



Book	Policy Manual
Section	Volume 34, No. 2 for Board Approval
Title	New Policy - Vol. 34, No. 2 - April 2022 - DRESS AND GROOMING
Code	po1216
Status	

### New Policy

#### 1216 - DRESS AND GROOMING

The School Board believes that administrative staff members set an example in dress and grooming for their staff and students to follow.

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

**x ]** When assigned to Corporation duty, all administrators shall:

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

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

**~~[DRAFTING NOTE: By way of example, staff should be permitted to wear clothing that is typical of the gender with which they identify and not required to wear clothing that is typical of their birth gender.]~~**

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Book	Policy Manual
Section	Volume 34, No. 2 for Board Approval
Title	Revised Policy - Vol. 34, No. 2 - April 2022 - MANDATORY CURRICULUM
Code	po2221
Status	
Legal	<p>I.C. 20-19-3-10 and 11</p> <p>I.C. 20-30-5</p> <p>511 IAC Article 6</p> <p>47 U.S.C. 254(h), (l), Communications Act of 1934, as amended (2003)</p> <p>15 U.S.C. 6551, Title II of the Broadband Data Improvement Act (aka Protecting Children in the 21st Century Act)</p> <p>18 U.S.C. 2246</p> <p>18 U.S.C. 2256</p> <p>20 U.S.C. 6801 et seq., Part F, Elementary and Secondary Education Act of 1965, as amended (2003)</p> <p>20 U.S.C. 6777</p> <p>20 U.S.C. 9134 (2003)</p> <p>20 U.S.C. 7131, Internet Safety</p> <p>47 C.F.R. Part 54</p>
Adopted	May 28, 1996
Last Revised	August 12, 2019

### Revised Policy

#### 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, ~~narcotics~~, controlled substances, and their effects on the human system and society at large in grades K through 12
- H. ~~Acquired Immune Deficiency Syndrome (AIDS)~~, Human Immunodeficiency Virus (HIV), and to the extent possible, instruction on other ~~dangerous~~ serious communicable diseases
- I. instruction on human sexuality or sexually transmitted diseases, including ~~instruction that~~ 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 is 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 and ~~financial literacy~~ 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 2 through 5 during the 2017—2018 school year, and for grades K through 12 by December 15 of each school year beginning with the 2018—2019 school year (see also Policy 8462)~~
- 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, ~~beginning after June 30, 2021, computer science~~ 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. (x ) prior to its use in the classroom.

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

I.C. 20-30-5

511 IAC Article 6

47 U.S.C. 254(h), (l), ~~Children's Internet Protection Act~~ 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. 7131, Internet Safety

20 U.S.C. 9134 (2003)

47 C.F.R. Part 54

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Book	Policy Manual
Section	Volume 34, No. 2 for Board Approval
Title	Revised Policy - Vol. 34, No. 2 - April 2022 - NONDISCRIMINATION AND ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY
Code	po2260
Status	
Legal	<p>I.C. 20-33-1-1</p> <p>Fourteenth Amendment, U.S. Constitution</p> <p>20 U.S.C. 1701 et seq., Equal Educational Opportunities Act of 1974</p> <p>20 U.S.C. 7905, Boy Scouts of America Equal Access Act</p> <p>29 U.S.C. 794, Section 504 of the Rehabilitation Act of 1973, as amended</p> <p>42 U.S.C. 2000 et seq., Civil Rights Act of 1964</p> <p>42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act of 1973, as amended</p> <p>42 U.S.C. 12101 et seq., The Americans with Disabilities Act of 1990, as amended</p> <p>42 U.S.C. 6101 et seq., Age Discrimination Act of 1975</p> <p>29 C.F.R. Part 1635</p> <p>34 C.F.R. Part 110, The Age Discrimination Act Regulations</p> <p>Guidelines for Vocational Education Programs, Department of Education, Office for Civil Rights, March 21, 1979</p>
Adopted	May 28, 1996
Last Revised	August 12, 2019

### Revised Policy

#### 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 \_\_\_\_South Spencer\_\_\_\_ 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").

**[NOTE: Neola suggests the Board appoint both a male and a female CO in order to provide Complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. The COs also may serve as the Corporation's Section 504 Compliance Officer/ADA Coordinator and Title IX Coordinator. Additionally, by appointing two (2) COs, there always should be a CO available to investigate a claim of discrimination that pertains to the other CO. The Board must list either the Name or Title of the CO; while the Board may list both the Name and Title, Neola suggests that the Board consider listing only the Title in this policy (so it does not need to revise/amend its policy whenever there is a change in the actual person(s) holding the designated position(s)), but list both the Name and Title in the requisite postings (e.g., website) and publications (e.g., handbooks) and in the Administrative Guideline.]**

\_\_\_\_Appropriately Assigned Administrator\_\_\_\_\_  
Name and/or Title

\_\_\_\_321 South 4th Street, Rockport, IN 47635\_\_\_\_\_  
Address

\_\_\_\_812-649-2591\_\_\_\_\_  
Telephone No.

\_\_\_\_\_  
Email address

\_\_\_\_\_  
Name and/or Title

\_\_\_\_\_  
Address

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 Telephone No.:

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 Email address

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

- A. ~~( ) in the parent/student and staff handbooks.~~
- B. ~~( ) in the Corporation's Annual Report to the public.~~
- C. ~~( ) on each individual school's website.~~
- D. ~~( ) in the Corporation's calendar.~~
- E. ~~( ) \_\_\_\_\_~~

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). ~~( ) The Superintendent is responsible for verifying that a concentration of EL students in one or more programs is not the result of discrimination.~~

### 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. **[NOTE: While students are advised to report discrimination/retaliation to administrators, supervisors, or other Corporation officials, the Board recognizes that some students may report discrimination/retaliation to a teacher. When a teacher receives such a report, the teacher must file it with the CO as indicated above.]**

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.

~~[ ] The CO may consult with the Board's legal counsel before finalizing the report to the Superintendent.~~

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

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

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

☒ The decision of the Superintendent shall be final.

~~[OR]~~

~~[ ] A Complainant or Respondent who is dissatisfied with the final decision of the Superintendent may appeal through a signed written statement to the Board within five (5) business days of the party's receipt of the Superintendent's decision. The written statement of appeal must be submitted to the ( ) Treasurer/CFO ( ) Board President ( ) Board Attorney ( )~~

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

~~[END OF OPTIONS]~~

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, or harassment, or retaliation;

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

- N. (x ) documentation of any training provided to Corporation personnel related to this policy, including but not limited to notification of the prohibitions and expectations of staff set forth in this policy and the role and responsibility of all Corporation personnel involved in enforcing this policy, including their duty to report alleged violations of this policy and/or conduct an investigation of an alleged violation of this policy; **[REMINDER: Documentation of training should be maintained regardless of whether there is an investigation of an alleged violation of this policy. It is best practice to maintain a log of all staff members who participate in a training, along with**

**the date, time, and location of the training, the name and title (or credentials) of the presenter, and a copy of the materials reviewed or presented during the training.]**

- O. ~~( ) documentation that any rights or opportunities that the Corporation made available to one party during the investigation were made available to the other party on equal terms;~~
- P. ~~( ) copies of any notices sent to the Respondent of the allegations constituting a potential violation of this policy;~~
- Q. ~~( ) copies of any notices sent to the Complainant and the Respondent in advance of any interview or meeting;~~
- R. ~~( ) copies of any documentation or evidence used during informal and formal disciplinary meetings and hearings, including the investigation report, and any written responses submitted by the Complainant or the Respondent.~~

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

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

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Book	Policy Manual
Section	Volume 34, No. 2 for Board Approval
Title	Revised Policy - Vol. 34, No. 2 - April 2022 - FLEX PROGRAM
Code	po2370.02
Status	
Legal	I.C. 20-30-2-2 I.C. 20-30-2-2.2
Adopted	May 9, 2022

### Revised Policy

#### 2370.02 - FLEX PROGRAM

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

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

- A. failed the ~~ISTEP~~ State-mandated graduation exam ~~at least two (2) times~~ before July 1, 2022, or is not on track to complete a postsecondary readiness competency;
- B. been determined to be chronically absent by ~~amassing more than~~ missing ten percent (10%) or more of a ~~unexcused absent days in one (1) school year~~ for any reason;
- C. been determined to be a habitual truant;
- D. been 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 ~~Indiana Bureau of~~ ~~Child Labor~~ Bureau of Youth Employment;
- D. not be suspended nor expelled while participating in the school flex program;

E. pursue course and credit requirements for an Indiana diploma with a general diploma 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.

