in a postsecondary enrollment opportunity to offer counseling at which the following are discussed:

- A. the courses in which the student may enroll, including prerequisites needed for completion.
- B. the postsecondary credit the student earns upon successful completion of a course.
- C. the consequences of the student's failure to successfully complete a course.
- D. notice of the course and schedule.
- E. the financial obligations of the student and the school under the postsecondary enrollment opportunity.
- F. the responsibilities of the student, the student's parent, and the school under the postsecondary enrollment opportunity.
- G. other matters concerning the postsecondary enrollment opportunity.

If a student enrolls in a concurrent enrollment college course, a postsecondary course taught by a faculty member of the eligible institution at the high school, or an early college program offered by an eligible institution, the eligible institution and the Corporation shall enter into a contract for the postsecondary enrollment opportunity. The contract must establish the terms and conditions under which:

- A. the eligible institution will award credit for specified classes successfully completed by students in the Corporation; and
- B. the Corporation will award credit for specified classes successfully completed by students at the eligible institution.

With respect to a course taught in a high school setting, a student must achieve at least the equivalent of a 2.0 on a 4.0 unweighted grading scale, as established by the eligible institution, in order for the student to enroll in subsequent related dual credit course work in the same subject area.

High School Fast Track Program

A State educational institution may establish a high school fast track to college program that offers qualified students an opportunity to earn a high school diploma while earning credits for a degree. To be eligible to earn a high school diploma under this program, the student must be either:

- A. at least nineteen (19) years of age and not enrolled in a school corporation or;

B. at least seventeen (17) years of age and have consent from the principal of the high school most recently attended.

The Corporation shall pay the tuition of a student who resides in the Corporation for high school level courses taken at the state educational institution each year the student is included in the Corporation's ADM.

All instructors shall meet the requirements established by State law and the Higher Learning Commission for teaching a course for which graduation credit is awarded.

To complete the requirements for a high school diploma, an individual participating in the High School Fast Track program must have:

A. passed:

1. the graduation examination given under I.C. 20-32-4;
2. an examination for a general educational development diploma;
3. an examination equivalent to the graduation examination:
 - a. administered by the state educational institution; and
 - b. approved by the department of education; or
4. an examination that demonstrates the student is ready for college level work:
 - a. administered by the state educational institution; and
 - b. approved by the department of education; and

B. completed the course work necessary to meet:

1. the minimum high school course requirements established by the Indiana state board of education; and
2. the requirements of the state educational institution.

The Superintendent shall establish the necessary administrative guidelines to ensure that eligibility criteria are clearly defined and properly communicated to both the students and the institutions offering such programs to students of this Corporation. The Superintendent also shall establish guidelines and procedures for the awarding of credit and the proper entry on a student's transcript and other records of his/her participation in a postsecondary program.

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Legal I.C. 21-43-1, I.C. 21-43-4, I.C. 21-43-8
 511 IAC 6-7.1-1, 511 IAC 6-7.1-6, 511 IAC 6-7.1-7, 511 IAC 6-10-1, 511 IAC 6-10-4
 Higher Learning Commission's Qualified Faculty Requirements



Book	Policy Manual
Section	2000 Program
Title	PARENT AND FAMILY ENGAGEMENT
Code	po2281
Status	Active
Adopted	October 8, 2019

2281 - PARENT AND FAMILY ENGAGEMENT

The School Board recognizes that each student's education is a responsibility shared by the school and the family. Meaningful family support is critical if a student is to achieve his/her potential.

In order to foster meaningful family involvement, the Board directs the Superintendent to establish a program that both encourages and facilitates parent/family members involvement in their child's educational program. This policy shall serve as the School Corporation policy, as well as the Parent and Family Engagement policy for each school in the Corporation.

The Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act of 2015 (ESSA), defines the term "parent" to include a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the child's welfare).

In accordance with statute, the term "family" is used in order to include a child's primary caregivers, who are not the biological parents, such as foster caregivers, grandparents, and other family members and responsible adults who play significant roles in providing for the well-being of the child.

In developing the program, the Superintendent should ensure that the following factors are addressed:

- A. As appropriate to the situation, opportunities are available for the parents and family members to participate in making decisions about their child's educational program and procedural matters that affect the way the child functions in school.
- B. Curriculum objectives are shared with parents/family members and, if curriculum committees are formed, the parents/family members are invited to be members of the committee, when feasible.
- C. When family issues arise that affect the child's effective participation at school, assistance is provided to help the family establish a relationship with special service agencies and support groups in the community.
- D. Mechanisms are incorporated for identifying those in the family or associated with the family who have a significant influence on the child's educational performance and progress.
- E. Information is provided to parents and family members through the parent-student handbooks regarding their legal rights and responsibilities.
- F. Relevant staff members are provided the type of professional development activities that will enhance their effectiveness with parents and family members.
- G. Outreach procedures are in place for encouraging parents and family members who may have limited literacy skills and/or those for whom English is not the primary language.
- H. The various programs, procedures, and practices the Corporation already is implementing are identified and used as the basis for the formulation of any new efforts.

The following practices, organized under six (6) categories, are based on the State Board of Education's Parent and Family Involvement Policy, the National PTA's National Standards for Family-School Partnerships.

BEST PRACTICES BY CATEGORY

- A. Create a welcoming school climate.
- B. Establish effective school-to-home and home-to-school communication.
- C. Strengthen families' knowledge and skills to support and extend their children's learning at home and in the community.
- D. Provide families information related to child development and creating supportive learning environments.
- E. Engage families in school planning, leadership and meaningful volunteer opportunities.
- F. Connect students and families to community resources that strengthen and support students' learning and well-being.
- G. Provide high ability services and collaboration – Counselors/Teachers and Parents/Family Members.
- H. Provide family engagement efforts and community participation.

CREATE A WELCOMING SCHOOL CLIMATE

- A. Provide a personal greeting and welcome packet for all parents and family members visiting the school, including a community services directory, important school contact information, school calendar and coupons to local businesses.
- B. Have teachers make personal contacts with families through e-mail, phone calls or home visits.
- C. Hold an open house, prior to school opening, at which families can meet their children's teachers, tour the school building and meet other parents/family members.
- D. Provide transportation and child care to enable families to attend school-sponsored, family-involvement events.
- E. Offer translators to welcome and assist families during school activities.

ESTABLISH EFFECTIVE SCHOOL-TO-HOME AND HOME-TO-SCHOOL COMMUNICATION.

- A. Provide printed information for parents and family members on homework policies and on monitoring and supporting student work at home.
- B. Send home folders of student work weekly or monthly for parent/family member review and comment.
- C. Develop electronic grade booklets so families can frequently monitor their children's progress.
- D. Clearly communicate school policies to all families in their home language.
- E. Establish formal mechanisms for families to communicate to administrators and teachers as needed (e.g., direct phone numbers, e-mail addresses, weekly hours for families to call or meet).
- F. Create a families "suggestion or comment" box (electronic and onsite) for families to anonymously provide their questions, concerns and recommendations.

STRENGTHEN FAMILIES' KNOWLEDGE AND SKILLS TO SUPPORT AND EXTEND THEIR CHILDREN'S LEARNING AT HOME AND IN THE COMMUNITY

- A. Provide training and materials for parents and family members on how to improve children's study skills or learning in various academic subjects.
- B. Make regular homework assignments that require students to discuss with their families what they are learning in class.
- C. Provide a directory of community resources and activities that link to student learning skills and talents, including summer programs for students.
- D. Offer workshops to inform families of the high expectations and standards children are expected to meet in each grade level. Provide ways for families to support the expectations and learning at home.

- E. Engage families in opportunities to work with their children in setting their annual academic, college and career goals.

PROVIDE FAMILIES WITH INFORMATION RELATED TO CHILD DEVELOPMENT AND CREATING SUPPORTIVE LEARNING ENVIRONMENTS

- A. Provide workshops and materials for parents and family members on typical development and appropriate family and school expectations for various age groups.
- B. Print suggestions for parents and family members on home conditions that support learning at each grade level.
- C. Partner with local agencies to provide regular parenting workshops on nutrition, family recreation or communication.
- D. Have school personnel make home visits at transition points such as preschool and elementary, middle and high school to help families and students understand what to expect.

ENGAGE FAMILIES IN SCHOOL PLANNING, LEADERSHIP AND MEANINGFUL VOLUNTEER OPPORTUNITIES

- A. Create roles for parents and family members on all decision-making and advisory committees, properly training them for the areas in which they will serve (e.g., curriculum, budget or school safety).
- B. Provide equal representation for parents and family members on school governing bodies.
- C. Conduct a survey of parents and family members to identify volunteer interests, talents and availability, matching these resources to school programs and staff-support needs.
- D. Create volunteer recognition activities such as events, certificates and thank-you cards.
- E. Establish a parent/family member telephone tree to provide school information and encourage interaction among parents/family members.
- F. Structure a network that links every family with a designated family representative

CONNECT STUDENTS AND FAMILIES TO COMMUNITY RESOURCES THAT STRENGTHEN AND SUPPORT STUDENTS' LEARNING AND WELL-BEING

- A. Through school-community partnerships, facilitate families' access to community-based programs (e.g., health care and human services) to ensure that families have resources to be involved in their children's education.
- B. Establish school-business partnerships to provide students mentoring, internships and onsite, experiential learning opportunities.
- C. Connect students and families to service-learning projects in the community. Invite community partners to share resources at annual open houses or parent-teacher conferences.

PROVIDE HIGH ABILITY SERVICES AND COLLABORATION – COUNSELORS/TEACHERS AND PARENTS/FAMILY MEMBERS

- A. School counselor and the high ability services coordinator or teacher of high ability students can plan and conduct a series of family education opportunities that will help parents and family members understand and support these children.
- B. Provide families information regarding programs or services available for high ability and/or gifted learners in the district or region.
- C. Provide families information about gifted children, their needs and characteristics.
- D. Create a guided discussion forum for families to enhance their parenting skills and discuss social, emotional and academic needs of high ability children.

PROVIDE FAMILY ENGAGEMENT EFFORTS AND COMMUNITY PARTICIPATION

- A. Support the establishment of a parent/family member advisory council, committee, task force or group.
- B. Support students and family membership in the school community.

- C. Invite parents and family members of students with disabilities to participate on school decision-making committees.
- D. Foster effective communication with families focused on student learning and developing.

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<http://www.doe.in.gov/highability>

<http://www.insource.org>



Book	Policy Manual
Section	2000 Program
Title	HOMEWORK
Code	po2330
Status	Active
Adopted	January 9, 2001

2330 - **HOMEWORK**

The School Board acknowledges the educational validity of out-of-school assignments as adjuncts to and extensions of the instructional program of the schools in grades K to 12.

"Homework" shall refer to those assignments to be prepared outside of the school by the student or independently while in attendance at school.

The Superintendent shall develop administrative guidelines for the assignment of homework according to these guidelines:

- A. Homework should be a properly planned part of the curriculum to extend and reinforce the learning experience or to complete work not completed in class.
- B. Homework should help students learn by providing practice in the mastery of skills, experience in data gathering, integration of knowledge, and an opportunity to remediate learning problems.
- C. Homework should help develop the student's sense of responsibility by providing an opportunity for the exercise of independent work and judgment.
- D. As a valid educational tool, homework should be assigned with clear direction and its product carefully evaluated.
- E. The schools should recognize the role of parents by suggesting ways in which parents can assist the school in helping a student carry out assigned responsibilities.
- F. Homework should always serve a valid learning purpose; **it should never be used as a punitive measure.**

Legal	511 IAC 6-2-1(c)(9)
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Book	Policy Manual
Section	2000 Program
Title	EXTRA CREDIT
Code	po2330.01
Status	Active
Adopted	June 10, 2008

2330.01 - **EXTRA CREDIT**

The School Board acknowledges the educational validity of extra-credit assignments as adjuncts to and extensions of the instructional program of the schools in grades K to 12.

"Extra Credit" shall refer to additional and voluntary assignments to be prepared outside of the school by the student or independently while in attendance at school.

The Superintendent shall develop administrative guidelines for the assignment of extra credit according to these guidelines:

- A. Extra credit should be a properly planned part of the curriculum to extend and reinforce the learning experience.
- B. Extra credit should help students learn by providing practice in the mastery of skills, experience in data gathering, and integration of knowledge, and an opportunity to remediate or enrich learning.
- C. Extra credit should help develop the student's sense of responsibility by providing an opportunity for the exercise of independent work and judgment.
- D. As a valid educational tool, extra credit should be assigned with clear direction and its product carefully evaluated.
- E. Extra credit should always serve a valid learning purpose; it should never be used as a punitive measure and/or to inflate a failing grade.



Book	Policy Manual
Section	2000 Program
Title	FIELD AND OTHER CORPORATION-SPONSORED TRIPS
Code	po2340
Status	Active
Adopted	January 9, 2001
Last Revised	June 11, 2013

2340 - **FIELD AND OTHER CORPORATION-SPONSORED TRIPS**

The School Board recognizes that field trips, when used for teaching and learning integral to the curriculum, are an educationally sound and important ingredient in the instructional program of the schools. Properly planned and executed field trips should:

- A. supplement and enrich classroom procedures by providing learning experiences in an environment outside the schools;
- B. arouse new interests among students;
- C. help students relate school experiences to the reality of the world outside of school;
- D. bring the resources of the community - natural, artistic, industrial, commercial, governmental, educational - within the student's learning experience;
- E. afford students the opportunity to study real things and real processes in their actual environment.

For purposes of this policy, a field trip shall be defined as any planned journey for one (1) or more students away from Corporation premises, which is under the supervision of a professional staff member and an integral part of a course of study. Other Corporation-sponsored trips shall be defined as any planned student-travel activity which is approved as part of the Corporation's total educational program.

The Board shall approve those field trips and other Corporation-sponsored trips which take students out of State and/or keep students out of the Corporation overnight or longer.

The Superintendent shall approve all other such trips.

Students may be charged reasonable fees for field trips, but no student shall be denied participation for financial inability, nor shall nonparticipation be penalized academically.

Students on all Corporation-sponsored trips remain under the supervision of this Board and are subject to the Corporation's administrative guidelines.

The Board does not endorse, support, or assume liability in any way for any staff member, volunteer, or parent of the Corporation who takes students on trips not approved by the Board or Superintendent. No staff member may solicit students of this Corporation for such trips within the facilities or on the school grounds of the Corporation without Board permission. Permission to solicit neither grants nor implies approval of the trip. Such approval must be obtained in accordance with the Corporation's Administrative Guidelines for Extended Trips.

The Superintendent shall prepare administrative guidelines for the operation of both field and other Corporation-sponsored trips, including athletic trips, which shall ensure:

- A. the safety and well-being of students;
- B. parental permission is sought and obtained before any student leaves the Corporation on a trip;
- C. each trip is properly planned, and if a field trip, is integrated with the curriculum, evaluated, and followed up by appropriate activities which enhance its usefulness;
- D. each trip is properly monitored;
- E. student behavior while on all field trips complies with the Student Code of Conduct and on all other trips complies with an approved code of conduct for the trip;
- F. professional staff members are permitted to make on-site alterations to a trip itinerary.

A professional staff member shall not change a planned itinerary while the trip is in progress, except where the health, safety, or welfare of the students in his/her charge is imperiled, or where changes or substitutions beyond his/her control have frustrated the purpose of the trip.

In any instance in which the itinerary of a trip is altered, the professional staff member in charge shall notify the administrative superior immediately.

Pursuant to State law, school busses may be used if the trip does not involve more than 200 miles out of state.

Revised 4/28/11

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I.C. 20-27-9-3



Book	Policy Manual
Section	2000 Program
Title	EDUCATIONAL OPTIONS
Code	po2370
Status	Active
Adopted	January 9, 2001
Last Revised	August 14, 2012

2370 - **EDUCATIONAL OPTIONS**

The School Board recognizes the need to provide alternative means by which students achieve the goals of the Corporation.

Educational options are learning experiences or activities that are designed to extend, enhance, supplement, or serve as an alternative to classroom instruction.

An optional plan to meet the recognized educational needs of a student shall be approved by the Superintendent. The Superintendent shall prepare a plan of educational options for use in meeting special needs.

Such options may include, but not be limited to, tutorial programs, independent study, correspondence courses, educational travel, mentorship programs, summer school, early college entrance, distance learning, on-line coursework, etc.

Credit will be granted to the student upon complete evaluation of the program.

Prior approval of the educational option application (Form 2370 F1) by the Superintendent shall be required before a student participates in one (1) of the available educational options. Prior permission of a parent or guardian shall also be required before a student under age eighteen (18) participates in one of the available educational options.

Participation in an educational option shall be in accordance with an instructional and performance plan which will be developed based on the individual student's needs. The instructional plan will include:

- A. instructional and performance objectives that align with Corporation's curriculum requirements;
- B. a description of the criteria and method for assessing student performance;
- C. an outline of specific instructional activities, materials and learning environments.

Participation must be subject to the oversight of a credentialed teacher who will review the instructional plan which may include providing, supervising, or reviewing instruction or learning experiences, and the evaluation of student performance.

Credit for approved educational options shall be assigned according to student performance relative to stated objectives of the approved instructional and performance plan and in accordance with Corporation policy and established administrative guidelines.

The credit shall be placed on the student transcript. The amount of credit counting toward graduation shall comply with the Corporation graduation requirements.

The Corporation shall communicate information and procedures related to educational options available in the Corporation to students, parents, and interested stakeholders.

Revised 4/12/05

11/4/22, 2:10 PM

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511 IAC 6-7-7



Book	Policy Manual
Section	2000 Program
Title	FLEX PROGRAM
Code	po2370.02
Status	Active
Adopted	February 9, 2021
Last Revised	December 13, 2022

2370.02 - **FLEX PROGRAM**

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

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

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

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

- A. attend at least three (3) hours of instructional time per school day;
- B. pursue a timely graduation;
- C. provide evidence of college or technical career education enrollment and attendance or proof of employment and labor that is aligned with the student's career academic sequence under rules established by the Bureau of Youth Employment;
- D. not be suspended nor expelled while participating in the school flex program;
- E. pursue course and credit requirements for an Indiana diploma with a general designation; and
- F. maintain a ninety-five percent (95%) attendance rate.

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

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I.C. 20-30-2-2

I.C. 20-30-2-2.2



Book	Policy Manual
Section	2000 Program
Title	INDIANA COURSE ACCESS PROGRAM
Code	po2370.03
Status	Active
Adopted	April 9, 2019

2370.03 - **INDIANA COURSE ACCESS PROGRAM**

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

OPTIONAL:

Eligible students may not enroll in iCAP courses if the same course is offered in the Corporation's curriculum.

Eligible students may not enroll in more than one (1) iCAP courses per semester.

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

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

Requests to enroll in iCAP courses must be approved by the Principal, school counselor or guidance counselor.

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

The student's school shall provide a scheduled class period during the regular school day to complete online work and connect with their Mentor.

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

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

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

The Superintendent shall assign a Corporation employee to serve as the Corporation's Lead Point of Contact for the iCAP who is the primary contact person for the IDOE. The Lead Point of Contact is responsible for: (1) the appeal process; (2) updating the Point of Contact for all schools in the Corporation; and (3) maintaining accurate information. The Principal of a school with eligible students participating in iCAP shall assign a Corporation employee to serve as the school Point of Contact. The school Point of Contact's primary responsibilities are: (1) to conduct registration transactions with iCAP providers and (2) ensure final grades and credits are

reflected on report cards and transcripts. Each eligible student enrolled in an iCAP course will be assigned an iCAP Mentor. Mentors work closely with students to facilitate a positive and successful experience.

Definitions:

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

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

"Eligible student" means a student pursuing:

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

Exceptions:

The Corporation may disapprove an eligible student's enrollment in an iCAP course only for the following reasons:

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

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

Appeal Process:

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

Students with IEPs and Section 504 Plans:

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

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

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Book	Policy Manual
Section	2000 Program
Title	VIRTUAL EDUCATION PROGRAM
Code	po2370.05
Status	Active
Adopted	January 12, 2021

2370.05 – VIRTUAL EDUCATION PROGRAM

The School Board is committed to delivering strong instructional programs, and the School Corporation seeks through a Virtual Education Program to offer variety in the method of such delivery. The Corporation recognizes its responsibility to provide options for each student to extend, enhance, supplement, and expand their learning outside the traditional brick and mortar learning models.

Definitions

"Virtual education program" means a program provided by a school corporation in which more than fifty percent (50%) of instruction, other than instruction for recovery credit courses, to the students participating in the program is provided in an interactive learning environment created through technology in which the student is separated from a teacher by time or space, or both. However, students who will receive fifty percent (50%) or more of their instructional programming provided through virtual/distance/remote learning due to the contingency planning for COVID-19 are not to be reported as "virtual students" on the Corporation's ADM report but instead will be reported as "Virtual due to COVID."

"Virtual presence" refers to the regular participation of a student by virtual means. IDOE has recommended that a thirty (30) day period of inactivity be considered when developing student engagement policies. Therefore, in order to maintain a "virtual presence," a student may not exceed a thirty (30) day period of inactivity absent a certificate of incapacity.

Mandatory Onboarding and Training

The Corporation requires that a student who wishes to participate in a Virtual Education Program and his/her parent must participate in an onboarding and training program prior to enrollment. If the student or the student's parent does not participate in this onboarding and training program, the student shall not be permitted to enroll or participate in the Virtual Education Program.

The student/parent will identify the educational goals of the student and, prior to the commencement of virtual instruction, determine if any educational needs or support services, including technical assistance, will be required during the Virtual Education Program.

Training on the proper use, storage, and required handling of the provided equipment also shall be provided.

Understanding the nature of virtual education is also a critical element of the Corporation's training process. The student/parent shall be advised that the ramifications of the student's failure to follow established attendance procedures and engage with the virtual class content are consistent with Policy 5200 – Attendance and standards established herein. Further, the Corporation, having provided proper notice to the student/parent, may withdraw the student from the virtual instruction program and disallow re-enrollment for the remainder of the school year if the student regularly fails to participate in courses and the student/parent does not demonstrate that the student's failure to participate in the course is due to an event that would be considered an excused absence under I.C. 20-33-2. If the student is a student with a disability, the withdrawal of that student is considered a change of placement. Therefore, prior to the withdrawal of a student with a disability, the Corporation must convene a case conference committee ("CCC") and conduct a manifestation determination to determine whether the student's failure to participate was a manifestation of the student's disability.

The Corporation shall provide notice to the parent that a person who knowingly or intentionally deprives a dependent of education commits a violation of I.C. 35-46-1-4.

Finally, parents and students shall be advised that discipline for students enrolled in a virtual program may be imposed in accordance with Policy 5600 – Discipline.

Corporation Requirements

The Corporation shall install a system that can track student usage of the Virtual Education Program module where the teachers prepare lessons, share classroom content, and provide their daily lessons to monitor the number of hours students are participating per day, per week, and to identify any student who has enrolled in the program but has not participated or logged in.

Additionally, this system shall be used to monitor student attendance as required by State law. This will allow the Corporation to initiate the withdrawal from enrollment of a student who has been classified as "habitually truant" under State law.

Corporation teachers who are employed as licensed Virtual Education Program teachers shall comply with the mandatory licensed teacher training requirements established by State law.

Student Participation Requirements

To participate in the Corporation's Virtual Education Program, the student must be a resident of the State of Indiana.

The Corporation requires that if a student who attends the Corporation's virtual education program accumulates the number of unexcused absences sufficient to result in the student's classification as a "habitual truant" (as described in I.C. 20-20-8-8(a)(17)), the student must be withdrawn from enrollment in the Corporation's virtual education program. Provided, however, that a student with a disability first must be accorded the rights afforded him/her under the IDEA and Article 7, including a manifestation determination case conference.

Students participating in a Virtual Education Program shall take Statewide standardized assessments in accordance with State law.

If a student with a disability seeks to enroll in the Corporation's Virtual Education Program, the student's Case Conference Committee/IEP Team or Section 504 Committee must determine whether the student's IEP and/or Section 504 Plan is suited for such instruction and whether the student can benefit from the Virtual Education Program. Due to the Corporation's obligation to provide individualized special education and related services to students with disabilities and the extent to which such services are needed, participation in the Virtual Education Program might not be the least restrictive environment for such student to receive a free appropriate public education ("FAPE").

Tracking Virtual Education Program Attendance

While attendance will be monitored and collected at the student level, the tracking of attendance does not necessitate knowing what every student is doing at every moment with regard to the student's educational experience. Attendance in the Virtual Education Program can be tracked by evidence of participation, which may include but is not limited to:

- A. daily logins to learning management systems;
- B. daily interactions with the teacher to acknowledge attendance, which may include but are not limited to messages, emails, telephone calls, video chats, or other formats that enable teachers to engage with students; and
- C. assignment completion.

The teacher will determine the number of hours a typical student would take to complete an assignment and report those hours of attendance when the assignment is completed. A teacher may adjust the number of hours of attendance based on the length of time the student actually spent on the assignment, as reported by the student, parent, or other person with knowledge.

Regardless of the way attendance is tracked, the Corporation will convert to and report attendance in increments in accordance with Policy 5200 - Attendance (i.e., attendance may be taken hourly in the remote learning setting, the attendance information collected will be reported in hourly increments for each student).

Student attendance in the Virtual Education Program shall be tracked in the same manner as hourly, in-person instruction. Teachers shall determine hourly attendance by evidence of student login and logoff data. *Teachers are encouraged to verify meaningful attendance in a method selected by the teacher, such as an ungraded quiz at the close of a lesson, a survey or poll questions (unrelated to the lesson and unpredictable) at the end of the lesson, or asking students questions at random throughout a session.*

Absences from the Virtual Education Program, in addition to those detailed in Policy 5200 - Attendance, may be considered excused under the following circumstances, with written notice from a parent/guardian:

- A. temporary internet outage for individual students or households;
- B. unexpected technical difficulties for individual students or households, such as password resets or software upgrades occurring during a teacher-led remote learning lesson;
- C. computer/device malfunction;
- D. malfunction of a Corporation-owned device for which the Corporation is providing technical assistance, repair, or replacement.

If there is no evidence a student participated or engaged in any way in a Virtual Education Program learning activity, the student will be marked with an absence for the hours allotted for that Virtual Program Education learning activity.

The Virtual Education Program shall not be used to make up absences from in-school learning.

The Corporation's efforts to foster student attendance in a Virtual Education Program will be guided by the following principles:

- A. It is critical to build and maintain strong relationships that can endure time and distance. To this end, the Corporation will strive to a) maintain updated contact information for students and parents, b) engage in outreach opportunities to learn more about the student and/or family's digital access (including internet connectivity and technology devices), and c) establish meaningful communication that connects students, families, educators and, in some cases, other caring adults from the community.
- B. The Corporation will balance its focus on consistent student attendance, including exposure to and engagement in learning, with a priority on the health and safety of students, families, and educators.
- C. The Corporation will seek to maintain frequent contact with students and families, connect students to appropriate resources, encourage student participation, and offer enriching, interesting and engaging learning opportunities.
- D. The Corporation will use data to drive its decisions that are aimed at understanding successes and opportunities, supporting diverse learning styles, identifying solutions, and driving continuous improvement.
- E. The Corporation will leverage community partnerships to strengthen its efforts to support student attendance, exposure to, and engagement in learning, and the student's overall mental health and well-being.
- F. The Corporation will employ a multi-tiered system of support to remove barriers that prevent students from participating and engaging in learning, mitigate negative learning experiences, address lack of engagement and misconceptions, and provide needed social-emotional supports.

Staff responsible for recording student attendance in the Corporation's student information system shall be afforded flexibility in situations where students have varied schedules throughout the week.

Withdrawal of Student

Prior to the withdrawal of a student who regularly fails to participate in courses, the Corporation shall:

- A. provide adequate notice of the withdrawal to the parent and the student; and
- B. provide an opportunity for the student or the parent to demonstrate that failure to participate in the course is due to an event that would be considered an excused absence under I.C. 20-33-2.

If the student is a student with a disability who has an IEP, prior to the withdrawal of the student the Corporation also shall:

1. provide adequate written notice to the parent of a CCC meeting to be convened for the purpose of changing the educational placement and conducting a manifestation determination prior to the withdrawal;
2. provide an opportunity for parental participation in the CCC meeting by scheduling the CCC meeting at a mutually agreed upon date, time, and place and by providing an opportunity for the parent to participate by other means if the parent cannot attend in person;
3. conduct the CCC meeting without a parent in attendance if the parent chooses not to participate in person or by other means and keep records of the school's attempts to arrange a mutually agreed upon date, time, and place for the

CCC; and

4. at the CCC meeting, determine whether the student's failure to participate was a manifestation of the student's disability.

If the CCC determines that the student's failure to participate was a manifestation of the student's disability, Corporation personnel shall take immediate steps, consistent with 511 IAC 7-44-5, to address the reasons why the student failed to engage. Specifically, the Corporation must either:

- a. review and revise the special education and related services in order to facilitate student participation; or
- b. take immediate steps to remedy any identified IEP implementation deficiencies. Alternately, if the CCC determines that the failure to participate is NOT a manifestation of the student's disability, school personnel may withdraw the student. Provided, however, the withdrawal of a student by the Corporation is considered a disciplinary removal, during which the student must continue to receive services until either enrolling in another school or aging out, consistent with the requirements of 511 IAC 7-44-5(f).

If the student is a student with a disability who has a Section 504 Plan, prior to the withdrawal of the student the Corporation also shall:

1. provide adequate written notice to the parent of a Section 504 Committee meeting to be convened for the purpose of changing the educational placement and conducting a manifestation determination prior to the withdrawal;
2. provide an opportunity for parental participation in the Section 504 Committee meeting by scheduling the meeting at a mutually agreed upon date, time, and place and by providing an opportunity for the parent to participate by other means if the parent cannot attend in person;
3. conduct the Section 504 Committee meeting without a parent in attendance if the parent chooses not to participate in person or by other means and keep records of the school's attempts to arrange a mutually agreed upon date, time, and place for the meeting; and
4. at the Section 504 Committee meeting, determine whether the student's failure to participate was a manifestation of the student's disability.