I.C. 20-30-2-2

I.C. 20-30-2-2.2

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Book	Policy Manual
Section	Volume 34, No. 2 for Board Approval
Title	Revised Policy - Vol. 34, No. 2 - April 2022 - Technical Correction - SCHOOL ACCOUNTABILITY
Code	po2600
Status	
Legal	I.C. 20-29-1-1, 20-32-2-2, 20-31-5-4
Adopted	November 14, 2000
Last Revised	December 8, 2004

### **Revised Policy**

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

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

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

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

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

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

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

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

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

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

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

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

The committee shall:

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

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

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

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

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Book	Policy Manual
Section	Volume 34, No. 2 for Board Approval
Title	Revised Policy - Vol. 34, No. 2 - April 2022 - STAFF DRESS AND GROOMING
Code	po3216
Status	
Adopted	May 28, 1996

### Revised Policy

#### 3216 - STAFF DRESS AND GROOMING

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

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

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

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

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

**{DRAFTING NOTE: By way of example, staff should be permitted to wear clothing that is typical of the gender with which they identify and not required to wear clothing that is typical of their birth gender.}**

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Book	Policy Manual
Section	Volume 34, No. 2 for Board Approval
Title	Revised Policy - Vol. 34, No. 2 - April 2022 - SUPPORT STAFF DRESS AND GROOMING
Code	po4216
Status	
Adopted	May 28, 1996

### Revised Policy

#### 4216 - SUPPORT STAFF DRESS AND GROOMING

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

~~The Board retains the authority to specify the following dress and grooming guidelines for support staff. All support staff members shall, when assigned to Corporation duty:~~ authorizes the development of standards for staff dress and grooming that promote a professional educational atmosphere that gives consideration to the impact on the educational process and the diversity of the School Corporation's staff.

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

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

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

**~~[DRAFTING NOTE: By way of example, staff should be permitted to wear clothing that is typical of the gender with which they identify and not required to wear clothing that is typical of their birth gender.]~~**

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Book	Policy Manual
Section	Volume 34, No. 2 for Board Approval
Title	Revised Policy - Vol. 34, No. 2 - April 2022 - Technical Correction - DETERMINATION OF LEGAL SETTLEMENT AND ELIGIBILITY FOR ENROLLMENT OF STUDENTS WITHOUT LEGAL SETTLEMENT IN THE CORPORATION; PROOF OF INDIANA RESIDENCY
Code	po5111
Status	
Legal	<p>I.C. 20-18-2-11 (legal settlement defined)</p> <p>I.C. 20-33-2 (compulsory school attendance)</p> <p>I.C. 20-33-8-17 (expulsion for lack of legal settlement)</p> <p>I.C. 20-26-11-1 (residence defined)</p> <p>I.C. 20-26-11-2</p> <p>I.C. 20-26-11-2.5 (divorced parent election)</p> <p>I.C. 20-26-11-6(e) (option to not charge transfer tuition)</p> <p>I.C. 20-26-11-6.5 (children of school employees)</p> <p>I.C. 20-26-11-6.7 (nonpublic school students)</p> <p>I.C. 20-26-11-32 (student transfer requests, HEA 1381 2013; SEA 108 - 2017)</p> <p>I.C. 20-26-11-33 (non-transfer student attending alternative education program)</p> <p>Plyer v. Doe, 457 U.S. 202 (1982) (State Statute denying free public education to illegal immigrants violated the Equal Protection Clause of the Fourteenth Amendment)</p> <p>Divorced Parents Agreement:  <a href="http://www.doe.in.gov/sites/default/files/legal/formiii.pdf">http://www.doe.in.gov/sites/default/files/legal/formiii.pdf</a></p> <p>Third Party Agreement:  <a href="http://www.doe.in.gov/sites/default/files/legal/custodialstatementinstructions.pdf">http://www.doe.in.gov/sites/default/files/legal/custodialstatementinstructions.pdf</a></p>
Adopted	May 28, 1996
Last Revised	May 9, 2022

#### Technical Correction

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

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

- A. The Board will educate, tuition-free, students who have legal settlement in the Corporation, and students enrolled according to the requirements of I.C. 20-26-11.

- B. Where the legal settlement of a student cannot reasonably be determined by reference to the residence of the student's parent or legal guardian and the student is being supported by and living with a person whose residence is within the Corporation, the student may be enrolled without payment of tuition. If the parents are able to support the student and have placed the student in the home of another person primarily for the purpose of attending school in this Corporation without establishing legal guardianship as required by Indiana law, tuition ~~(-) will be charged.~~ (x) will not be charged unless otherwise required by law. ~~(-) may be charged according to Board Policy 6150.~~ **[END OF OPTION]**

**[NOTE: Under the law, a corporation may charge tuition to some students, but not others. Choosing this option is NOT RECOMMENDED. All students should be treated the same to avoid claims of discrimination.]**

**[NOTE: Pursuant to guidance from the Indiana Department of Education, this would be categorized as a "Third Party Custodial Agreement," and documentation of that agreement must be maintained by the Corporation.]**

- C. A child who is placed in foster care by a court of competent jurisdiction shall be admitted tuition-free, without regard to residency, to a school within the Corporation, as selected by the State Department of Human Services or the child placing agency responsible for the placement of that child.
- D. Foreign students participating in a foreign-exchange program approved by the Indiana State Board of Education and living with a resident host family will be admitted tuition-free.
- E. The Corporation will provide a free education to those students who are considered by Federal law to be illegal aliens, if the student's parent or legal guardian has legal settlement within the Corporation, or considered to be homeless by criteria established by the State (see Policy 5111.01 and AG 5111.01 - Homeless Students).
- F. If a student's legal settlement is changed after the student has begun attending school in the Corporation in any school year, the effective date of withdrawal from the Corporation may, at the election of the parent, the student (if the student is at least eighteen (18) years of age), or a juvenile court conducting a proceeding under I.C. 31-34-20-5, I.C. 31-34-21-10, I.C. 31-37-19-26, or I.C. 31-37-20-6 (or I.C. 31-6-4-18.5 before its repeal), be extended to the end of the semester in which the change of legal settlement occurred. At the discretion of the \_\_\_\_\_ Principal \_\_\_\_\_ **[name a school official, i.e., principal, Superintendent, etc.],** the effective date of withdrawal from the Corporation may be extended to the end of that school year.

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

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

**[NOTE: Choose one (1) of the following two options.]**

**x ] [Option 1]**

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

**~~[ ] [Option 2]~~**

~~Transportation from and to the new site of legal settlement will be provided by the School Corporation for a student whose effective date of withdrawal is extended beyond the date of the change of legal settlement.~~

**~~[End of Options]~~**

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

**I. Children of Divorced Parents**

Children of divorced parents may attend school in this Corporation without the payment of tuition if one (1) parent

resides in this Corporation and an election is made utilizing the "Custodial Statement and Agreement: Divorce, Separation, or Abandonment" form provided by the Indiana State Board of Education.