If the Section 504 Committee determines that the student's failure to participate was a manifestation of the student's disability, Corporation personnel shall take immediate steps to address the reasons why the student failed to engage. Specifically, the Corporation must either: 1) review and revise the special education and related services in the Section 504 Plan in order to facilitate student participation; or 2) take immediate steps to remedy any identified Section 504 Plan implementation deficiencies. Alternately, if the CCC determines that the failure to participate is NOT a manifestation of the student's disability, school personnel may withdraw the student. Students who have Section 504 plans are not entitled to receive services following withdrawal.

Cross Reference:

Students enrolled in the Virtual Education Program are required to abide by the requirements included in adopted Board Policies including, but not limited to:

Policy 2370 - Education Options
 Policy 2430 - Corporation-Sponsored Clubs and Activities
 Policy 2431 - Interscholastic Athletics
 Policy 5111 - Determination of Legal Settlement and Eligibility for Enrollment of Students without Legal Settlement in the Corporation
 Policy 5200 - Attendance
 Policy 5420 - Reporting Student Progress
 Policy 5421 - Grading
 Policy 5460 - Graduation Requirements
 Policy 6250 - Required ADM Counts for the Purposes of State Funding
 Administrative Guideline 6250 - Required ADM Counts for the Purposes of State Funding

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I.C. 20-19-8
I.C. 20-24-1-10
I.C. 20-24-5-4.5
I.C. 20-24-7-13
I.C. 20-43-1-7.5
511 IAC 7-42-7(a)
511 IAC 7-44-5



Book	Policy Manual
Section	2000 Program
Title	AUDIO, VIDEO, AND DIGITAL RECORDING OF MEETINGS
Code	po2410
Status	Active
Adopted	July 1, 2003
Last Revised	November 10, 2015

2410 - **AUDIO, VIDEO, AND DIGITAL RECORDING OF MEETINGS**

The School Board believes that the education of children is a joint responsibility, one it shares with the parents of the school community. The Board realizes it has the responsibility of protecting the rights of students in keeping and sharing student records.

The recording of meetings such as parent-teacher conferences, case conferences (i.e., IEP meetings), meetings under Section 504 of the Rehabilitation Act, discipline-related conferences and the like is **prohibited** unless it is necessary in order for a parent or authorized representative of a parent to meaningfully participate in the educational process and/or his/her child's IEP, or otherwise necessary to implement other parental rights under the IDEA, as amended, Section 504 of the Rehabilitation Act of 1973, as amended, and/or the Americans with Disabilities Act, as amended.

- A. If a parent believes that audio recording such a meeting is necessary, s/he should notify the Principal (in writing, preferably at least two (2) school days before the meeting, of his/her desire to audio record the meeting and the reason the recording is required. The Principal will notify the parent at least one (1) school day before the meeting if s/he intends to grant or deny the parent's request to record the meeting.
- B. If the Corporation representative denies the request, s/he will state in writing the reasons for the denial. Authorized exceptions to the general prohibition against the audio recording of meetings typically will involve situations when a parent, or authorized representative of a parent, or other meeting participant has a disability recognized under Section 504/ADA or a language barrier that would preclude the individual's ability to understand and/or meaningfully participate in the educational process. The Corporation representative may ask for documentation of the existence of any such disability or language barrier. If a parent is permitted to audio record the meeting, s/he must use his/her own recording device and tapes or disks, and the Corporation similarly will record the meeting.

For purposes of this policy, a recording is defined as the capture of a person's individual voice through audio and/or video tape, digital, or other electronic means.

Video recording of meetings such as parent-teacher conferences, case conferences (i.e., IEP meetings), meetings under Section 504 of the Rehabilitation Act, discipline-related conferences and the like is strictly prohibited.

The requirements of this policy shall not be interpreted to be in conflict with the provisions of Policy 5136 - Use of 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.

If the Corporation audio records meetings such as parent-teacher conferences, case conferences (i.e., IEP meetings), meetings under Section 504 of the Rehabilitation Act, discipline-related conferences and the like, the resulting recording shall become a part of the student's educational record and will be maintained in accordance with State and Federal law.

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Book	Policy Manual
Section	2000 Program
Title	GUIDANCE AND COUNSELING
Code	po2411
Status	Active
Adopted	January 9, 2001
Last Revised	April 12, 2016

2411 - **GUIDANCE AND COUNSELING**

The School Board requires that a planned program of guidance and counseling be an integral part of the educational program of the Corporation. Such a program should:

- A. assist students in achieving educational goals;
- B. enable students to draw benefit from the offerings of the instructional program of the school;
- C. aid students in identifying options and making choices in vocational and academic course areas;
- D. assist students in career awareness and planning;
- E. help integrate all the student's experiences so that s/he can better relate school activity to life outside the school;
- F. help students learn to make their own decisions and solve problems independently;
- G. assist students with mental health or addiction concerns.

A program of guidance and/or counseling will be offered to all students and will:

- A. be limited to the services of a professional staff of fully certificated guidance personnel;
- B. include the services of professional guidance personnel and other designated faculty and staff members who provide employment counseling and placement services to students who do not intend to enroll in an institution of higher learning after graduation or desire employment in conjunction with their continued education;
- C. include the possibility of a referral to a community mental health center (CMHC) or a provider certified or licensed by the division of mental health and addiction. Any such referral shall be made pursuant to a memorandum of understanding between the Corporation and the CMHC or provider and with the written consent of the student's parent or guardian. If a referral is made, the referral may be noted in the student's cumulative record but may not include a possible diagnosis or information regarding the student's mental health, other than medication(s) taken. All student records containing medical information shall be kept confidential. A school counselor or other Corporation employee shall not diagnose a student as having a mental health condition unless the individual's scope of practice includes diagnosing a mental health condition.

The Superintendent is directed to implement the counseling and guidance program which carries out these purposes and:

- A. involves appropriate staff members at every level;
- B. honors the individuality of each student;

- C. Integrates with the total educational program;
- D. coordinates with available resources of the community;
- E. cooperates with parents and recognizes their concern and ideas for the development of their children;
- F. provides means for the sharing of information among appropriate staff members as may be in the best interests of the student;
- G. provides an appropriate amount of time and effort be given to providing guidance and counseling services to those students sixteen (16) to nineteen (19) years of age who do not intend to enroll in an institution of higher education after graduating from high school or who require or desire employment in connection with their continued education;
- H. establishes a referral system which utilizes all the aid the schools and community offer, guards the privacy of the student, and monitors the effectiveness of such referrals.

A student's guidance counselor, in consultation with the student and his/her parent, will review the student's career plan annually to determine if the student is progressing toward fulfillment of the plan.

Revised 4/12/05

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Legal I.C. 20-30-4-6
 I.C. 20-34-3-21
 511 IAC 4-1-5



Book	Policy Manual
Section	2000 Program
Title	HOMEBOUND INSTRUCTION PROGRAM
Code	po2412
Status	Active
Adopted	January 9, 2001

2412 - **HOMEBOUND INSTRUCTION PROGRAM**

The School Board may provide, pursuant to rules of the State Board of Education, individual instruction to students of legal school age who are not able to attend classes because of accident, illness, or disability.

Documentation of the disabling condition must be done by a physician licensed to practice in this State who must:

- A. certify the nature of the medical disability;
- B. state the probable duration of the confinement;
- C. certify the student's ability to participate in an educational program.

The program of homebound instruction given each student will be in accordance with rules of the State Board of Education with such exceptions as may be allowed. The amount of instructional time shall not exceed five (5) hours per week.

Instruction may be withheld when:

- A. the instructor's presence in the place of a student's confinement presents a hazard to the health of the teacher;
- B. a parent or other adult in authority is not at home with the student during the hours of instruction;
- C. the condition of the student prevents him/her from benefiting from such instruction.

Legal	I.C. 20-26-3; 20-35-4-1 511 IAC 7-27-11
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Book	Policy Manual
Section	2000 Program
Title	HEALTH SERVICES
Code	po2413
Status	Active
Adopted	January 9, 2001

2413 - **HEALTH SERVICES**

In compliance with law, the School Board may require students to submit to periodic health examinations to:

- A. protect the school community from the spread of communicable disease;
- B. determine that each student's participation in health, safety, and physical education courses meets his/her individual needs;
- C. determine that the learning potential of each child is not lessened by a remediable physical disability;
- D. determine if participation in physical education classes would be harmful to the individual.

The Corporation shall follow this law with regard to the need for services which may include, but not be limited to:

- A. athlete physical examinations;
- B. vision screening;
- C. audiometric screening;
- D. scoliosis screening;

Legal	I.C. 20-8.1-7-et seq. 511 IAC 4-1-1 (c); 4-1-7
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Book	Policy Manual
Section	2000 Program
Title	REPRODUCTIVE HEALTH AND FAMILY PLANNING AND HUMAN SEXUALITY INSTRUCTION
Code	po2414
Status	Active
Adopted	April 12, 2005
Last Revised	April 9, 2019

2414 - **REPRODUCTIVE HEALTH AND FAMILY PLANNING AND HUMAN SEXUALITY INSTRUCTION**

The School Corporation believes that provision should be made for the teaching of reproductive health, family planning, human sexuality, and the recognition, prevention, and treatment of sexually-transmitted diseases, as essential ingredients in a comprehensive school health education curriculum. As required by State law, the curriculum also shall include the teaching of abstinence.

The Corporation shall make available for inspection by the parent of a student any instructional materials, including teachers' manuals, curricular materials, films or other video materials, tapes, and other materials, used in connection with instruction on human sexuality. Before providing instruction on human sexuality, the Corporation shall comply with State law requirements to provide a written request for consent of instruction to a parent of a student or the student, if the student is an adult or an emancipated minor.

The Superintendent shall prepare administrative guidelines to implement these curriculum components.

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Legal	I.C. 20-30-5-12
	I.C. 20-30-5-13
	I.C. 20-30-5-17



Book	Policy Manual
Section	2000 Program
Title	STUDENT PRIVACY AND PARENTAL ACCESS TO INFORMATION
Code	po2416
Status	Active
Adopted	January 9, 2001
Last Revised	July 1, 2003

2416 - **STUDENT PRIVACY AND PARENTAL ACCESS TO INFORMATION**

The School Board respects the privacy rights of parents and their children. No student shall be required as a part of the school program or the Corporation's curriculum, without prior written consent of the student (if an adult or an emancipated minor) or, if an unemancipated minor, his/her parents, to submit to or participate in any survey, analysis, or evaluation that reveals information concerning:

- A. political affiliations or beliefs of the student or his/her parents;
- B. mental or psychological problems of the student or his/her family;
- C. sex behavior or attitudes;
- D. illegal, anti-social, self-incriminating, or demeaning behavior;
- E. critical appraisals of other individuals with whom respondents have close family relationships;
- F. legally recognized privileged and analogous relationships, such as those of lawyers, physicians, and ministers;
- G. religious practices, affiliations or beliefs of the student or his/her parents; or
- H. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such a program).

The Superintendent shall establish procedures whereby parents may inspect any materials used in conjunction with any such survey, analysis, or evaluation.

Further, parents have the right to inspect, upon request, a survey or evaluation created by a third party before the survey/evaluation is administered or distributed by the school to the student. The parent will have access to the survey/evaluation within a reasonable period of time after the request is received by the building principal.

Additionally, parents have the right to inspect, upon request, any instructional material used as part of the educational curriculum of the student. The parent will have access to the instructional material within a reasonable period of time after the request is received by the building principal. The term instructional material means instructional content that is provided to a student, regardless of its format, including printed and representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or assessments.

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

The Superintendent is directed to provide notice directly to parents of students enrolled in the Corporation of the substantive content of this policy at least annually at the beginning of the school year, and within a reasonable period of time after any substantive change in this policy. In addition, the Superintendent is directed to notify parents of students in the Corporation, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when administration of any survey by a third party that contains one or more of the items described in A through H above is scheduled or expected to be scheduled.

For purposes of this policy, the term "parent" includes a legal guardian or other person 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).

Legal 20 USC 1232(a)(b)(g)(h)
I.C. 20-10.1-4-15



Book	Policy Manual
Section	2000 Program
Title	RIGHT TO INSPECT CERTAIN INSTRUCTIONAL MATERIALS
Code	po2416.01
Status	Active
Adopted	January 9, 2001

2416.01 - **RIGHT TO INSPECT CERTAIN INSTRUCTIONAL MATERIALS**

The parent or guardian of a child enrolled in a school within the Nineveh-Hinsley-Jackson United School Corporation shall be entitled to inspect any instructional materials which will be used in connection with a survey, an personal analysis, or an evaluation which is not a direct part of the academic instruction. Instructional materials include teachers' manuals, student texts, films, other video materials, or tapes.

Any complaints arising under this policy may submitted in accordance with the policy for parental (public) complaints.

Student Submission to Surveys, Personal Analysis, or Evaluations of School Curriculum

No student shall be required without prior written consent of the student's parent or guardian, or prior consent of a student is an adult or is emancipated, to submit to a survey, a personal analysis, or an evaluation not directly related to the academic instruction which reveals information concerning:

- A. political affiliations;
- B. religious beliefs or practices;
- C. mental or psychological conditions that may embarrass the student or his/her family;
- D. sexual behavior and attitudes;
- E. illegal, anti-social, self-incrimination or demeaning behavior;
- F. critical appraisals of other individuals with whom the student has a close family relationship;
- G. legally recognized privileged or confidential relationships, including a relationship with a lawyer, physician, or minister; or
- H. income (except as required by law to determine eligibility for participation in a program or for receiving financial assistance under a program).

Any consent form used in compliance with this policy must state the contents and nature of the personal analysis, survey, or evaluation.



Book	Policy Manual
Section	2000 Program
Title	CAREER AND TECHNICAL EDUCATION PROGRAM
Code	po2421
Status	Active
Adopted	January 9, 2001
Last Revised	November 8, 2016

2421 - **CAREER AND TECHNICAL EDUCATION PROGRAM**

The School Board supports an education program designed to provide students with learning experiences to develop knowledge and skills to enter the labor force or career and technical post-secondary programs.

For purposes of this policy, "career and technical education" shall be defined as a program designed to provide educational experiences, work experiences, and guidance for students to plan and prepare for a future:

- A. in the labor market as employable individuals immediately after graduation with productive, saleable skills;
- B. in education beyond high school with the opportunity to gain a marketable job skill(s) that will assist them in achieving career goals;
- C. in the world of work while continuing their education in order to help offset higher education expenses.

The Board shall provide, in cooperation with the Central Nine Vocational and Career Center, a career and technical education program which may include the following subject areas:

- A. Agricultural Education
- B. Business, Marketing, and Information Technology Education
- C. Engineering and Technology Education
- D. Family and Consumer Science
- E. Health Science Education
- F. Trade and Industrial Education
- G. Work Based Learning
- H. Career and Technical Education Pilot Programs (non-standard course waiver required)

Specific courses in each subject area are to conform to the prescribed courses outlined in the Indiana Department of Education State Approved Course Titles and Descriptions. All instructors shall meet the requirements established by State law for teaching a course for which graduation credit is awarded.

Students may receive dual credit for any course in the career and technical education program that has been approved for such credit and is in compliance with Indiana law and Policy 2271.

The Board directs that any efforts to recruit students to participate in a particular career and technical education program must include literature and comparable recruitment efforts for disabled students in a format and context in which they can communicate.

The career and technical education program may include:

- A. a shared-time program outside of school;
- B. a work-study program involving the employment of qualified students.

The work-study programs are available to students without regard for race, color, national origin, sex, age, or disability. The Superintendent is to ensure that application forms for work-study programs contain a notice of nondiscrimination and that each employer associated with a work-study program has provided an assurance of nondiscrimination on the basis of race, color, national origin, sex, age, and disability prior to the time the students are selected and/or assigned.

Revised 11/10/15

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Legal I.C. 20-19-2-17, 20-37-2-1 et seq.
 511 IAC 8
 511 IAC 6-10



Book	Policy Manual
Section	2000 Program
Title	STUDENTS AS TRAINEES
Code	po2421.01
Status	Active
Adopted	January 9, 2001

2421.01 - STUDENTS AS TRAINEES

The School Board recognizes the value of providing students with experiences as part of their preparation for productive employment and appreciates the cooperation of local employers in accommodating such training activities at their places of business.

The Board authorizes the Superintendent to develop work-site training programs as part of the vocational education curriculum. S/He shall develop administrative guidelines whereby all such programs are reviewed to determine whether or not an employer relationship has been established according to criteria established by the Supreme Court in adjudicating cases related to the Fair Labor Standards Act. Particular attention should be paid to community-based programs for special education students and to vocational education programs in which students are producing goods or services for sale and the Corporation is the recipient of the income therefrom.

Legal	I.C. 22-3-2-2.5
	20 U.S.C. 6101 et seq.
	29 USC 201-219



Book	Policy Manual
Section	2000 Program
Title	CORPORATION-SPONSORED CLUBS AND ACTIVITIES
Code	po2430
Status	Active
Adopted	January 9, 2001

2430 - **CORPORATION-SPONSORED CLUBS AND ACTIVITIES**

The School Board believes that the goals and objectives of this Corporation are best achieved by a diversity of learning experiences, including those that are not conducted in a regular classroom but are directly related to the curriculum.

The purpose of curricular-related activities shall be to enable students to explore a wider range of individual interests than may be available in the Corporation's courses of study but are directly related to accomplishing the educational outcomes for students as adopted by the Board in Policy 2131.

For purposes of this policy, curricular-related activities are defined as those activities in which:

- A. the subject matter is actually taught or will be taught in a regularly offered course;
- B. the subject matter concerns the Corporation's composite courses of study;
- C. participation is required for a particular course;
- D. participation results in academic credit.

No curricular-related activity shall be considered to be under the sponsorship of this Board unless it meets one or more of the criteria stated above and has been approved by the Superintendent.

Such activities, as well as extra-curricular or activities not directly related to courses of study, may be conducted on or off school premises by clubs, associations, and organizations of students sponsored by the Board, and directed by a staff advisor.

The Board shall allow noncorporation-sponsored, student clubs and activities during noninstructional time, in accordance with the provisions in Policy 5730 -- Equal Access For Noncorporation-Sponsored, Student Clubs and Activities.

Noncurricular activities for students that are initiated by parents or other members of the community may be allowed under the provisions of Policy 7510 - Use of Corporation Facilities. The Board, however,;

- A. will not assume any responsibility for the planning, conduct, or evaluation of such activities;
- B. will not provide any funds or other resources;
- C. will not allow any member of the Corporation's staff to assist in the planning, conduct, or evaluation of such an activity during the hours s/he is functioning as a member of the staff.

No noncorporation-sponsored organization may use the name of the School Corporation or any other name which would associate an activity with the Corporation.

In addition to the eligibility requirements established by the Indiana High School Athletic Association, the Board may enact additional requirements for the semester(s) prior to the semester in which s/he wishes to participate.

Students shall be fully informed of the curricular-related and extra-curricular activities available to them and of the eligibility standards established for participation in these activities. Corporation-sponsored activities shall be available to all students who elect to participate and who meet eligibility standards. These may varied as determined by the principal.

The Superintendent shall prepare administrative guidelines to implement a program of curricular-related clubs and activities and of extra-curricular activities. Such guidelines should ensure that the needs and interests of the students are assessed properly and procedures are established for continuing evaluation of each club and activity.

Legal

I.C. 20-5-2-2, 20-10.1-8-1 et seq.

Bd. of Education, Westside Community Schools vs. Mergens, 49 US 226

110 S. Ct. 2356, 110 LED 2nd, 191



Book	Policy Manual
Section	2000 Program
Title	SPECIAL PROGRAMS BY COMMUNITY VOLUNTEERS
Code	po2430.01
Status	Active
Adopted	January 9, 2001
Last Revised	April 12, 2005

2430.01 - **SPECIAL PROGRAMS BY COMMUNITY VOLUNTEERS**

The School Board believes in providing opportunities for students to enhance their education through a variety of appropriate extra-curricular activities. The Board recognizes that the community itself can be an excellent resource for such activities and welcomes the participation of community members who have special knowledge and skills that can add to the Corporation's program.

In order to ensure that activities recommended by or involving community volunteers in an instructional role are in keeping with Corporation philosophy and will help students better accomplish the learning goals of the Corporation's program, the Board establishes the following guidelines for the approval of any activity involving community volunteers:

- A. Any suggested activity must be approved by the principal.
- B. Each request shall include:
 - 1. the purpose of the activity;
 - 2. the students for whom the activity is planned;
 - 3. the intended learning objectives;
 - 4. the names and qualifications of those community volunteers who will be participating in any aspect of the activity;
 - 5. the number of hours and total duration of the activity;
 - 6. an itemization of the Corporation resources (staff, facilities, equipment, etc.) that will be needed and their estimated cost.

The Board delegates to the Superintendent the responsibility for approving each requested activity based on its educational merits and relationship to the total Corporation program.

In addition to those established for all regular extra-curricular programs, the Superintendent will prepare any special administrative guidelines required for the proper conduct and evaluation of activities involving community volunteers.



Book	Policy Manual
Section	2000 Program
Title	INTERSCHOLASTIC ATHLETICS
Code	po2431
Status	Active
Adopted	January 9, 2001
Last Revised	July 1, 2003

2431 - **INTERSCHOLASTIC ATHLETICS**

The School Board recognizes the value to the Corporation and to the community of a program of interscholastic athletics for as many students as feasible.

The program of interscholastic athletics should provide students the opportunity to exercise and test their athletic abilities in a context greater and more varied than that which can be offered by a school or the School Corporation alone.

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

Game activities and practice sessions should provide many opportunities to teach the values of competition and good sportsmanship.

The Board subscribes to the administrative guidelines of the Indiana High School Athletic Association so long as the Association complies with the requirements of I.C. 20-5-63-6 but maintains responsibility for enforcement of all rules. The Board believes that it is the purpose of an interscholastic program to provide the benefits of an athletic experience to as large a number of students as feasible within the Corporation.

Since the primary purpose of the athletic program is to enhance the education of participating students as indicated in this policy, the Board places top priority on maximum student participation and the values of good sportsmanship, team play, and fair competition, rather than on winning, particularly at sub-varsity levels. The Superintendent is to develop guidelines for coaches to follow which will ensure that as many students as possible have the opportunity to play so they have the opportunity to benefit from the learning experience.

The Superintendent shall annually prepare, approve and present to the Board for its consideration, a program of interscholastic athletics which shall include a complete schedule of events and shall inform the Board of changes in that schedule as they occur.

The Superintendent shall develop appropriate administrative guidelines for the operation of the Athletic Program and a Code of Conduct for those who participate. Such guidelines should provide for the following safeguards:

- A. Prior to enrolling in the sport, each participant shall submit to a thorough physical examination by a Corporation-approved physician and/or parents shall report any past or current health problems along with a physician's statement that any such problems have or are being treated and pose no threat to the student's participation.
- B. Any student who is found to have a life-threatening health condition such as a heart defect, respiratory dysfunctions, and the like, must have authorization in writing by the student's physician and parents in order to participate in any athletic activities.
- C. Any student who incurs an injury requiring a physician's care is to have the written approval of a physician prior to the student's return to participation.

In order to minimize health and safety risks to student-athletes and maintain ethical standards, school personnel, coaches, athletic trainers, and lay coaches should never dispense, supply, recommend, or permit the use of any drug, medication, or food supplement solely for performance-enhancing purposes.

The Superintendent is also to and then review annually guidelines so that sportsmanship, ethics, and integrity characterize the manner in which the athletic program is conducted and the actions of students who participate. Such guidelines should provide a set of behavioral expectations for each type of participant. The Superintendent is authorized to implement suitable disciplinary procedures against those who do not abide by these expectations.

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

- A. recognize the value of school athletic activities as a vital part of education;
- B. adopt policies (upon recommendation of the administration) which reflect the Corporation's educational objectives and promote the ideals of good sportsmanship, ethics, and integrity;
- C. attend school athletic activities, serve as a positive role model and expect the same from parents, fans, participants, coaches, and other school personnel;
- D. support and reward participants, coaches, school administrators, and fans who display good sportsmanship.

Revised 2/13/01

Legal

I.C. 20-5-2-2, 20-5-63-6, 20-10.1-8-1 et seq.



Book	Policy Manual
Section	2000 Program
Title	INDIAN CREEK HIGH SCHOOL DRUG TESTING POLICY
Code	po2431.01
Status	Active
Adopted	May 14, 2002

2431.01 - INDIAN CREEK HIGH SCHOOL DRUG TESTING POLICY

Introduction

This program will not affect the policies, practices or rights of the School Corporation in dealing with drug and/or alcohol possession or use where reasonable suspicion is obtained by means other than random sampling provided herein.

Objective Facts Leading to Reasonable Concern

The results of a national study of senior high school students suggest that education alone is not effective in combating substance abuse. The study, conducted by Dr. Earl Wysong and Dr. David Wright, revealed the following results from a survey of students:

- A. eighty-seven percent (87%) of seniors reported using alcohol
- B. thirty-five percent (35%) of seniors reported using marijuana
- C. fifteen percent (15%) of seniors reported using stimulants
- D. eleven percent (11%) of seniors reported using hallucinogens
- E. fifty-one percent (51%) of seniors reported using alcohol within the thirty (30) days prior to the survey
- F. sixteen percent (16%) of seniors reported using marijuana in the thirty (30) days prior to the survey

The impact of the statistics directly affects the mission of the Nineveh-Hensley-Jackson United School Corporation. On a daily basis, attitudes and achievement of students are negatively impacted by drug and alcohol use and their safety, as well as the safety of those coming in contact with them, is jeopardized.

Achievable Goals, Boundaries and Limits of the Program

This education and testing program is intended as a helpful part of the overall physical and mental educational and conditioning programs of the Nineveh-Hensley-Jackson United School Corporation. Its purpose is not disciplinary in nature, but rather is intended as a medical diagnostic aid in disclosing possible drug-related problems and as an extension of educational substance abuse programs. Continuing substance abuse obviously is inconsistent with participation in school, and the program includes appropriate procedures for dealing with such problems.

Obligation to Govern the Medical Condition of Students

I.C. 20-8.1-7 sets out health measures to be governed by school officials. Most specifically, I.C. 20-8.1-7 establishes the responsibility of schools to assist children found to be ill or in need of treatment.

Use Made of Results

The program is not intended to be punitive or disciplinary in nature. The purpose of the program is to identify a student with drug residues in his/her body, to provide notification to the custodial parent/guardian, and to educate, help and direct students away from drug and alcohol abuse toward a healthy, safe and drug-free participation in school activities.

A laboratory certified under the auspices of the Clinical Laboratory Improvement Act (CLIA) and the Joint Commission of Accreditation of Healthcare Organizations (JCAHO) will provide training and directions to those who supervise the testing program, set up the testing environment, guarantee samples and supervise the chain-of-custody. In the event a student tests positive, s/he, along with the custodial parent/guardian, will meet with the assistant principal and/or the Athletic Director. During this meeting, the positive testing will be reported to the student and parent(s). The student and parent(s) will be told of potential recommendations to be made to the principal.

School and Community Partnership

The elimination of drug and alcohol abuse is the goal of this program. A substance-abuse free environment must be the stated goal of the School Corporation, and the support and cooperation of the entire community is essential if the goal is to be realized. The mission of the Nineveh-Hensley-Jackson United School Corporation is: "to provide and promote a well-rounded quality education for our students."

Procedure

Students in grade nine (9) through twelve (12) and parents must sign a drug testing waiver form for the student to be eligible to participate in any one (1) or the combination of the following:

- A. drive a car to school
- B. athletics including cheerleading and mascot
- C. driver education

All of these activities require that a student be at his/her best and chemical-free in order to provide a safe environment not only for themselves, but also for other students who potentially could be affected.

A urine specimen will be given on site and will involve supervision of by the Athletic Director or an assistant principal and the school nurse. The assistant principal or Athletic Director will be responsible for implementing procedures to obtain specimens, taking into consideration maintaining the dignity of each student.

The test result will remain confidential. Only the principal, assistant principal, and Athletic Director, along with the student and his/her parent(s), will know the results.

If the student tests positive, s/he, along with the parent, will meet with the assistant principal or Athletic Director. During this meeting, the administrator will explain to the student and parent(s) that the student may lose all of the activities/privileges described in the opening paragraph. The administrator will encourage the parent to seek professional help and refer the matter to the principal for final action.

Students will be tested randomly as they are drawn weekly from one large pool constituted in a manner set out in this paragraph, of those agreeing to be tested. Each week testing may occur on a different day, Monday through Friday. This will keep students conscious of the possibility of being tested at any time during the year. Three (3) to twelve (12) students will be tested weekly, the exact number to be determined by the Athletic Director, principal, and assistant principal. Each student will be assigned a number and that number will be placed in the weekly drawing.

The pool shall be identified as Pool A (drivers and drivers ed) and Pool B (athletes). For purposes of drawing names, the pools shall be combined. The name of any student who is both a driver, participating in driver's ed and an athlete, will be put into the pool only once.

Drivers will remain in the pool for the entire year. Drivers ed participants will go into the pool upon signing up for driver's ed and will be purged from the pool at the completion of the drivers' ed program.

Athletes will go into the pool beginning with the first practice date of their sport. They will remain in the pool until the end of the season. Each season officially ends after the last day of competition or the awards program, whichever comes later.

If the student shows signs of being at-risk, the principal may call the student's parent and ask that s/he be tested. At-risk factors will include, but are not limited to excessive discipline problems and/or excessive absences from school. A parent may request testing of his/her child.