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

J. ~~( )~~ A student who has been expelled from another school corporation or who is expelled from a nonpublic school or withdraws from a public or a nonpublic school to avoid expulsion may be enrolled in the Corporation in compliance with I.C. 20-33-8-20 during the actual or proposed expulsion if:

1. the student's parent informs the Corporation of the student's expulsion or withdrawal to avoid expulsion;
2. the Corporation consents to the student's enrollment;
3. the student agrees to the terms and conditions of enrollment established by the Corporation.

Such students ~~( )~~ will be charged ~~( )~~ will not be charged unless otherwise required by law, ~~( )~~ may be charged tuition according to Board Policy 6150 if they do not have legal settlement in the Corporation. **[END OF OPTION]**

**[NOTE: Under the law, a corporation may charge tuition to some students, but not others. Choosing this option is NOT RECOMMENDED. All students should be treated the same to avoid claims of discrimination.]**

If a student's parent fails to inform the Corporation of the expulsion or withdrawal to avoid expulsion or the student fails to follow the terms and conditions established for enrollment, the Corporation may withdraw consent and prohibit the student's enrollment during the period of the actual or proposed expulsion. Before consent is withdrawn, the student must be given an opportunity for an informal meeting with the principal. At the informal meeting, the student is entitled to:

1. a written or verbal statement of the reasons for the withdrawal of consent;
2. a summary of the evidence against him/her;
3. an opportunity to explain his/her conduct.

K. ~~( )~~ Students whose parents do not have legal settlement within the Corporation but who present evidence that they will move into the Corporation within a short period of time may enroll in the schools of this Corporation as tuition students for the time not in residence.

L. **( x )** Students who do not have legal settlement may/will be enrolled in the special education program of this Corporation pursuant to the provisions of a Cooperative agreement. **[NOTE: Check with your Cooperative agreement.]**

M. **( x )** Nonresident students may be accepted into the Summer School Program provided by this Corporation.

## Transfer Students

### CHOOSE ONE OF THE FOLLOWING OPTIONS:

#### ~~[ ]~~ Option #1

The Corporation shall enroll only those students who have legal settlement in the Corporation. The Corporation does not enroll students who do not have legal settlement as determined pursuant to I.C. 20-26-11 unless there was a policy in 2012-2013 school year that allowed students who do not have legal settlement to enroll in the Corporation. Those students, as well as students in the same household of a student who was enrolled in 2012-2013 whether or not that student attended a public school or accredited nonpublic school may enroll for the current year. The governing body of the Corporation may authorize the transfer of a student from an accredited nonpublic school or charter school to a school within the school corporation.

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

~~The Corporation shall accept a transferring student who does not have legal settlement in the Corporation and whose parent is a current employee of the Corporation who resides in Indiana if: 1) the parent/employee earns an annual salary of at least: a) \$8,000; or b) \$3,000 earned due to being included an employee in the extracurricular portion of the Corporation's collective bargaining agreement; and 2) the Corporation has the capacity to accept the student. If the number of students who request to transfer to the Corporation under this section causes the Corporation to exceed its maximum student capacity, the Board shall determine which students will be admitted as transfer students by a random drawing in a public meeting.~~

~~**[YOU MUST SELECT THE FOLLOWING OPTION IF YOU DO NOT OPERATE MORE THAN ONE HIGH SCHOOL:]**~~

~~**[ ] Nonpublic School Transfer Student**~~

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

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

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

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

**[ x Option #2**

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

- A. By    June 30    **[insert date]**, the Board will establish the number of transfer students that can be accepted in each building and grade level.
- B. The Board will establish a date by which requests to enroll a transfer student must be submitted to the Superintendent. This date shall be submitted to the Indiana Department of Education and published on the Corporation Internet website.
- C. Requests to enroll a student without legal settlement in the Corporation shall not be denied if the student to be transferred:
  - 1. has been enrolled in the Corporation in the prior school year;
  - 2. is a member of a household in which any other member of the household is a student in the transferee school; or
  - 3. has a parent who is an employee of the Corporation who currently resides in Indiana and has a salary of at least \$8,000 or \$3,000 earned due to being included an employee in the extracurricular portion of the Corporation's collective bargaining agreement and the Corporation has the capacity to accept the student.
- D. If the number of requests to enroll in each building and grade level exceeds the number established by the Board reduced by the number of transfers that may not be denied as described in paragraph (C) above, the students to be enrolled in each building and grade level shall be determined by random selection in which each application submitted on or before the date established by the Board pursuant to paragraph (A) above has an equal chance of being selected.

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

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

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

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

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

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

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

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

Transfer students ~~( ) will be charged.~~ ☒ will not be charged unless otherwise required by law. ~~( ) may be charged transfer tuition according to Board Policy 6150.~~ **[END OF OPTIONS]**

**[NOTE: Under the law, a corporation may charge tuition to some students, but not others. Choosing this option is NOT RECOMMENDED. All students should be treated the same to avoid claims of discrimination.]**

**[END OF OPTION #2]**

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

**[OPTIONAL - Choose this option if the Corporation does not accept transfer students but wishes to accept a student who does not have legal settlement in the Corporation into an alternative education program operated by the Corporation]**

~~**[ ] Students Without Legal Settlement Attending Alternative Education Programs**~~

~~Students without legal settlement in the Corporation may be accepted into an alternative education program operated by the Corporation even if the Corporation does not otherwise accept transfer students. The Board shall comply with I.C. 20-26-11-32(g), (h), (j), (k) and (l) with respect to those students.~~

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Book	Policy Manual
Section	Volume 34, No. 2 for Board Approval
Title	Technical Correction - Vol. 34, No. 2 - STUDENT CONCUSSIONS AND SUDDEN CARDIAC ARREST
Code	po5340.01
Status	
Legal	I.C. 20-34-7, 20-34-8
Adopted	August 6, 2012
Last Revised	May 9, 2022

#### Technical Correction

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

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

The Board also directs and requires that before beginning practice for an interscholastic sports activity, cheerleading, marching band, or other extracurricular activity in which students have an increased risk of sudden cardiac arrest as determined by the IDOE the coach of the activity or marching band leader shall provide to each applicable student and his/her parent or legal guardian (unless the student is at least age eighteen (18) or is an emancipated minor) the information sheet on Sudden Cardiac Arrest and ~~acknowledgement~~ acknowledgment form issued by the IDOE and require the applicable student and his/her parent or legal guardian (unless the student is at least age eighteen (18) or is an emancipated minor) to sign and return to the coach or marching band leader the form acknowledging the receipt of the information from the IDOE on Sudden Cardiac Arrest.

#### **[THE FOLLOWING NOTIFICATIONS ARE OPTIONAL; CHOOSE THE OPTIONS THAT THE BOARD WISHES TO INCLUDE IN THE POLICY]**

Additionally, the Board directs and requires that

**[ x ]** before beginning practice for any interscholastic or intramural sports activity, including cheerleading, the coach of the activity shall provide the parent of each student participating in the activity and the student participating in the activity with the information sheet on Concussion and Head Injury and ~~acknowledgement~~ acknowledgment form issued by the IDOE and shall require the student's parent and the student to sign and return to the coach the form acknowledging the receipt of the information from the IDOE on Concussion and Head Injury.

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

#### **[END OF OPTIONS]**

The coach/sponsor, marching band leader or other official designated by the school shall maintain an original of each applicable signed ~~acknowledgement~~-acknowledgment form for each student and shall not allow the applicable student to participate in the activity until the signed ~~acknowledgement~~-acknowledgment form(s) from the parent (as required above) and applicable student is/are properly executed and returned.