No student will be given advance notice or early warning of the testing. In addition, a strict chain of custody will be enforced to eliminate invalid tests or outside influences.

All students will remain under school supervision until they have produced an adequate specimen. If the student cannot produce a specimen, the student will be given one eight (8) ounce glass of water. If still unable to produce a specimen within two (2) hours, the student will be taken to the office and told they no longer are eligible for any of the three (3) activities/privileges referred to earlier. In addition, parents will be telephoned and informed the student is being uncooperative in the testing procedure and that s/he may be tested at a later date to be reinstated for eligibility.

All specimens registering below 90.5 or above 99.8 degrees Fahrenheit will be invalid. There is a heat strip on each of the specimen bottles indicating the validity of the urine sample by temperature. If this occurs, another sample must be given by the student.

If it is proven that tampering or cheating has occurred during this testing, the student will become ineligible for all the items previously listed for the remainder of the school year. This will be reported to parents.

Urine specimens that are found to be diluted will be judged invalid and the student will be re-tested as soon as possible.

Immediately after the specimen is taken, the student may return to class with an admit slip or pass with the time s/he left the testing area. The nurse, Athletic Director, or the assistant principal must time and sign the pass.

Chain of Custody

- A. The assistant principal(s) and/or the Athletic Director will be responsible for implementing procedures to obtain specimens, taking into consideration maintaining the dignity of each student. Testing four (4) to five (5) students at a time allows the testing to be carried out quickly and will not cause students to wait a long time, thereby creating a loss of important time from class. Athletes may be tested after school, perhaps during the time s/he might have practice.
- B. Once at the nurse's office (testing area), the student must sign in and, as soon as called by the nurse, provide a urine specimen.
- C. The nurse will give each student being tested a specimen bottle. At that time, the student will sign a verification form indicating the bottle is untainted. The bottle will remain in the student's possession until a seal is placed upon the bottle by the nurse. The student and nurse will sign that the specimen has been sealed. The seal may be broken or opened by only the lab testing the specimen.
- D. If the seal is tampered with or broken, after leaving the student's possession and prior to arriving at the lab, the specimen is invalid. The student will be tested again as soon as possible. The student will remain eligible until tested positive.
- E. The students will enter the restroom provided by the nurse. The nurse will supervise the entrance for the girl's restroom and the male administrator will supervise the boy's restroom. Students will be instructed to remove all coats and wash their hands in the presence of the supervisor prior to entering the restroom. The door will be closed with the student by himself/herself in the restroom to provide a urine specimen. The supervisor will wait outside the restroom. The commode will contain a blue dye so the water cannot be used to dilute the sample. The faucets in the restroom will be shut off.
- F. The specimen will be transported to the testing laboratory by the lab personnel. The testing laboratory will report the results back to the principal.

Positive Test Results and Appeal

In the event a student tests positive, s/he, along with the parents, will meet with the assistant principal and/or the Athletic Director. During this meeting the positive testing will be reported to the student and the parent. At that time, any extenuating circumstances may be recommended to the principal. However, all positive test results will be reported to the principal who is not bound by the recommendations of the Athletic Director or assistant principal. The student or his/her parents may appeal by requesting another urine sample be tested by the lab at a cost to the student or his/her parent. The length of the restriction will be pursuant from activities, if the student wishes to return to activities. The student or his/her parent will pay for the costs of this test.

In the case of multiple positive test results, the student will be referred for professional evaluation to be paid for by the parent. In the event of multiple test results, the student will not be allowed to return to the restricted program until professional evaluation and treatment is completed and certified to the school by the professional and until a negative test result is obtained.



Book	Policy Manual
Section	2000 Program
Title	UNIFORM PRACTICE
Code	po2431.02
Status	Active
Adopted	July 22, 2008

2431.02 - **UNIFORM PRACTICE**

Activities at Nineveh-Hensley-Jackson United School Corporation share many students. From time to time there may be a conflict between the practice, rehearsal, game, and/or performance times of these activities. The student athlete can help make a decision as to which activity to attend. The general rule is that the student can choose, without any type of grade loss penalty, to attend the activity s/he wants. All conflicts should be known before the season, when possible, and the coach and sponsors of the conflicting activities should communicate and resolve conflicts before problems occur. When several conflicts occur, students should alternate back and forth between practices or rehearsals after making the decision of which rehearsal or practice to attend initially. The importance of a game or contest will always take precedence over any practices or rehearsals. Student athletes and performers will be expected to prepare with their groups or teams the day of a performance or game.



Book	Policy Manual
Section	2000 Program
Title	DRIVER EDUCATION
Code	po2432
Status	Active
Adopted	January 9, 2001
Last Revised	April 12, 2005

2432 - **DRIVER EDUCATION**

The driver education program shall be offered by the Corporation in conformance with appropriate laws and under Department of Education rules.

Legal	I.C. 20-19-2-8,9 511 IAC 6-6-1 et seq.
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Book	Policy Manual
Section	2000 Program
Title	SUMMER SCHOOL
Code	po2440
Status	Active
Adopted	January 9, 2001

2440 - **SUMMER SCHOOL**

The School Board may conduct a summer program of academic instruction, State-mandated testing and assessments remediation, and/or recreational activities at the K-12 levels for resident students of this Corporation and such other students as the Board may admit.

Summer school instruction shall be designed to provide opportunities for students to:

- A. improve a poor grade;
- B. improve learning skills;
- C. make up a failed course;
- D. enrich a scholastic program;
- E. explore new academic areas.

The Board may annually approve a summer school program. In order to support such a program of summer instruction, the Board may:

- A. employ teaching and administrative staff;
- B. purchase such books, materials, supplies, and equipment as may be necessary;
- C. appoint the director;
- D. make available school facilities as required;
- E. provide necessary custodial services.

Fees may be charged to students domiciled within the Corporation, but shall be charged for nonresident students at rates as determined by the Board.

The Superintendent shall be responsible for developing administrative guidelines for the operation of the summer program which shall be consistent with Board policies and not conflict in any way with the administration of the regular school sessions of the Corporation.

Legal	I.C. 20-10.1-7-12 and 13, 20-10.1-7-4.5, 20-10.1-5.5-6
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Book	Policy Manual
Section	2000 Program
Title	COMMUNITY AND ADULT EDUCATION
Code	po2450
Status	Active
Adopted	January 9, 2001

2450 - **COMMUNITY AND ADULT EDUCATION**

The School Board believes that education is a continuous process throughout life and supports the position that the Corporation should cooperate with other community agencies in providing educational, cultural, and recreational opportunities for all of its citizens. The school, in this setting, becomes a force for community service and improvement; and the values the community seeks for children in the regular school program are, thus, available for all citizens through the community and/or adult program.

With regard to community education, the Board may provide programs and/or facilities for the purpose of meeting the avocational, recreational, and/or cultural interests of the community as well as the vocational/technical training and retraining needs of local workers.

With regard to adult education, the Board also may provide a high school continuation program for anyone over the age of sixteen (16) who is not attending high school in the schools of this Corporation as an opportunity to complete the requirements for a high school diploma.

The Superintendent shall develop and implement administrative guidelines whereby the schools are available for the above-stated purposes.

Legal	I.C. 20-30-6-1,3 511 IAC 11-1-1 et seq., 511 IAC 4-5
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Book	Policy Manual
Section	2000 Program
Title	ALTERNATIVE SCHOOL PROGRAM
Code	po2451
Status	Active
Adopted	January 9, 2001

2451 - **ALTERNATIVE SCHOOL PROGRAM**

The School Board recognizes that the regular school program may not be appropriate for all students. There are those who need an education but are unable or unwilling to participate properly in the Corporation's established program.

The Corporation may participate in an area alternative education program with other school corporations who have adopted a similar policy and appropriate guidelines.

The Superintendent is authorized to submit a grant proposal to the State for the support of the alternative education program providing the students who participate are limited to those who meet one or more of the following eligibility requirements:

- A. The student intends to withdraw or has withdrawn from school.
- B. The student has failed to comply academically and would benefit from the type of instruction offered in the alternative program.
- C. The student is a parent or expectant parent and is unable to regularly attend the traditional school program.
- D. The student is employed and the employment both interferes with his/her regular school program and is necessary for the support of the student and/or his/her immediate family.
- E. The student is a disruptive student, i.e. one who has a documented record of frequent disruptions of the school learning environment despite the school's efforts to modify the behavior in conformity with the school's progressive discipline program (see Policy 5610.02 and Policy 5610).

Any student who participates in a State-supported alternative program must have an Individual Service Plan to guide his/her participation. The plan must be in writing and indicate that the student's teacher(s) and principal jointly agree that the student is likely to benefit academically from participation in the program. The plan must also describe the educational and behavioral goals for the student, the educational program in which s/he will participate, and any necessary services required by the student and/or the family in order for the student to achieve the goals specified in the plan.

Legal	I.C. 20-30-8.1 et seq.
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Book	Policy Manual
Section	2000 Program
Title	CHILD FIND AND SPECIAL EDUCATION
Code	po2460
Status	Active
Adopted	January 9, 2001
Last Revised	August 14, 2012

2460 - **CHILD FIND AND SPECIAL EDUCATION**

The Board shall provide for the location, identification and evaluation of all students at least three (3) years of age but less than twenty-two (22) years of age, who are in need of special education and related services, regardless of the severity of their disabilities, including students who:

- A. have legal settlement within the service area of the Board;
- B. attend a nonpublic school, are served by the Board, or live in an institution located within the service area of the Board;
- C. are homeless students, as defined at 511 IAC 7-32-46;
- D. are wards of the State;
- E. are highly mobile students, including migrant students; and
- F. are suspected of being students, with disabilities in need of special education even though they are advancing from grade to grade.

The Board directs the Superintendent to establish, maintain and implement written procedures to ensure the location, identification and evaluation of these students.

The Board shall provide a free and appropriate public education ("FAPE") to all students who are at least three (3) years of age, have legal settlement in the Board's service area, have been identified as a student with a disability, and have not been enrolled in a charter school or parentally-placed in a non-public school until they graduate with a high school diploma, or the end of the school year in which they become twenty-two (22) years of age, unless the case conference committee determines that the student will leave school earlier.

The Board shall provide special education and related services and supplemental aides and services as may be necessary for a student with a disability to receive a FAPE in the general education classroom, if that is the least restrictive environment appropriate for the student.

The Board directs the Superintendent to plan, implement, and coordinate a comprehensive special education program in accordance with Federal and State law.

The Board may enter into an agreement with other school boards to form a special education cooperative to provide all or any part of the special education program required by this policy.

The Superintendent shall prepare whatever administrative guidelines are necessary to ensure effective implementation of the special education program maintained pursuant to this policy.

Revised 4/12/05

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Legal

20 U.S.C. 1400 et seq.

I.C. 20-26-5-1

I.C. 20-26-10

I.C. 20-35-4

I.C. 20-35-5511 IAC 7



Book	Policy Manual
Section	2000 Program
Title	SURROGATE PARENTS FOR DISABLED STUDENTS
Code	po2460.01
Status	Active
Adopted	January 9, 2001

2460.01 - **SURROGATE PARENTS FOR DISABLED STUDENTS**

The School Board establishes the following policy to assure procedural safeguards of disabled students with regard to the involvement of their parents.

This policy affects disabled students of the Corporation whose parents are unknown, or cannot be identified, or whose parents are unavailable or cannot be located. (A student's parents are considered to be "unavailable" if they cannot be located after a "reasonable effort" on the part of the Corporation). It also affects disabled students who are wards of the State and whose parent or guardian has not retained the right to make educational decisions for the student.

Upon determination that a student is in need of a surrogate parent, the Superintendent shall, within thirty (30) days, appoint a surrogate parent who will be sent a formal letter of appointment. A copy of the appointment shall be placed in the student's permanent records.

Legal	34 CFR 3000.514
	511 IAC 7-1-3, 511 IAC 7-3-22, 511 IAC 7-9-1



Book	Policy Manual
Section	2000 Program
Title	LEAST RESTRICTIVE ENVIRONMENT
Code	po2460.02
Status	Active
Adopted	January 9, 2001
Last Revised	July 1, 2003

2460.02 - LEAST RESTRICTIVE ENVIRONMENT

It is the philosophy and position of the School Board and its administration that the primary responsibility for the administration and delivery of special education programs and services should be within the Corporation and at the school a student would regularly attend, whenever appropriate.

Further, the Board endorses a commitment to the provision of a continuum of special education programs and services to disabled students in cooperation with the Johnson County Special Service Special Education Interlocal and/or within the Corporation.

Placement options shall follow a continuum of services model to ensure that each disabled person is provided a Free and Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE). To that end, every attempt will be made to first serve disabled students in the context of a regular education classroom. Other more restrictive environments such as: resource rooms, self-contained categorical classrooms, or settings outside of a Corporation school will be considered only when placement in the regular classroom has been documented by the Case Conference to be inappropriate for the student's educational needs.

Legal	20 U.S.C. 1400 et seq. 511 IAC 7-27-9
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Book	Policy Manual
Section	2000 Program
Title	EXTENDED SCHOOL YEAR SERVICES FOR DISABLED STUDENTS
Code	po2460.03
Status	Active
Adopted	September 13, 2005

2460.03 - EXTENDED SCHOOL YEAR SERVICES FOR DISABLED STUDENTS

The School Board shall provide extended school year services to a disabled student when his/her Case Conference has determined that the student is likely to suffer severe regression, due to interruption of services, and will be unlikely to recoup to such an extent that s/he will be unable to maintain critical IEP objectives, and may, therefore, ultimately be less self-sufficient as an adult.

The Superintendent shall implement administrative guidelines which are in compliance with Federal and State requirements.

Legal	511 IAC 7-17-35
	511 IAC 27-6(a)(8)



Book	Policy Manual
Section	2000 Program
Title	RECORDING OF IEP TEAM MEETINGS/CASE CONFERENCES
Code	po2461
Status	Active
Adopted	November 10, 2015

2461 - RECORDING OF IEP TEAM MEETINGS/CASE CONFERENCES

The recording of IEP Team meetings or case conferences is prohibited unless it is necessary in order for a parent or authorized representative of a parent to meaningfully participate in the IEP process and/or his/her child's IEP, or otherwise necessary to implement other parental rights under the IDEA, as amended, Section 504 of the Rehabilitation Act of 1973, as amended, and/or the Americans with Disabilities Act, as amended.

- A. If a parent believes that audio recording an IEP Team meeting or case conference is necessary, s/he should notify the principal in writing, preferably at least two (2) school days before the IEP Team meeting or case conference, of his/her desire to audio record the meeting or case conference and the reason the recording is required. The principal will notify the parent at least one (1) school day before the meeting or case conference if s/he intends to grant or deny the parent's request to record the meeting or case conference.
- B. If the Corporation representative denies the request, s/he will state in writing the reasons for the denial. Authorized exceptions to the general prohibition against the audio recording of IEP Team meetings or case conferences typically will involve situations when a parent, or authorized representative of a parent, or other IEP Team member has a disability recognized under Section 504/ADA or a language barrier that would preclude the individual's ability to understand and/or meaningfully participate in the IEP process. The Corporation representative may ask for documentation of the existence of any such disability or language barrier. If a parent is permitted to audio record the meeting or case conference, s/he must use his/her own recording device and tapes or disks, and the Corporation similarly will record the meeting or case conference.

For purposes of this policy, a recording is defined as the capture of a person's individual voice through audio and/or video tape, digital, or other electronic means.

Video recording an IEP Team meeting or case conference is strictly prohibited.

The requirements of this policy shall not be interpreted to be in conflict with the provisions of Policy 5136 - Use of 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.

If the Corporation audio records an IEP Team meeting or case conference, the resulting recording shall become a part of the student's educational record and will be maintained in accordance with State and Federal law.

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Book	Policy Manual
Section	2000 Program
Title	DYSLEXIA SCREENING AND INTERVENTION
Code	po2462
Status	Active
Adopted	April 9, 2019

2462 - **DYSLEXIA SCREENING AND INTERVENTION**

The School Corporation shall provide dyslexia screening and intervention as required by State law. The following procedures shall be utilized in complying with State law.

Screening Process:

The Corporation's reading plan developed under 511 IAC 6.2-3.1 shall include indicators to screen for risk factors of dyslexia, using a screening tool approved by the Indiana Department of Education that screens for characteristics of dyslexia. The mandatory universal screener approved by the IDOE that includes indicators for dyslexia shall be reported in the Corporation's kindergarten through grade 2 reading plan. Until the IDOE approves the mandatory universal screener, the School Board directs the Superintendent to develop and utilize an appropriate screener that includes indicators for dyslexia which shall include, as developmentally appropriate, the following:

- A. Phonological and phonemic awareness
- B. Sound symbol recognition
- C. Alphabet knowledge
- D. Decoding skills
- E. Rapid naming skills
- F. Encoding skills

Students shall be screened for risk factors for dyslexia using the aforementioned screening tool:

- A. in kindergarten, grade 1, and grade 2;
- B. when a student in kindergarten through grade 2:
 - 1. transfers to a new school; and
 - 2. has not been screened previously during the school year;
- C. when a student in grade 3 or higher has difficulty, as noted by a classroom teacher, in:
 - 1. phonological and phonemic awareness;
 - 2. sound-symbol recognition;

3. alphabet knowledge;
4. decoding skills;
5. rapid naming skills; and
6. encoding skills;

D. when a student from another state enrolls for the first time in kindergarten through grade 2 in Indiana unless the student presents documentation that the student:

1. had the dyslexia screening or a similar screening during the school year; or
2. is exempt from screening.

If a student is determined to be at risk, or at some risk, for dyslexia after this screening, the Corporation shall administer a level I dyslexia screening of the student, as defined below. If the Corporation determines that a level II dyslexia screening should be administered, the Corporation may administer a level II dyslexia screening to the student, as defined below. A level II dyslexia screening shall be completed consistent with the Indiana dyslexia resource guide developed by the IDOE.

The level I dyslexia screening and the level II dyslexia screening of a student must include the following components, as developmentally appropriate:

- A. Phonological and phonemic awareness.
- B. Sound symbol recognition.
- C. Alphabet knowledge.
- D. Decoding skills.
- E. Rapid naming skills.
- F. Encoding skills.

If a universal screener, level I dyslexia screening, or level II dyslexia screening indicates that a student has characteristics of dyslexia, the Corporation shall use the response to intervention process to address the needs of the student.

Exceptions:

The Corporation is not required to administer a universal screener to a student if:

- A. the parent of the student objects to the screening; or
- B. the student is receiving intervention services for dyslexia.

Before the Corporation administers a level I dyslexia screening or level II dyslexia screening to a student, the parent of the student must consent to the screening.

If a parent objects to an initial dyslexia screening or does not consent to a level I dyslexia screening or level II dyslexia screening, the Corporation may not administer the initial dyslexia screening, level I dyslexia screening, or level II dyslexia screening, whichever is applicable, to the student.

Notification and Services:

If a student's performance on an initial dyslexia screening, level I dyslexia screening, or level II dyslexia screening indicates a need for dyslexia intervention services, the Corporation shall:

- A. Notify the student's parent of the results of the dyslexia screening.
- B. Provide the student's parent with information and resource material that includes the following:
 1. Characteristics of dyslexia.

2. Appropriate classroom interventions and accommodations for students with dyslexia.
3. A statement that the parent may elect to have the student receive an educational evaluation by the school.

Instructional Approaches:

If a student's level I dyslexia screening or level II dyslexia screening indicates the need for dyslexia intervention services for the student, the dyslexia intervention may include:

- A. explicit, direct instruction that is systematic, sequential, and cumulative and follows a logical plan of presenting the alphabetic principle that targets the specific needs of the student without presuming prior skills or knowledge of the student;
- B. individualized instruction to meet the specific needs of the student in a setting that uses intensive, highly concentrated instruction methods and materials that maximize student engagement;
- C. meaning-based instruction directed at purposeful reading and writing with an emphasis on comprehension and composition;
- D. instruction that incorporates the simultaneous use of two or more sensory pathways during teacher presentations and student practice; and
- E. other instructional approaches as determined appropriate by the Corporation.

Reporting:

In accordance with the Corporation's reading plan developed under 511 IAC 6.2-3.1, the Superintendent shall report annually to the IDOE the number of students who were:

- A. administered an initial dyslexia screening during the school year; and
- B. determined to be at risk, or at some risk, for dyslexia.

Before July 15, 2019, and before July 15 of each year thereafter, the Corporation shall report on its Internet website the following information:

- A. The dyslexia intervention programs that were used during the previous school year to assist students with dyslexia.
- B. The number of students during the previous school year who received dyslexia intervention under this article.
- C. The total number of students identified with dyslexia during the previous school year.

Reading Specialist Trained in Dyslexia:

Not later than the 2019-2020 school year, the Corporation shall employ at least one individual to serve as an authorized reading specialist trained in dyslexia. The Corporation may enter into an agreement with a service provider or another school corporation or charter school to obtain or share services provided by an authorized reading specialist trained in dyslexia.

The Corporation may petition the State Superintendent of Public Instruction, or the Superintendent's designee, for a waiver necessary to hire an individual that does not meet the training requirements established by the IDOE to be an authorized reading specialist trained in dyslexia. The written petition must be submitted to the IDOE on a form and in a manner prescribed by the IDOE and must specify the reasons the Corporation is seeking the waiver. A waiver may be sought if:

- A. the individual is unable to meet the training requirements to become an authorized reading specialist trained in dyslexia within the required time period; or
- B. an authorized reading specialist trained in dyslexia leaves the specialist's position with the Corporation and the Corporation is not able to timely employ or designate another authorized reading specialist trained in dyslexia.

Definitions:

"Authorized reading specialist trained in dyslexia" means an employee of a school corporation or public school, including a charter school, who has successfully completed training in a dyslexia program approved by the IDOE. The term includes:

- A. a reading specialist trained in dyslexia;

- B. a teacher who has successfully completed the training in a dyslexia program approved by the IDOE; and
- C. a tutor or paraprofessional working under the supervision of a teacher described in section (2) above.

"Dyslexia program" means explicit, direct instruction that is:

- A. systematic, sequential, and cumulative and follows a logical plan of presenting the alphabetic principle that targets the specific needs of a student without presuming prior skills or knowledge of the student;
- B. research-based; and
- C. offered in a setting to teach a student the components of reading instruction, including:
 - 1. phonemic awareness to enable a student to detect, segment, blend, and manipulate sounds in spoken language;
 - 2. graphophonemic knowledge for teaching the letter sound plan of English;
 - 3. the structure of the English language that includes morphology, semantics, syntax, and pragmatics;
 - 4. linguistic instruction directed toward proficiency and fluency with the patterns of language so that words and sentences are carriers of meaning; and
 - 5. strategies that a student uses for decoding, encoding, word recognition, fluency, and comprehension.

"Level I dyslexia screening" means a process, as determined by the Corporation, for gathering additional information to determine if characteristics of dyslexia are present.

"Level II dyslexia screening" means a detailed process, as determined by the Corporation, for identifying a pattern of strengths and weaknesses documenting the characteristics of dyslexia and includes the administration of diagnostic tools designed to measure the underlying cause, characteristics, and outcomes to identify the characteristics of dyslexia.

"Reading specialist trained in dyslexia" means a professional who:

- A. has expertise in and either has or is working toward an endorsement or certification, as determined by the IDOE, in providing training for:
 - 1. phonological and phonemic awareness;
 - 2. sound and symbol relationships;
 - 3. alphabet knowledge;
 - 4. decoding skills;
 - 5. rapid naming skills; and
 - 6. encoding skills;
- B. is fluent in the response to intervention process; and
- C. has been trained in the identification of and intervention for dyslexia.

"Universal screener" means a diagnostic assessment used to aid educators in understanding the causes for student performance, learning strengths, and the needs that underlie student performance. The diagnostic assessment is conducted to identify or predict students who may be at risk for poor learning outcomes and is typically brief and conducted with all students at a particular grade level.

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Legal

I.C. 20-35.5-1-1 et seq.



Book	Policy Manual
Section	2000 Program
Title	PROGRAMS FOR GIFTED STUDENTS
Code	po2464
Status	Active
Adopted	April 12, 2005

2464 - **PROGRAMS FOR GIFTED STUDENTS**

In accordance with the philosophy of the School Board to develop the special abilities of each student, the Board requires that appropriate instructional strategies be conducted to meet the needs of gifted students in grades K to 12.

Gifted students shall be considered those who show one (1) or more of the following abilities:

- A. specific academic ability superior to that of children of the same age or grade level
- B. creative ability in a particular area superior to that of his/her peers
- C. superior leadership ability to that of his/her peers

The Superintendent shall develop administrative guidelines to meet the learning needs of the gifted and talented.

Legal	511 IAC 6-9
	I.C. 20-36-2



Book	Policy Manual
Section	2000 Program
Title	ADOPTION OF CURRICULAR MATERIALS
Code	po2510
Status	Active
Adopted	January 9, 2001
Last Revised	November 8, 2016

2510 - **ADOPTION OF CURRICULAR MATERIALS**

For purposes of this policy, "curricular materials" means systematically organized materials designed to provide a specific level of instruction in a subject matter category, including:

- A. books;
- B. hardware that will be consumed, accessed, or used by a single student during a semester or school year;
- C. computer software; and
- D. digital content.

Curricular materials used as part of the educational program of the Corporation shall be approved by the Board, and the Board shall make approved curricular materials available for rental or purchase by each student enrolled in a public school located in the attendance area served by the Board if that school is in compliance with the minimum certification standards established by the State Board of Education.

The annual rental rate for curricular materials shall not exceed twenty-five percent (25%) of the retail price of the curricular materials. The Board may charge a student the cost of the student's use of disposable materials, software copyright licenses, and hardware to utilize software provided. If a software site license is not charged on a per student per school year basis, the Board shall approve a sum to be paid by each student that divides the cost of the license between all students expected to use the licensed software. If hardware such as a laptop computer or a tablet is required to access the curricular materials approved by the Board, the Board shall approve a sum to be paid by each student expected to use the hardware.

If a student has paid rental or use fees for curricular materials, such as textbooks, electronic textbooks, consumable hardware, computer software, digital content, disposable materials, software copyright licenses, hardware to utilize software provided, or other curricular materials, and the student transfers, withdraws, or is unable to complete or continue to participate in a class, or activity, or utilize a school service for which the student or his/her parents have paid the applicable rental or use fee, the Corporation shall refund an amount equal to the total fee multiplied by the percentage of the semester, grading period or activity season remaining at the time the student transfers, withdraws, is expelled from the class, quits, or is cut from the activity, so long as one-third (1/3) or more of the semester, grading period, or activity season remains and the amount of refund, rounded up to the nearest dollar amount, equals or exceeds \$5.00.

Students who are expelled, owe textbook rental for the entire semester(s) in which they are expelled.

If a student transfers, withdraws, or is expelled from school, or withdraws or is cut from a school activity for which the student or his/her parents have paid fees for curricular materials and are owed a refund of all, or a proportionate share of any fees amounting to at least \$5.00, the Corporation shall promptly refund such fees if the address of the student or his/her parent is known or if requested by the student or his/her parents by the end of the semester in which the fees were paid. The right to a refund fee shall

be forfeited if not requested by the end of the school year in which the right to a refund accrues, or within ten (10) days, whichever is longer. Parents and students shall be given written notice of this policy at the time of school enrollment.

The Corporation may write-off any outstanding unpaid fees for rent or use of curricular materials of \$5.00 or less, if not paid by the beginning of the school year following the school year or activity season in which the debt for nonpayment of fees for curricular materials was incurred.

Unpaid fees for rent or use of curricular materials in excess of \$5.00 may, at the discretion of the school treasurer or his/her designee, be written off 5 years after the end of the school year or activity season in which the debt for nonpayment of fees for curricular materials was incurred. Fees in excess of \$5.00 may be written off at any time, if the business manager, or his/her designee, determines the student's parents, or the student, if age eighteen (18) or older or an emancipated minor, is unable to pay.

The Board shall prescribe reasonable rules and regulations for the care, custody, and return of curricular materials and hardware.

If a student or his/her parents have purchased textbooks and/or electronic textbooks and move from the Corporation, the Corporation shall, pursuant to I.C. 20-26-12-26, evaluate the student's curricular materials and offer to purchase the curricular materials at a reasonable price for resale to any family that moves into the Corporation during the school term.

The curricular materials approved by the Board shall include a research based core reading program.

Supplementary materials required by a special education student's Individualized Education Program shall be provided without additional charge. The supplemental materials provided to students receiving special education services shall be in a format that allows the student to utilize the materials. When necessary for a special education student to benefit from curricular materials, the materials shall be provided in NIMAS (National Instructional Materials Accessibility Standard) format and shall be certified by NIMAC (National Instructional Materials Access Center), or the publisher of the materials may authorize the Board to reproduce the curricular materials in a format such as large type or audio that allows the special education student to benefit from the materials.

The Superintendent shall implement administrative guidelines for the selection of curricular materials that include effective consultation with an Advisory Committee of parents and professional staff members at all appropriate levels. Textbooks determined to be obsolete shall be disposed of in accordance with Board Policy 7310 - Disposition of Surplus Property and Superintendent's administrative guidelines. See AG 7310.