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

#### **[THE FOLLOWING PROVISIONS ARE OPTIONAL]**

**[x ]** Additionally, the Board directs and requires that:

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

#### **[END OF OPTIONS]**

An applicable student participating in an interscholastic sports activity, cheerleading, marching band, or other extracurricular competitive or noncompetitive activity in which students have an increased risk of sudden cardiac arrest as determined by the IDOE who is suspected as determined by a game official, coach of the applicable student's team, licensed athletic trainer, physician assistant, advanced practiced registered nurse, licensed physician, marching band leader, or other official designated by the applicable student's school of experiencing a symptom of sudden cardiac arrest in a practice for an above activity shall be removed from practice or play at the time that the symptom is identified, and the parent or legal guardian of the applicable student shall be notified of the applicable student's symptoms (unless the student is at least age eighteen (18) or is an emancipated minor). An applicable student who has been removed from practice or play may not return to practice or play until the coach/sponsor, marching band leader, or other official designated by the applicable student's school has received verbal permission from a parent or legal guardian of the student (or from the student if the student is at least age eighteen (18) or is an emancipated minor) for him/her to return to practice and play. Within twenty-four (24) hours after giving verbal permission of the applicable student to return to practice and play, the parent or legal guardian (or the student if the student is at least age eighteen (18) or is an emancipated minor) must provide the coach, marching band leader, or other official designated by the school with a written statement that the student has permission to return to practice and play.

#### **[THE FOLLOWING PROVISIONS ARE OPTIONAL]**

Additionally, the Board directs and requires that:

- A. **[ x ]** A student-athlete of any age who participates in any interscholastic or intramural sports activity, including cheerleading, and is suspected of experiencing a symptom of sudden cardiac arrest in a practice or game shall be removed from practice or play at the time that the symptom is identified, and the parent or legal guardian of the student-athlete shall be notified of the student athlete's symptoms (unless the student is at least age eighteen (18) or is an emancipated minor). A student-athlete who has been removed from practice or play may not return to practice or play until the coach has received verbal permission from a parent or legal guardian of the student (or

from the student if the student is at least age eighteen (18) or is an emancipated minor) for him/her to return to practice and play. Within twenty-four (24) hours after giving verbal permission of the student-athlete to return to practice and play, the parent or legal guardian (or the student if the student is at least age eighteen (18) or is an emancipated minor) must provide the coach with a written statement that the student has permission to return to practice and play.

- B. ☒ ~~A coach~~ Athletic Director shall maintain the original of the written statement that the student has permission to return to practice and play for no less than ~~( ) three (3) years~~. ☒ three (3) years after the student reaches age eighteen (18). **[END OF OPTION]**
- C. ☒ Each coach of an interscholastic or intramural sports activity, including cheerleading, shall receive training on ( ☒ ) concussions, ( ☒ ) sudden cardiac arrest (including the symptoms), ( ☒ ) heat-related medical issues, ( ☒ ) cardiopulmonary resuscitation, ( ☒ ) and the use of an automated external defibrillator.

**[END OF OPTIONS]**

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Book	Policy Manual
Section	Volume 34, No. 2 for Board Approval
Title	Revised Policy - Vol. 34, No. 2 - April 2022 - GRADUATION REQUIREMENTS
Code	po5460
Status	
Legal	I.C. 20-19-2-21 I.C. 20-26-5-37 I.C. 20-30-4-2 I.C. 20-32-4-1.5 through 14
Adopted	May 28, 1996
Last Revised	May 9, 2022

### Revised Policy

#### 5460 - GRADUATION REQUIREMENTS

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

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

**[DRAFTING NOTE: A graduation plan is a requirement of I.C. 20-30-4-2, however, it is not mandated to be part of the Corporation's graduation requirement policy. The Corporation would not withhold a diploma for failure to have a graduation plan. This language is provided to highlight the revised requirements established in the 2021 legislative session and all Corporation counselors should be trained regarding these statutory requirements.]**

[ ] A graduation plan shall be developed, in consultation with the student's school counselor and after seeking consultation with each student's parents, by the time each student completes 8th grade. This plan will be part of each student's permanent student record and accessible to a parent of the student pursuant to the Family Education Rights and Privacy Act (FERPA).

Each plan shall include:

- A. a statement of intent to graduate from high school;
- B. an acknowledgment of the importance of:

1. good citizenship;
  2. school attendance; and
  3. diligent study habits;
- C. the subject and skill areas of interest to the student; ~~and~~
- D. the postsecondary goals of the student aligned with the graduation pathway requirements pursuant to State law; ~~and~~
- E. a program of study under the college/technology preparation curriculum adopted by the State Board under I.C. 20-30-10-2 for grades 10, 11, and 12 that meets the interests, aptitude, and postsecondary goals of the student;
- F. assurances that upon satisfactory fulfillment of the plan, the student:
1. is entitled to graduate; and
  2. will have taken at least the minimum variety and number of courses necessary to gain admittance to a State educational institution;
- G. An indication of assessments that the student plans to take voluntarily during grade 10 through grade 12 and which may include any of the following:
1. The SAT Reasoning Test.
  2. The ACT Test.
  3. Advanced placement exams.
  4. College readiness exams approved by the department.
  5. Workforce readiness exams approved by the department of workforce development established under I.C. 22-4.1-2; and
  6. Cambridge International examinations.

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

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

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

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

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

- A. died while enrolled in grade 12 of a school in the school corporation; and
- B. was academically eligible or on track to meet the requirements for the diploma at the time of death.

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

Students with disabilities who have completed and are ready to exit their programs may participate in graduation activities and shall be awarded, as appropriate,

- A. a diploma;
- B. an alternate diploma for students with significant cognitive disabilities;
- C. a certificate of achievement; or
- D. a certificate of course completion.

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

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

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

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

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

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

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

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

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

Each student is required to meet:

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

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

Commencement exercises will include those students who are eligible for a diploma, (x) certificate of achievement, or (x) certificate of course completion as certified by the high school principal. No student who has completed the requirements for graduation shall be denied a diploma as a disciplinary measure. A student may be denied participation in the ceremony of

graduation when personal conduct so warrants.

**NOTE: DENYING PARTICIPATION IN COMMENCEMENT EXERCISES TO SPECIAL EDUCATION STUDENTS WHO HAVE COMPLETED THEIR PROGRAM VIOLATES 511-IAC 7-27-9(b).**

I.C. 20-19-2-21

I.C. 20-26-5-37

I.C. 20-30-4-2

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

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Book	Policy Manual
Section	Volume 34, No. 2 for Board Approval
Title	Revised Policy - Vol. 34, No. 2 - April 2022 - DRESS AND GROOMING
Code	po5511
Status	
Legal	I.C. 20-33-8-12
Adopted	May 28, 1996

### Revised Policy

#### 5511 - DRESS AND GROOMING

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

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

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

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

~~The Superintendent shall develop administrative guidelines to implement this policy which:~~

- A. ~~( ) designate the principal as the arbiter of student dress and grooming in his/her building;~~
- B. ~~( ) invite the participation of ( ) staff ( ) parents ( ) students [END OF OPTION] in the preparation of a dress code which may specify prescribed dress and grooming practices, but may not amplify the rationale of prohibition established by Board policy;~~
- C. ~~( ) instruct staff members to demonstrate, by example and precept, personal neatness, cleanliness, propriety, modesty, and good sense in attire and appearance;~~
- D. ~~( ) ensure that all administrative guidelines impose only minimum and necessary restrictions on the exercise of the student's taste and individuality.~~

~~x ]~~ Students who violate the foregoing rules ~~will may~~ not be admitted to class and may be suspended from school.

The established dress code shall be upheld in a nondiscriminatory and uniform manner.

**[DRAFTING NOTE: By way of example, students should be permitted to wear clothing that is typical of the gender with which they identify and not required to wear clothing that is typical of their birth gender. This also applies to school uniforms.]**

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Book	Policy Manual
Section	Drug Testing for Students for Board Approval
Title	DRUG TESTING
Code	po5530.01
Status	
Legal	I.C. 20-26-3 I.C. 20-26-5-4 I.C. 20-30-15-6 Linke v. Northwestern School Corporation (763 N.E. 2nd 972)

#### 5530.01 - DRUG TESTING

The Board recognizes the importance of providing learning opportunities for students through involvement in athletics and other extra-curricular activities. The Board also recognizes and accepts its responsibility to take a stand against the use of unauthorized and illegal drugs or substances by students at any time.