Revised 11/12/13

Revised 4/12/16

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Legal	I.C. 20-18-2-2.7 - Curricular materials defined
	I.C. 20-20-5.5 - Curricular materials
	I.C. 20-26-12 - Textbooks
	511 IAC 6.2-3.1 - Research based core reading program requirement
	511 IAC 9 - Textbook adoption
	IDOE Memo dated 2/8/2012 - "Updates to Textbook Adoption Procedures"
	IDOE "FAQs Regarding New State Textbook Adoption Procedures, Textbook Rental Fees, and 1:1 Device Initiatives"
	IDOE Memo "Textbook and Computer Scenarios"
	Indiana State Board of Accounts, Public Schools Audit Manual
	Indiana State Board of Accounts, School Administrator



Book	Policy Manual
Section	2000 Program
Title	SELECTION OF INSTRUCTIONAL MATERIALS AND EQUIPMENT
Code	po2520
Status	Active
Adopted	April 12, 2005

2520 - SELECTION OF INSTRUCTIONAL MATERIALS AND EQUIPMENT

The School Board shall provide instructional materials and equipment, within budgetary constraints, to implement the Corporation's educational goals and objectives and to meet students' needs. The primary objective of such instructional materials and equipment shall be to enrich, support, and implement the educational program of the school.

The Superintendent shall develop administrative guidelines for the selection and maintenance of all educational and instructional materials and equipment and provide for the assessment of student fees.

A student or his/her parents shall be held responsible for the cost of replacing any materials or properties which are lost or damaged through their negligence.

Cost of materials may be charged for materials used in those activities beyond the basic curriculum in which a student elects to participate, particularly in activities where the product becomes the property of the student.

Legal	I.C. 20-26-3-5
	I.C. 20-20-5-4



Book	Policy Manual
Section	2000 Program
Title	COPYRIGHTED WORKS
Code	po2531
Status	Active
Adopted	July 1, 2003

2531 - COPYRIGHTED WORKS

The School Board directs its staff to use copyrighted works only to the extent that the law permits. The Board recognizes that Federal law applies to public school corporations and the staff must, therefore, avoid acts of copyright infringement under penalty of law.

In order to help the staff abide by the laws set forth in Title 17 of the United States Code, the Board directs the Superintendent to provide administrative guidelines regarding the copying and distribution of copyrighted materials for instructional purposes.

Legal	17 U.S.C. 101 et seq.
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Book	Policy Manual
Section	2000 Program
Title	SCHOOL ACCOUNTABILITY
Code	po2600
Status	Active
Adopted	January 9, 2001
Last Revised	December 13, 2022

2600 - **SCHOOL ACCOUNTABILITY**

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

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

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

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

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

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

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

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

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

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

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

The committee shall:

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

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

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

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

Revised 4/12/05

T.C. 12/13/22

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Legal

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



Book	Policy Manual
Section	2000 Program
Title	PROGRAM ACCOUNTABILITY
Code	po2605
Status	Active
Adopted	January 9, 2001

2605 - **PROGRAM ACCOUNTABILITY**

The School Board believes that effective education includes proper evaluation of the results produced from the educational resources provided by the community and the government. The Superintendent has the responsibility for assessing how well goals are being accomplished.

The Board shall fulfill its responsibility by complying with the Performance-Based Accreditation Standards established by the State Department of Education.

Legal	511 IAC 6.1
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Book	Policy Manual
Section	2000 Program
Title	EVALUATION OF THE INSTRUCTIONAL PROGRAM
Code	po2610
Status	Active
Adopted	January 9, 2001

2610 - **EVALUATION OF THE INSTRUCTIONAL PROGRAM**

The School Board directs the Superintendent to develop and implement a systematic plan for the continuous evaluation of the educational program against the educational goals established by this Board. To this end, s/he shall employ such tests and methods as may be indicated by sound professional judgment. Wherever possible, the assessment program shall follow evaluation administrative guidelines set forth in the courses of study and course guides.

The Superintendent shall make periodic evaluation reports to the Board. Findings of the assessment program may be used to evaluate the progress of students and:

- A. the effectiveness of the curriculum;
- B. the effectiveness of the school/delivery system.

The Superintendent shall recommend improvements in the educational program periodically, based on the evaluation of the Corporation's program.

The Board reserves the right to employ experts from outside the School Corporation to serve in the evaluation process.

Legal	511 IAC 5, 511 IAC 6-2-1
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Book	Policy Manual
Section	2000 Program
Title	STUDENT ASSESSMENT
Code	po2623
Status	Active
Adopted	April 11, 2017
Last Revised	April 13, 2021

2623 - **STUDENT ASSESSMENT**

The School Board, in compliance with law and rules of the State Board of Education, shall implement the State Board-approved statewide achievement test to assess student achievement and needs in English/language arts, mathematics, social studies, science, and other designated subjects in order to determine the progress of students and to assist them in attaining School Corporation and State Department goals.

Student test scores on statewide assessments may be utilized in making placement decisions; provided, however, a student's score on the state assessment may not be the primary factor or measure used to determine whether a student is eligible for a particular course or program.

Additionally, the Board shall administer any end of course exams as may be required by the State Board in grades 9 through 12.

The Board shall comply with the requirements of the State Board of Education in administering the Indiana Reading Evaluation and Determination (IREAD-3) Assessment to students enrolled in grade 3.

The Superintendent shall develop and implement a plan which complies with guidelines established by the Department of Education.

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Legal	I.C. 20-32-2
	I.C. 20-32-8
	I.C. 20-32-8.5
	511 IAC 5
	511 IAC 6.2-3.1



Book	Policy Manual
Section	2000 Program
Title	TEST SECURITY PROVISIONS FOR STATEWIDE ASSESSMENTS
Code	po2623.01
Status	Active
Adopted	December 11, 2012
Last Revised	October 8, 2019

2623.01 - **TEST SECURITY PROVISIONS FOR STATEWIDE ASSESSMENTS**

It is the intent of the School Board that all School Corporation and school staff comply with the requirements of the Indiana Department of Education (IDOE) regarding test security of the statewide assessments (tests).

The Corporation Data Manager is designated as the Corporation Test Coordinator (CTC) and the individual to whom the test materials are to be delivered. Test materials include examiner's manuals, assessment books, answer documents, practice tests, test tickets and online test access codes.

The CTC shall:

- A. require the Building Test Coordinator (BTC) to establish a testing schedule within the testing window;
- B. inventory and track all test materials that are received from IDOE;
- C. securely store the test materials upon receipt at a locked central location and ensure that the test materials are not available to any unauthorized parties at any time while under the Corporation's control;
- D. arrange for the distribution of the test materials to the appropriate schools and require the storage administration, collection, and return of the test materials as set forth below;
- E. notify, in writing, all staff involved in the administration of the tests that copying a test, or any part thereof, is a violation of the Indiana Code of Ethical Practices and Procedures;
- F. require that principals and all staff involved in the administration of the tests strictly follow all procedures described in the testing manuals and those outlined by the IDOE;
- G. require that principals review with all staff involved in the administration of the tests the Indiana Code of Ethical Practices and Procedures, and require the principals and all staff involved with the administration of the tests acknowledge that they understand their responsibility to adhere to the procedures to secure, administer, and handle the test materials while in their possession;
- H. provide staff development annually so that all staff in the Corporation that are involved in the administration of the tests have the knowledge and skills necessary to make ethical decisions related to preparing students for the tests, administering the tests, and interpreting the results from the tests;
- I. require the review of the practices and materials used in the Corporation to prepare students for the tests by all staff in the Corporation that are involved in the administration of the tests and communicate this requirement annually to all principals and appropriate staff;

- J. arrange for the preparation of a written notice that Corporation and school staff shall communicate to students, parents, and guardians regarding appropriate practices for the maintenance of ethical testing practices, test security, and test integrity;
- K. ensure that any concerns about testing practices considered to be inappropriate or allegations of test security violations or test integrity violations are reported to IDOE pursuant to the Protocol for Reporting and Investigating Alleged Assessment Breaches or Irregularities ("Protocol") for reporting and investigating alleged breaches or irregularities, as required by 511 IAC 5-5-4. The Protocol is provided below.

As set forth above, the CTC is responsible for the secure distribution of the test materials to each school building. The test materials will be delivered to school buildings no more than one (1) week in advance of the designated test window.

The Superintendent, CTC, and each principal, STC, examiner, proctor and any other applicable staff at the Corporation or school level shall sign the Indiana Testing Security and Integrity Agreement. The CTC shall provide for a system by which all signed agreements are retained on file.

Each building principal is designated as the School Test Coordinator (STC).

The STC is responsible annually for the following:

- A. establishing a testing schedule within the testing window;
- B. prohibiting the review of any secure test questions before, during, or after an administration session;
- C. establishing a process to ensure that all test materials are secure, stored at a central location under lock and key when not being administered;
- D. involve all appropriate staff in the annual review of the school materials and practices related to preparing students for the tests, administering the tests, securing the tests before and after administration, and interpreting the results from the tests. This review will ensure that the test preparation materials are appropriate and do not violate test security protocols;
- E. informing all staff who will administer the tests of the Indiana Code of Ethical Practices and Procedures;
- F. ensuring that all staff who will administer the tests have received training regarding test administration and test security prior to administering the test;
- G. requiring all staff who will administer the tests to students with testing accommodations to review each student's Individual Education Program (IEP), Individual Learning Plan (ILP), and/or Section 504 Plan prior to testing;
- H. ensuring that focused training on providing the necessary accommodations during testing is provided prior to testing to all staff who will administer the tests to students with testing accommodations;
- I. permitting only staff who will administer the tests to have access to examiner's manuals prior to the administration of the tests and prohibiting the review of any secure test questions before, during, and after the tests are administered;
- J. monitoring testing in his/her school to ensure that all staff administer the tests with fidelity in terms of testing protocols/procedures and staff appropriately provide students with accommodations included in their IEPs, ILPs, or Section 504 Plans; and
- K. arranging for the secure transport of the test materials to the CTC at the end of the testing window following procedures outlined in the Examiner's Manual.

Whether in the possession of the CTC, STC or other Corporation or school staff member, all test materials must be secured in a central location in a locked drawer or cabinet before during and after testing, except those test materials needed for the administration of the test. Each person designated as an examiner is responsible for ensuring that all assessment security provisions are met while each administration session is in progress. Additionally, each examiner is responsible for accounting for all assessment booklets (by serial number), answer documents, and other test materials until they are returned to the STC at the conclusion of the administration session.

Each examiner, monitor, and other school personnel authorized to be present in the room during an administration session shall be informed of prescribed assessment administration and assessment security procedures as well as ethical testing practices.

- A. No person shall reveal, cause to be revealed, release, cause to be released, reproduce or cause to be reproduced any secure test materials through any means or medium including, but not limited to, electronic, photographic, photocopied, written, paraphrased, or oral.

- B. Except for accommodations made in accordance with the rules adopted by the IDOE, only materials specifically designated by the IDOE shall be provided to students or permitted in the assessment room during an administration session.
- C. Testing, including make-up testing, must occur during the testing window. With the exception of permitted practice tests, student access to test materials shall be restricted to the state-scheduled dates of test administration.
- D. The Corporation prohibits all Corporation and school staff from engaging in any violations of test security. Violations of test security include but are not limited to the following:
1. giving examinees access to test questions prior to testing
 2. copying, reproducing or using in any manner any portion of any secure assessment book for any reason
 3. altering answer documents prior to, during or after a testing session
 4. sharing or posting actual or paraphrased test items or student responses in a public forum, social media, text, or email
 5. commenting on test content in a public forum, social media, text, or email
 6. posting actual test content or paraphrasing test content on social media
 7. taking pictures of test materials
 8. emailing, texting, or instant messaging actual or paraphrased test content
 9. deviating from the prescribed administration procedures specified in the Examiner's Manual
 10. making answer keys available to examinees
 11. reviewing test questions prior to, during or after test administration
 12. scoring student responses on the test locally before submitting the assessment for scoring to the test contractor, as designated by the IDOE
 13. participating in, directing, aiding, counseling, assisting, encouraging, or failing to report any of the above acts prohibited in this section or any other acts violating this policy or the Indiana Code of Ethical Practices and Procedures

All Corporation and school staff are responsible for test security. Maintaining test security includes:

- A. adhering to the Code of Ethical Practices and Procedures;
- B. adhering to the Indiana Assessment Program Manual;
- C. participating in required training; and
- D. following the Protocol for Reporting and Investigating Alleged Assessment Breaches or Irregularities for reporting and investigating alleged breaches or irregularities, as required by 511 IAC 5-5-4. The Protocol is provided below.

Any individual who administers, handles, or has access to secure test materials at the Corporation or school shall complete assessment training and shall annually sign no later than the last day of September a Testing Security and Integrity Agreement, which shall remain on file in the appropriate Corporation-level office for a period of no fewer than three years. Training shall be provided at the building level by the CTC (or designee), who has completed the required IDOE-provided training.

Under no circumstances may Corporation or school staff view student test materials prior to administering the assessment. Teachers and other school staff members shall not be provided access to secure test materials (except for the Examiner's Manual) more than four (4) hours in advance of test administration.

Corporation and school staff and/or students may not alert examinees to the correct answer choice by pointing to the correct answer, eliminating answer choices, mouthing the correct answer, or using any other mechanism designed to indicate a correct or incorrect answer.

If an interruption of testing occurs, the test examiner shall immediately notify the test coordinator, who will determine appropriate action. Following the interruption, a written report (using the *Testing Irregularity Report* form) detailing the interruption must be

submitted to the IDOE according to the Protocol. The Testing Irregularity Report form must be submitted for all incidents and events that might invalidate any scores, including disruptions and illness.

All Corporation and school staff and students are prohibited from compromising test security or the accuracy of the test data score results by manipulating the test administration, demographic data, or the students' answers or data.

Student test scores or test performance are confidential and shall not be disclosed to unauthorized persons.

Corporation and school staff are responsible for advising students, parents, and guardians regarding appropriate practices for the maintenance of ethical testing practices, test security, and test integrity.

Teachers, administrators, students, parents, and other community members may voice their concerns about practices they consider inappropriate by filing a complaint with the CTC. The CTC shall establish procedures for the filing and investigation of such complaints.

In accordance with the IDOE established procedures set forth in the "Protocol for Reporting and Investigating Alleged Assessment Breaches":

Any complaint alleging cheating or a security breach, testing administration breach, an intellectual property right infringement (see item I for full definitions of each of these terms), or any breach that undermines the integrity and/or inhibits the effectiveness of Indiana's State-Mandated Assessments (see definition in Bylaw 0100) shall be immediately reported to the Indiana Department of Education ("Department").

A. The complaint shall be submitted via the completion of the "Testing Concerns and Security Violations Report" form located in Appendix C of the Indiana Assessment Policies, Administration, & Security Manual. This form is located on the Office of Student Assessment's website (<http://www.doe.in.gov/assessment>).

B. All complaints must be submitted to the Department's Office of Student Assessment by fax or mail:

1. Fax Number 317-233-2196

2. Mailing Address:

Indiana Department of Education
Office of Student Assessment
ATTN: Test Security Concern
115 W. Washington Street, South Tower, Suite 600
Indianapolis, IN 46204

C. Upon receipt of a complaint, the Department will log the complaint.

D. After logging the complaint, the Department will review the complaint to determine next steps. Depending on the results of this review, the Department may:

1. contact the complainant to request clarification or additional information;
2. contact the complainant to explain that based on the information provided, it does not appear a cheating, integrity breach, security breach, testing administration breach, or intellectual property right infringement occurred;
3. determine that the complaint does not provide sufficient information to investigate the complaint; or
4. determine a formal investigation is warranted.

E. If the Department determines that a formal investigation is warranted, the Department will provide notice of the allegations to the affected Superintendent as well as a written request that the School Corporation conduct an internal investigation.

However, in the event that the allegations involve the Superintendent, central office staff, an entire school, or multiple schools in a school corporation, the Department has the discretion to identify a third party agency/entity to conduct the investigation.

1. The Investigation must:

- a. be completed within ten (10) business days of the Department's request that an internal investigation be conducted (unless the Department has provided an alternate deadline);

- b. be kept confidential in order to maintain the authenticity and integrity of the investigative process; and
- c. include the completion and/or collection of any and all documents requested by the Department.

2. The Department also may request that the investigation include interview(s) with the following:

- a. the individual who filed the complaint ("complainant");
- b. the individual(s) against whom the allegation(s) is/are filed;
- c. any other individual(s) who may have been involved or that the School entity believes may have knowledge that will assist with the investigation.

All interviews shall be documented, and the School entity shall provide the Department with copies of said documentation, including any and all notes, recordings, and/or transcripts.

F. The School entity must submit an Investigation Report to the Department within ten (10) business days of the Department's request for an investigation. The investigation report should include all of the documents requested by the Department as well as the School entity's determination of whether misconduct occurred, did not occur, or whether the allegations could not be substantiated. The School entity's determination, however, shall not be binding on the Department or any action that the Department may take.

G. The Department will review the Investigation Report and contact the *school entity* if additional clarification is needed. The Department may also request additional documents or interviews.

H. If the Department determines that a violation occurred, the Department may take the following actions:

1. Invalidate the test scores of student(s), school(s), corporation(s), and/or State;
2. Retrain administrator(s) and/or other school personnel at the school's cost;
3. Prohibit administrator(s) and/or other personnel from handling Indiana Assessment System secure materials;
4. Suspend or revoke any license issued or granted by the Department to any school personnel who has committed a breach;
5. Report any suspected criminal offense to the proper authorities;
6. Take other corrective action.

I. Any of the following issues are considered "Test Security concerns" as defined in 511 IAC 5-5-2:

1. "Integrity breach" means any action that undermines the integrity and/or inhibits the effectiveness of the State-mandated test from achieving the purposes set forth in I.C. 20-32-5-1. An integrity breach includes but is not limited to, any security breach, testing irregularity, testing administration breach, and violation of the code of ethical practices and procedures.
2. "Intellectual property right" means any applicable copyright or trademark that may be contained in test and test preparation materials.
3. "Security breach" means the failure to observe/follow the documented procedures established to protect, maintain, and implement the testing process, such as the code of ethical practices and procedures, testing security and integrity agreement, and procedures prescribed in the testing manuals by any person administering or assisting with the administration of a systematic assessment.
4. "Testing administration breach" means the failure to follow the documented test administration procedures that could alter the results or testing environment of the assessment for one or more students, including but not limited to, timing an untimed test and not implementing required accommodations.

Any "Testing Irregularity" that is not a testing security concern should be reported by using the Testing Irregularity Report form found in Appendix C of the Indiana Assessment Policies, Administration, & Security Manual. "Testing irregularity" is defined under the administrative regulation to mean "any unexpected event that significantly disrupts the testing environment of two or more students, including but not limited to, the sounding of the fire alarm or a power outage."

Revised 4/10/18

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Legal

I.C. 20-28-5-7

511 I.A.C. 5-5-3

511 I.A.C. 5-5-4

2018-2019 Indiana Assessment Policies, Administration and Security Manual

Code of Ethical Practices and Procedures (Indiana Department of Education)

Protocol for Reporting and Investigating Alleged Assessment Breaches (Indiana Department of Education)



Book	Policy Manual
Section	2000 Program
Title	ANNUAL PERFORMANCE REPORT
Code	po2700
Status	Active
Adopted	January 9, 2001
Last Revised	April 13, 2021

2700 - ANNUAL PERFORMANCE REPORT

Each year, not earlier than March 15th or later than March 31st the School Board shall publish in a newspaper in compliance with I.C. 5-3-1 a full annual performance report or a summary annual performance report. If a summary report is published, it shall contain the following data points: (1) student enrollment; (2) graduation rate and the graduation rate excluding students that receive a graduation waiver; (3) attendance rate; (4) all state standardized assessment scores, including the number and percentage of students meeting academic standards; (5) the school's performance category or designation of school improvement assigned by the state; (6) the percentage of graduates considered college and career ready; and (7) financial information and various school cost factors required by the office of management and budget. The summary report must direct the public to a location on the Internet where the full annual performance report may be viewed. The annual performance report shall be available on a prominent page of the School Corporation's website. It also shall provide a copy of the report free of charge to any person who requests it.

The report which is prepared by the Indiana Department of Education (IDOE) may contain information which is outlined in I.C. 20-20-8-8 and I.C. 20-42.5-3-5, including:

- A. student enrollment;
- B. graduation rate as defined in State law and the graduation rate excluding students that receive a graduation waiver under I.C. 20-32-4-4 or I.C. 20-32-4-4.1;
- C. attendance rate;
- D. the following test scores, including the number and percentage of students meeting academic standards: all State standardized assessment scores; scores for assessments under I.C. 20-32-5-21, if appropriate; for a freeway school, scores on a locally adopted assessment program, if appropriate;
- E. average class size;
- F. the school's performance category or designation of school improvement assigned under I.C. 20-31-8;
- G. the number and percentage of students in the following groups or programs: alternative education (if offered); career and technical education; special education; high ability; remediation; limited English language proficiency, students receiving free or reduced price lunch under the national school lunch program or school flex program (if offered); and students in foster care;
- H.
 - 1. test scores of all students taking the Scholastic Aptitude Test; test scores for students completing the Indiana diploma with a Core 40 with academic honors designation program; and the percentage of students taking the test;

2. for advanced placement tests, the percentage of students scoring three (3), four (4), or five (5), and the percentage taking the test;
- I. course completion, including the number and percentage of students completing the academic honors curriculum, the Core 40 curriculum, and career and technical programs;
 - J. the percentage of grade 8 students enrolled in algebra 1;
 - K. the percentage of graduates considered college and career ready in a manner prescribed by the State Board;
 - L. school safety, including the number of students receiving suspension or expulsion for the possession of alcohol, drugs, or weapons, and the number of incidents of a school employee being a victim of threat, intimidation, battery or harassment which were filed with a law enforcement agency (I.C. 20-33-9);
 - M. financial information and various school cost factors including expenditures per student, average teacher salary, and remediation funding;
 - N. interdistrict and intradistrict student mobility rates if that information is available;
 - O. the number and percentage of teachers who are certificated employees; the number and percentage of teachers who teach the subject area for which the teacher is certified and holds a license; the number and percentage of teachers with national board certification;
 - P. the percentage of grade 3 students reading at grade 3 level;
 - Q. the number of students expelled, including the number participating in other recognized education programs during their expulsion, and the percentage of students expelled disaggregated by race, grade, gender, free or reduced lunch status, eligibility for special education, and students in foster care;
 - R. chronic absenteeism, which includes the number of students who have been absent for ten percent (10%) or more of a school year for any reason; and habitual truancy, which includes the number of students who have been absent more than ten (10) days from school within a school year without being excused or without being absent under a parental request that has been filed with the school;
 - S. the number of students who have dropped out of school, including the reasons for dropping out, and the percentage of students who have dropped out disaggregated by race, grade, gender, free or reduced lunch status, eligibility for special education, and students in foster care;
 - T. the number of out of school suspensions assigned, including the percentage of students suspended disaggregated by race, grade, gender, free or reduced lunch status, eligibility for special education, and students in foster care;
 - U. the number of in school suspensions assigned, including the percentage of students suspended disaggregated by race, grade, gender, free or reduced lunch status, eligibility for special education, and students in foster care;
 - V. the number of student work permits revoked;
 - W. the number of students receiving an international baccalaureate diploma;
 - X. the percentage of expenditures for student academic achievement, student instructional support, overhead/operational expenses, and non-operational expenses, and the trend line for each of the categories of expenditures during the previous school year;
 - Y. the number of instances in which either seclusion or restraint is used, including any seclusion or restraint implemented by a school resource officer;
 - Z. other indicators of performance as recommended by the education roundtable.

The information concerning each of these benchmarks will relate to the preceding three (3) years of operation and will provide a comparison of graduation rates, attendance rates and test scores from the applicable State-mandated test(s) with the Corporation's performance-based accreditation status.

In addition, to the above-described benchmarks, the report may provide information on:

- A. results of nationally recognized assessments of students under programs other than the applicable State-mandated test(s) which a school corporation uses to determine if students are meeting or exceeding academic standards in grades that are

tested under the applicable State-mandated test(s);

- B. results of assessments of students under programs other than the applicable State-mandated test(s) that a school corporation uses to determine if students are meeting or exceeding academic standards in grades that are not tested under the applicable State-mandated test(s);
- C. the number and types of staff development programs;
- D. the number and types of partnerships with the community, businesses, or higher education;
- E. levels of parental participation.

The Board may provide for a public hearing, within sixty (60) days of publication of the report, at a designated Corporation facility for the purpose of presenting the report to the public and discussing its contents.

This hearing may be done at a regularly-scheduled Board meeting.

The Superintendent shall ensure that a copy of the published report is submitted to the State Department of Education and is published prominently on the Corporation's website.

ADDITIONAL REPORT REQUIREMENTS FOR TITLE I PURPOSES

In any year that the Corporation receives Title I funding, its annual report also must meet the following requirements:

Reports must be concise and presented in an understandable and uniform format that is developed in consultation with parents and accessible to persons with disabilities and, to the extent practicable, in a language that parents can understand.

The report must include: 1) an overview section; and 2) a detail section. Reports must begin with a clearly labeled overview section that is prominently displayed. The overview section of Corporation reports must include information on key metrics of State, Corporation, and school performance and progress and is intended to help parents and other stakeholders quickly access and understand such information and provide context for the complete set of data included in the report.

The overview section of the annual report must include, for the Corporation as a whole and each school, if appropriate, the following information:

- A. student achievement data (i.e., the number and percentage of students at each level of achievement on the State mathematics, reading/language arts, and science assessments), including how achievement in the Corporation compares to the State as a whole and, for each school in the Corporation, how that school compares to the Corporation and the State as a whole;
- B. English language proficiency of English learners (i.e., the number and percentage of English learners achieving English language proficiency as measured by the State's English proficiency assessment);
- C. performance on each measure within the Academic Progress indicator used by the State for elementary schools and secondary schools that are not high schools;
- D. high school graduation rates, including the four (4) year adjusted cohort and the extended-year adjusted cohort;
- E. performance on other indicators of school quality or student success used by the State;
- F. school identifying information, including, at a minimum, the name, address, phone number, email, student membership count, and Title I participation status;
- G. summative determination for each school;
- H. whether the school was identified for comprehensive support and improvement or targeted support and improvement, and the reason(s) for such identification.

The overview section must include disaggregated data for specific student subgroups as required by the United States Department of Education (e.g., each major racial and ethnic group; children with disabilities; English learners; and economically disadvantaged students).

Report cards must include student achievement data overall and by grade, including the percentage of students at each level of achievement as determined by the State for all students and disaggregated by each major racial and ethnic group, gender, disability status, migrant status, English proficiency status, status as economically disadvantaged, status as a homeless student/youth, status as a child in foster care, and status as a student with a parent who is a member of the Armed Forces on active duty (which includes

full-time National Guard duty). Data for these subgroups must be included in the detail section of report cards if it is not included in the overview section.

The detail section of the Corporation report card must include the remaining information required in the statute and applicable regulations. The Corporation need not include information in the detail section of the report if it includes such information in the overview section. The annual report detail section must include, if appropriate:

- A. student achievement data (i.e., the number and percentage of students at each level of achievement on the State mathematics, reading/language arts, and science assessments), including how achievement in the Corporation compares to the State as a whole and, for each school in the Corporation, how that school compares to the Corporation and the State as a whole;
- B. percentages of students assessed and not assessed in each subject (i.e. participation rates on required assessments);
- C. the extent alternate assessments aligned with alternate academic achievements standards were used for students with the most significant cognitive disabilities (i.e., the number and percentage of students assessed using alternate academic achievement standards, by grade and subject);
- D. as applicable, number and percentage of recently arrived English learners exempted from one administration of the reading/language arts assessments or whose results are excluded from certain State indicators;
- E. high school graduation rates, including the four (4)-year adjusted cohort, and the extended-year adjusted cohort;
- F. postsecondary enrollment rates for each high school;
- G. information collected and reported in compliance with the Civil Rights Data Collection (CRDC) under 20 U.S.C. 3413(c)(1), including rates of in-school suspensions, out-of-school suspensions, expulsions, school-related arrests, referrals to law enforcement, chronic absenteeism (excused and unexcused), incidences of violence (including bullying and harassment) and the number and percentage of students enrolled in preschool programs and accelerated coursework to earn postsecondary credit while still in high school, such as Advanced Placement and International Baccalaureate courses and examinations, and dual or concurrent enrollment programs;
- H. progress toward State-designed long-term goals for academic achievement, graduation rates, and English learners achieving English language proficiency (including measurements of interim progress);
- I. level of performance on each indicator included in State accountability system including, as applicable, results on each individual measure within each indicator not already included in the school overview section;
- J. information on educator qualifications, including the number and percentage of inexperienced teachers, principals and other school leaders, teachers teaching with emergency or provisional credentials, and teachers who are not teaching in the subject or field for which the teacher is certified or licensed;
- K. information on per-pupil expenditures (i.e., actual personnel and actual non-personnel for the Corporation as a whole and each school);
- L. results on State academic assessments in reading and mathematics in grades 4 and 8 of the National Assessment of Educational Progress compared to the national average of such results;
- M. description and results of State accountability system (the Corporation may provide the web address or URL of, or a direct link to, a State plan or other location on the State Department of Education's website to meet this requirement);
- N. additional information best-suited to convey the progress of each school;
- O. other information as required by the State Department of Education.

When presenting data on a report card, the Corporation shall protect the privacy of individuals and the privacy of personally identifiable information contained in students' education records in accordance with the Family Educational Rights and Privacy Act (FERPA).

The Corporation's annual report card information must be made publicly available through such means as posting on the Corporation's website and distribution to local media and public agencies.

The Board will provide the school level overview directly to all parents in each school served by the Corporation annually.

The data from the local report card is to be used by each of the schools and the Corporation as a whole in revising and upgrading school and Corporation improvement plans.

Revised 7/03

Revised 4/12/05

Revised 7/11/06

Revised 12/14/10

Revised 12/9/14

Revised 4/12/16

Revised 10/9/18

Revised 4/9/19

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Legal

I.C. 5-3-1

I.C. 20-20-8-3, -4, -5, -6, -8

I.C. 20-26-13-6

I.C. 20-42.4-3-4, -5

513 IAC 1-2-7(e)

20 U.S.C. 6311-6314, Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act

34 C.F.R. Part 200