##### Option #1

[ ☒ ] The Board requires that each student participating in one of the Corporation's interscholastic athletic programs, extra-curricular programs, or driving to school agrees to the following conditions:

- A. ~~( ) Each student and his/her parents, upon enrollment in the program, provide evidence from a certified physician or health care facility that the student is free of the presence of any drug as defined in Policy 5530. The cost for this drug test is to be the responsibility of ( ) the parents. ( ) the School Corporation.~~
- B. ( ☒ ) The student and his/her parents sign an enrollment application form on which they agree that the student will participate in a random drug testing program, conducted and paid for by the Corporation at any time during the school year, during the term of the program in which the student is participating.

##### Option #2

~~[ ] The Board requires that each student participating in one of the Corporation's interscholastic athletic programs, extra-curricular programs, or driving to school, sign an enrollment application agreeing that the student will participate in a random drug testing program, conducted and paid for by the Corporation, during the term in which the student will be participating.~~

##### [END OF OPTIONS]

The Corporation's drug-testing program may include urinalysis tests, saliva screening and/or breathalyzer to determine if the Student Code of Conduct has been violated. The Corporation will also see that:

- A. testing is administered randomly;
- B. tests will produce consistently reliable results;
- C. in addition to standard screening testing, gas chromatography testing may be used;

IN EITHER CASE, A BACK-UP TEST OR SCREENING WILL BE ADMINISTERED.

D. the privacy of students is protected during the collection of the sample;

E. the privacy of the student is protected by limitations on the disclosure of the test results.

In addition to standard screening testing, if the original test results are challenged, a backup test will be administered at the student's or parent's expense.

The Principal and/or Assistance Principal shall be responsible for administering the drug-testing program and imposing sanctions for all students who violate this policy.

Test results will not become a part of the student's permanent record. ~~Test information will not be disclosed to law enforcement authorities unless subpoenaed in a legal proceeding.~~ In the event that the Corporation is required to release the information, the student and his/her parents will be notified        (     ) hours before the response is made.

Any student who tests positive for any drug other than a prescribed medication shall be removed from the athletic activity, the extra-curricular activity, and/or denied the privilege of driving to school.

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Book	Policy Manual
Section	Volume 34, No. 2 - April 2022
Title	Revised Policy - Vol. 34, No. 2 - April 2022 - SCHOOL-SPONSORED STUDENT PUBLICATIONS AND PRODUCTIONS
Code	po5722
Status	From Neola
Adopted	May 28, 1996
Last Revised	June 13, 2011

### Revised Policy

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

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

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

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

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

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

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

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

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

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

**[ ] Option #1**

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

**[END OF OPTION #1]**

**[ ] Option #2**

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

**[END OF OPTION #2]**

**[ ] Option #3**

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

**[END OF OPTION #3]**

**[ ] Option #4**

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

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

**[END OF OPTION #4]**

**[ ] Option #5**

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

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

**[END OF OPTION#5]**

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

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

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

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

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

**[END OF OPTION A]**

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

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

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

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

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

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

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

All other school-sponsored student media including classroom and/or other curricular, co-curricular, or extra-curricular/club-related publications and/or productions, are nonpublic forums. As nonpublic forums, the content of these other student publications and productions can be regulated for legitimate pedagogical school-related reasons. School officials shall routinely and systematically review and, if necessary, restrict the content of all school-sponsored student media, except for those publications/productions listed above, prior to publication/performance in a reasonable manner that is neutral as to the viewpoint of the speaker. **[DRAFTING NOTE: It is critical that the school officials actually engage in prior review/restraint and not just "reserve" the right to engage in such review/restraint. If the school officials fail to routinely and consistently exercise this authority, a court reviewing a student challenge to a review/restraint may hold that this policy is not being implemented as written, and therefore the Board may be found to have lost the authority it attempted to preserve for its administrators. The Board shall provide school officials with guidance and training in order to implement this duty of review/restrain effectively and legally.]**

**[DRAFTING NOTE: Select Option B1, Option B-2, Option B-3, Option B-4, or Option B-5.]**

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

[ ] Nonpublic forum school-sponsored student media may be published/performed only to members of the school community.

#### **[END OF OPTION B-1]**

**[DRAFTING NOTE: The Board should select either Option B-2 or Option B-3 if it has authorized the limited use of Corporation-approved Social Media to publish/perform nonpublic forum school-sponsored student media; as mentioned above, it is critically important that school officials routinely and consistently exercise their limited authority to engage in prior review/restraint with respect to the publication/performance of all nonpublic forum school-sponsored student media.]**

#### **[ ] Option B-2**

[ ] While ordinarily nonpublic forum school-sponsored student media may be published/performed only to members of the school community, the following nonpublic forum student media may be published/performed outside the school community (i.e., to the general public): \_\_\_\_\_ **[identify] ( ) high school newspaper [could substitute with the name of the newspaper] ( ) high school yearbook \_\_\_\_\_ [could substitute with the name of the yearbook] ( ) \_\_\_\_\_ [insert name(s) of specific school-sponsored student publications/productions]. ( ) See Board Policy 9160.**

#### **[END OF OPTION B-2]**

#### **[ ] Option B-3**

[ ] While ordinarily nonpublic forum school-sponsored student media may be published/performed only to members of the school community, the Superintendent may authorize specific nonpublic forum student media to be published/performed outside the school community (i.e., to the general public). A student or group of students who wish to have his/her/their nonpublic forum student media published/performed outside the school community must submit to the Superintendent a request for prior written approval for such publication/performance.

#### **[END OF OPTION B-3]**

#### **[ ] Option B-4**

☐ While nonpublic forum school-sponsored student media generally may be published/performed outside the school community (i.e., to the general public), the following nonpublic forum student media may be published/performed only to members of the school community: \_\_\_\_\_ **[identify]**. ( ) See Board Policy 9160.

**[END OF OPTION B-4]**

**[ ] Option B-5**

☐ Nonpublic forum school-sponsored student media may be published/performed outside the school community (i.e., to the general public). ( ) See Board Policy 9160.

**[END OF OPTION B-5]**

**[END OF OPTION B]**

**[ ] Option C [Select if the Board intends to identify specific student publications/productions to be limited-purpose public forums but wants to retain the authority to engage in limited and consistent prior review/restraint on the basis of four (4) identified reasons. School-sponsored publications/productions not listed are considered nonpublic forums and will be subject to routine prior review and restraint. This is the second most restrictive and permits some prior review/restraint involving what are otherwise limited-purpose public forums.]**

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

**[List all publications so designated]**

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As limited-purpose public forums, the student journalist, content-creators or performers associated with the above-listed publications and/or productions may address matters of concern and/or interest to their readers/viewers. The student journalists, content-creators and/or performers involved in the above-listed publications/productions have the right to determine the content of this student media. ( ) While designated as limited-purpose public forums, the listed publications/productions are not intended to address general matters of public concern and are not open to public comment.

School officials will not routinely and systematically restrict content of the publications and/or productions listed above prior to their publication/performance; however, school officials may review the content and reject an article/posting/publication/production due to one (1) of the following four (4) reasons:

- A. where poor grammar or writing is evident;
- B. where a legitimate question of age appropriateness of the material exists;
- C. where matters beyond the limited scope of the forum are included; and/or
- D. where the content involves unprotected speech.

☐ The above-listed school-sponsored student publications/productions, while limited-purpose public forums, are not intended to address general matters of public concern and therefore are not open to public comment.

The listed publications and or production shall contain a notice to the reader/viewer that the material, while school-sponsored, is student directed and subject only to limited prior review. Given the listed student publications and/or productions have been designated as limited-purpose public forums, the school assumes no liability for the content beyond that covered by the school officials' limited prior review, and with editorial control comes responsibility. Student journalists, content-creators and performers are expected to establish and enforce standards for their publications/productions that are consistent with professional journalism/artistic/theatrical/broadcast standards.

**[DRAFTING NOTE: Select Option C-1, Option C-2, Option C-3, Option C-4, or Option C-5.]**

**[ ] Option C-1**

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

[ ] School-sponsored student media may be published/performed only to members of the school community.

**[END OF OPTION C-1]**

**[DRAFTING NOTE: The Board should select either Option C-2 or Option C-3 if it has authorized the limited use of Corporation-approved Social Media to publish/perform school-sponsored student media; as mentioned below, it is critically important that school officials routinely and consistently exercise their limited authority to engage in prior review/restraint with respect to the publication/performance of all school-sponsored student media.]**

**[ ] Option C-2**

[ ] While ordinarily school-sponsored student media may be published/performed only to members of the school community, the following student media may be published/performed outside the school community (i.e., to the general public): \_\_\_\_\_ **[identify]** ( ) high school newspaper **[could substitute with the name of the newspaper]** ( ) high school yearbook **[could substitute with the name of the yearbook]** ( ) \_\_\_\_\_ **[insert name(s) of specific school-sponsored student publications/productions].** ( ) See Board Policy 9160.

**[END OF OPTION C-2]****[ ] Option C-3**

[ ] While ordinarily school-sponsored student media may be published/performed only to members of the school community, the Superintendent may authorize specific student media to be published/performed outside the school community (i.e., to the general public). A student or group of students who wish to have his/her/their student media published/performed outside the school community must submit to the Superintendent a request for prior written approval for such publication/performance.

**[END OF OPTION C-3]****[ ] Option C-4**

[ ] While school-sponsored student media generally may be published/performed outside the school community (i.e., to the general public), the following student media may be published/performed only to members to the school community: \_\_\_\_\_ **[identify].** ( ) See Board Policy 9160.

**[END OF OPTION C-4]****[ ] Option C-5**

[ ] School-sponsored student media may be published/performed outside the school community (i.e., to the general public). ( ) See Board Policy 9160.

**[END OF OPTION C-5]**

All other school-sponsored student publications and productions, including classroom and/or other curricular or extra-curricular/club-related publications and/or productions, are nonpublic forums. As nonpublic forums, the content of these other student publications and productions can be regulated for legitimate pedagogical school-related reasons. School officials shall routinely and systematically review and, if necessary, restrict the content of all school-sponsored student media except those publications/productions listed above, prior to publication/performance in a reasonable manner that is neutral as to the viewpoint of the speaker. **[DRAFTING NOTE: It is critical that the school officials actually engage in prior review/restraint and not just "reserve" the right to engage in such review/restraint. If the school officials fail to routinely and consistently exercise this authority, a court reviewing a student challenge to a review/restraint may hold that this policy is not being implemented as written, and therefore the Board may be found to have lost the authority it attempted to preserve for its administrators. The Board should provide school officials with guidance and training in order to implement this duty of review/restraint effectively and legally.]**

**[END OF OPTION C]**

**[ ] Option D [Select if the Board intends all school-sponsored student media (i.e, publications/production) to be nonpublic forums - i.e., subject to routine prior review/restraint. This is the most restrictive option.]**

**[DRAFTING NOTE: for Options D-1 through D-5: It is critical that the school officials actually engage in prior review/restraint and not just "reserve" the right to engage in such review/restraint. If the school officials fail to routinely and consistently exercise this authority, a court reviewing a student challenge to a review/restraint may hold that this policy is not being implemented as written, and therefore the Board will be considered to have lost the authority it attempted to preserve for its administrators. The Board should provide school officials with guidance and training in order to implement this duty of review/restraint effectively and legally.]**

All school-sponsored student media are nonpublic forums. While students may address matters of interest or concern to their readers/viewers, as nonpublic forums, the style and content of the student publications and productions can be regulated for legitimate pedagogical, school-related reasons. School officials shall routinely and systematically review and, if necessary, restrict the type and/or content of all school-sponsored student media prior to publication/performance in a reasonable manner that is neutral as to the viewpoint of the speaker. Legitimate pedagogical concerns are not confined to academic issues but include the teaching by example of the shared values of a civilized social order, which consists of not only independence of thought and frankness of expression but also discipline, courtesy/civility, and respect for authority. School officials may prohibit further speech that is grammatically incorrect, poorly written, inadequately researched, biased or prejudiced, vulgar, profane, or unsuitable for immature audiences.

**[DRAFTING NOTE: Select Option D-1, Option D-2, Option D-3, Option D-4, or Option D-5.]**

**[ ] Option D-1**

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

**[ ] School-sponsored student media may be published/performed only to members of the school community.**

**[END OF OPTION D-1]**

**[DRAFTING NOTE: The Board should select either Option D-2 or Option D-3 if it has authorized the limited use of Corporation-approved Social Media to publish/perform school-sponsored media; as mentioned above, it is critically important that school officials routinely and consistently exercise their authority to engage in prior review/restraint with respect to the publication/performance of all school-sponsored student media.]**

**[ ] Option D-2**

**[ ] While ordinarily school-sponsored student media may be published/performed only to members of the school community, the following student media may be published/performed outside the school community (i.e., to the general public): \_\_\_\_\_ [identify] ( ) high school newspaper [could substitute with the name of the newspaper] ( ) high school yearbook [could substitute with the name of the yearbook] ( ) \_\_\_\_\_ [insert name(s) of specific school-sponsored student publications/productions]. ( ) See Board Policy 9160.**

**[END OF D-2]****[ ] Option D-3**

**[ ] While ordinarily school-sponsored student media may be published/performed only to members of the school community, the Superintendent may authorize specific student media to be published/performed outside the school community, (i.e., to the general public). A student or group of students who wish to have his/her/their student media published/performed outside the school community must submit to the Superintendent a request for prior written approval for such publication/performance.**

**[END OF OPTION D-3]****[ ] Option D-4**

☐ While school-sponsored student media generally may be published/performed outside the school community (i.e., to the general public), the following student media may be published/performed only to members of the school community: \_\_\_\_\_ **[identify].** ☐ See Board Policy 9160.

**[END OF OPTION D-4]**

☐ **Option D-5**

☐ School-sponsored student media may be published/performed outside the school community (i.e., to the general public). ☐ See Board Policy 9160

**[END OF OPTION D-5]**

**[END OF OPTION D]**

**[END OF OPTIONS A THROUGH D]**

**[NOTE: The following paragraph is optional.]**

☐ Students ☐ staff will monitor comments posted to social media platforms/sites that have been approved under Policy 7544 for use as school-sponsored student media. Comments will be monitored to verify the age-appropriateness of the material, whether unprotected speech is involved, and whether there is compliance with posted rules for use of the forum and the platform's/site's applicable terms of service. Comments that are not age-appropriate for the student-audience for the school-sponsored publication, constitute unprotected speech, and/or violate the posting rules for the use of the forum and/or the platform's/site's applicable terms of service will be removed. The review of posted comments will be conducted in a viewpoint neutral manner and consistent with State and Federal law.

☐ Students shall not be disciplined and/or retaliated against for exercising and/or asserting their free speech rights as defined in this policy. Nothing in this policy, however, restricts the Board's ability to impose post-publication/performance discipline related to a student engaging in the impermissible publication/performance of unprotected speech.

**[DRAFTING NOTE: CHOOSE ONE (1) OF THE FOLLOWING THREE (3) OPTIONS RE: ADVERTISING.]**

☐ **Option #1 [Select if the Board intends to permit advertising in some or all school-sponsored student media but requires a school employee/official to pre-approve the advertisements.]**

Advertising is permitted in ☐ all school-sponsored student media ☐ the following school-sponsored student publication/productions: [identify publications/productions]

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Any advertisements must be consistent with Policy 9700.01 ☐ AG 9700B.

Advertisements submitted for publication or inclusion in a production shall be reviewed by ☐ the class/activity advisor ☐ the building principal ☐ the Superintendent ☐ school officials **[end of options]** for a determination that they are appropriate for juveniles. The ☐ Superintendent ☐ Board retains the final authority to determine whether an advertisement is appropriate and will be included in a publication/production. Advertisements may be rejected for legitimate pedagogical school-related reasons unrelated to the viewpoint of the advertiser (e.g., the advertisement encourages action that would endanger the health and safety of students).

☐ **Option #2 [Select if the Board intends to permit advertising in some or all school-sponsored student media that are designated to be limited-purpose public forums, and the students involved in the specific publications/productions will be responsible for accepting or rejecting the advertisements.]**

Advertising is permitted in ☐ all school-sponsored student media that have been designated as limited-public forums. ☐ the following school-sponsored student media that have been designated as limited-purpose public forums: **[identify publications/productions]**

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Any advertisements must be consistent with Policy 9700.01 ( ) and AG 9700B.

The students in the class(es)/activity(ies) associated with ( ) all school-sponsored student media that have been designated as limited-purpose public forums ( ) the above-listed student media **[end of option]** will determine whether to include advertisements in the publications/productions. Acceptance or rejection of specific advertisements is within the control of the publication/production staff, which may except those for activities, products, or services that are illegal for students and/or that violate State or Federal law.

[ ] The publication/production staff is encouraged to consider the age appropriateness of the ads they select.

**[ ] Option #3 [Select if the Board intends to prohibit advertisements in all student publications/productions.]**

Advertising is not permitted in school-sponsored student media.

**[END OF OPTIONS RE: ADVERTISING]**

**General Prohibitions**

Regardless of their status as non-public or limited-purpose public forums, the Board prohibits publications, productions, and advertisements that:

- A. promote, favor, or oppose any candidate for election or the adoption of any bond issue, proposal, or question submitted at any election;
- B. ( ) fail to identify the student or organization responsible for the publication/performance;
- C. ( ) solicit funds for non-school organizations or institutions when such solicitation has not been approved by the Board.

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Book	Policy Manual
Section	Volume 34, No. 2 for Board Approval
Title	Revised Policy - Vol. 34, No. 2 - April 2022 - GRANT FUNDS
Code	po6110
Status	
Legal	<p>I.C. 20-26-5-4</p> <p>Compliance Supplement for Single Audits of State and Local Governments</p> <p>20 U.S.C. 7906</p> <p>Education Department General Administrative Regulations (EDGAR)</p> <p>34 C.F.R. 75.707, 76.563, 76.565, 76.707</p> <p>2 C.F.R. 200.56, 200.71, 200.77, 200.80, 200.112, 200.302, 200.307</p> <p>2 C.F.R. 200.309, 200.310, 200.313, 200.318-.320, 200.343(b)&amp;(e)</p>
Adopted	May 28, 1996
Last Revised	November 14, 2016

### **Revised Policy**

#### **6110 - GRANT FUNDS**

It is the objective of the School Board to provide equal educational opportunities for all School Corporation students. Government agencies, as well as foundations, businesses, and individuals, periodically offer both human and material resources to the Corporation that benefit students and the educational program. Therefore, it is the intent of the Board to consider grant proposals and applications for their potential to enhance the educational opportunities, the educational environment, and the physical and mental growth for each student.

The Superintendent shall review new Federal education legislation and prepare proposals for programs s/he deems would be of aid to the students of this Corporation. The Superintendent shall approve each such proposal prior to its submission, and the Board shall approve all grants resulting from such proposals.

The Board regards available Federal funds of aid to local school corporations and communities as a public trust. It forbids the use of Federal monies for partisan political activities and for any use that would not be in accordance with Federal regulations and guidelines.

No Federal funds received by the Corporation shall be used to:

- A. develop or distribute materials or operate programs or courses of instruction directed at youth that are designed to promote or encourage sexual activity, whether homosexual or heterosexual;
- B. distribute or aid in the distribution by any organization of legally obscene materials to minors on school grounds or at school-sponsored activities;

C. provide sex education or HIV-prevention education in schools unless that instruction is age-appropriate and includes the health benefits of abstinence; or

D. operate a program of contraceptive distribution in schools.

The Superintendent shall review grant opportunities and authorize the development of proposals.

#### **Grant Proposal Development**

A. All grant proposals must support at least one (1) Corporation goal or priority.

B. For projects where grant funds will not cover the entire cost of project implementation, additional fund sources must be identified, documented, and approved during the internal review process.

#### **Grant Proposal Internal Review**

A. Each grant proposal shall be reviewed and approved by the Superintendent prior to submission to the funding source.

B. The Superintendent may identify a project director prior to proposal submission.

C. ~~( )~~ The Superintendent shall present the following proposals to the Board for approval:

1. ~~( )~~ government-funded proposals, regardless of the amount;

2. ~~( )~~ proposals with budgets exceeding \$\_\_10,000\_\_\_\_; ~~or~~

3. ~~( )~~ multi-school or Corporation-wide proposals.

D. The Superintendent may accept private funded or foundation grants of less than \$\_\_10,000\_\_\_\_ for individual schools.

#### **Grant Administration**

A. The administration of grants will adhere to all applicable Federal, State, local, and grantor rules and regulations, including the terms and conditions of the Federal awards, as well as Corporation policies and administrative guidelines.

B. The Superintendent is responsible for the efficient and effective administration of grant awards through the application of sound management practices.

C. The Superintendent is responsible for administering grant funds in a manner consistent with underlying agreements, applicable statutes, regulations, and objectives, and the terms and conditions of the grant award.

D. The Corporation, in recognition of its unique combination of staff, facilities, and experience, shall employ internal controls, including the organizational and management strategies necessary to assure proper and efficient administration of grant awards.

E. All Federal funds received by the Corporation will be used in accordance with the applicable Federal law and regulations and the terms and conditions of the Federal award. The Superintendent shall require that each draw of Federal monies be aligned with the Corporation's payment process (whether reimbursement, cash advance, or a combination). If funds are permitted to be drawn in advance, all draws will be as close as administratively feasible to the related program expenditures and that, when restricted, such monies are used to supplement programs and funding and not to supplant or replace existing programming or current funding.

Maintenance of Effort (MOE) and Maintenance of Equity (MOEquity) requirements of the Federal program will be met in accordance with the requirements of the specific funded program. The Corporation shall maintain appropriate documentation and records to substantiate compliance or to justify allowable exceptions, exemptions, or waivers.

F. ( **x** ) The Superintendent is authorized to sign related documents for grant administration, including documents required for submittal of grant proposals.

G. ~~( )~~ Written amendments requiring the Superintendent's signature shall be presented to the Board for approval.

H. ( **x** ) Employee positions established through the use of grant funding shall terminate if and when the related grant funding ceases.

- I. ~~( )~~ Program reports including but not limited to audit, site visits, and final reports shall be submitted to the Superintendent for review and distribution to the Board and other appropriate parties.

## Financial Management

The financial management of grant funds shall be in compliance with all applicable Federal, State, local, and grantor rules, regulations, and assurances as well as Corporation policies and administrative guidelines.

The Corporation shall provide for the following:

- A. Identification, in Corporation accounts, of all grant awards received and expended and the programs under which they were received. For Federal programs and awards, identification shall include the Catalog of Federal Domestic Assistance (CFDA) title and number, Federal award identification number and year, name of the Federal agency and name of the pass-through entity, as applicable.
- B. Accurate, current, and complete disclosure of the financial results of each Federal award or program in accordance with the reporting requirements of the grant.
- C. Records that identify adequately the source and application of funds provided for Federally-funded activities. These records must contain information pertaining to Federal awards, authorizations, obligations, unobligated balances, assets, expenditures, income and interest and be supported by source documentation.
- D. Effective control over, and accountability for, all funds, property, and other assets. The Corporation must adequately safeguard all assets and assure that they are used solely for authorized purposes.

Further, the Corporation must:

1. establish and maintain effective internal control over the Federal award that provides reasonable assurance that the Corporation is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award;
  2. comply with Federal statutes, regulations, and the terms and conditions of the Federal award;
  3. evaluate and monitor the Corporation's compliance with statutes, regulations, and the terms and conditions of the Federal award;
  4. take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings;
  5. take reasonable measures to safeguard protected personally identifiable information and other information the Federal awarding agency or pass-through entity designates as sensitive consistent with applicable Federal, State, local, and tribal laws regarding privacy and obligations of confidentiality.
- E. Comparison of expenditures with budget amounts for each Federal award.
- F. Recordkeeping and written procedures to the extent required by Federal, State, local, and grantor rules and regulations pertaining to the grant award and accountability, including, but not limited to, the following areas:
1. cash management
  2. allowability
  3. conflict of interest
  4. procurement
  5. equipment management
  6. conducting technical evaluations of proposals and selecting recipients
  7. compensation and fringe benefits
  8. travel

G. Disclosure of any potential conflict of interest and all mandatory violation disclosures potentially affecting the Federal award/grant to the Federal awarding agency or pass-through agency in accordance with applicable Federal policy.

H. Insurance coverage for real property and equipment, if applicable, equivalent to such property owned by the Corporation.

### **Program Income**

Program income means gross income earned by a grant recipient that is directly generated by a supported activity or earned as a result of the Federal award during the grant's period of performance.

It includes, but is not limited to, income from fees for services performed, the use or rental of real or personal property acquired under Federal awards, the sale of commodities or items fabricated under a Federal award, license fees and royalties on patents and copyrights, and principal and interest on loans made with Federal award funds. Interest earned on advances of Federal funds is not program income. Except as otherwise provided in Federal statutes, regulations, or the terms and conditions of the Federal award, program income does not include rebates, credits, discounts and interest earned on any of them. Additionally, taxes, special assessments, levies, fines, and other such revenues raised by a recipient are not program income unless the revenues are specifically identified in the Federal award or Federal awarding agency regulations as program income. Finally, proceeds from the sale of real property, equipment or supplies are not program income.

Unless it has received prior approval to use a different method or the terms and conditions of the grant authorize a different method, the Corporation uses the deduction method of accounting for program income. Under the deduction method, program income is deducted from total allowable costs to determine the net allowable costs. Program income will be used only for current costs unless the Corporation is otherwise directed by the Federal awarding agency or pass-through entity.

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Book	Policy Manual
Section	Volume 34, No. 2 for Board Approval
Title	Revised Policy - Vol. 34, No. 2 - April 2022 - COST PRINCIPLES - SPENDING FEDERAL FUNDS
Code	po6114
Status	
Legal	2 C.F.R. 200.403-407 2 C.F.R. 200.413(a)-(c) 2 C.F.R. 200.430(a) 2 C.F.R. 200.431(a) 2 C.F.R. 200.439(b)(2) 2 C.F.R. 200.458 2 C.F.R. 344(b) 34 C.F.R. 75.703 34 C.F.R. 76.707 34 C.F.R 76.708(a)
Adopted	November 14, 2016
Last Revised	May 9, 2022

### Revised Policy

#### 6114 - COST PRINCIPLES - SPENDING FEDERAL FUNDS

The Superintendent is responsible for the efficient and effective administration of grant funds through the application of sound management practices. Such funds shall be administered in a manner consistent with all applicable Federal, State and local laws, the associated agreements/assurances, program objectives and the specific terms and conditions of the grant award.

### Cost Principles

Except where otherwise authorized by statute, costs shall meet the following general criteria in order to be allowable under Federal awards:

- A. Be necessary and reasonable for proper and efficient performance and administration of the Federal award and be allocable thereto under these principles.

To determine whether a cost is reasonable, consideration shall be given to:

1. whether a cost is a type generally recognized as ordinary and necessary for the operation of the School Corporation or the proper and efficient performance of the Federal award;

2. the restraints or requirements imposed by such factors as sound business practices, arm's length bargaining, Federal, State, local, tribal and other laws and regulations;
3. market prices for comparable goods or services for the geographic area;
4. whether the individuals concerned acted with prudence in the circumstances considering their responsibilities; and
5. whether the cost represents any significant deviation from the established practices or School Board policy which justifiably may increase the expense.

While Federal regulations do not provide specific descriptions of what satisfies the "necessary" element beyond its inclusion in the reasonableness analysis above, whether a cost is necessary is determined based on the needs of the program. Specifically, the expenditure must be necessary to achieve an important program objective. A key aspect in determining whether a cost is necessary is whether the Corporation can demonstrate that the cost addresses an existing need, and can prove it.

When determining whether a cost is necessary, consideration may be given to whether:

1. the cost is needed for the proper and efficient performance of the grant program;
2. the cost is identified in the approved budget or application;
3. there is an educational benefit associated with the cost;
4. the cost aligns with identified needs based on results and findings from a needs assessment; and
5. the cost addresses program goals and objectives and is based on program data.

A cost is allocable to the Federal award if the goods or services involved are chargeable or assignable to the Federal award in accordance with the relative benefit received. This standard is met if the cost: 1) is incurred specifically for the Federal award; 2) benefits both the Federal award and other work of the Corporation and can be distributed in proportions that may be approximated using reasonable methods; 3) and is necessary to the overall operation of the Corporation and is assignable to the Federal award in accordance with cost principles mentioned here.

- B. Conform to any limitations or exclusions set forth in the cost principles in Part 200 or in the terms and conditions of the Federal award, including prohibitions regarding costs incurred for telecommunications and video surveillance services or equipment.
- C. Be consistent with policies and procedures that apply uniformly to both Federally-financed and other activities of the Corporation.
- D. Be accorded consistent treatment. A cost cannot be assigned to a Federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to a Federal award as an indirect cost under another award.
- E. Be determined in accordance with generally accepted accounting principles.
- F. Be representative of actual cost, net of all applicable credits or offsets.

The term "applicable credits" refers to those receipts or reductions of expenditures that operate to offset or reduce expense items allocable to the Federal award. Typical examples of such transactions are: purchase discounts; rebates or allowances; recoveries or indemnities on losses; and adjustments of overpayments or erroneous charges. To the extent that such credits accruing to or received by the State relate to the Federal award, they shall be credited to the Federal award, either as a cost reduction or a cash refund, as appropriate.

- G. Not be included as a match or cost-share, unless the specific Federal program authorizes Federal costs to be treated as such.
- H. Be adequately documented:
  1. in the case of personal services, the Superintendent shall implement a system for Corporation personnel to account for time and efforts expended on grant-funded programs to assure that only permissible personnel expenses are allocated;

2. in the case of other costs, all receipts and other invoice materials shall be retained, along with any documentation identifying the need and purpose for such expenditure if not otherwise clear.

I. Be incurred during the approved budget period.

The budget period means the time interval from the start date of a funded portion of an award to the end date of that funded portion during which recipients are authorized to carry out authorized work and expend the funds awarded, including any funds carried forward or other revisions pursuant to the law. Prior written approval from the Federal awarding agency or State pass-through entity may be required to carry forward unobligated balances to subsequent budget periods unless waived.

### **Selected Items of Cost**

The Corporation shall follow the rules for selected items of cost at 2 C.F.R. Part 200, Subpart E when charging these specific expenditures to a Federal grant. When applicable, Corporation staff shall check costs against the selected items of cost requirements to ensure the cost is allowable. In addition, State, Corporation and program-specific rules, including the terms and conditions of the award, may deem a cost as unallowable, and Corporation personnel shall follow those rules as well.

The following rules of allowability must apply to equipment and other capital expenditures:

- A. Capital expenditures for general purpose equipment, buildings, and land are unallowable as direct charges, except with the prior written approval of the Federal awarding agency or pass-through entity.
- B. Capital expenditures for special purpose equipment are allowable as direct costs, provided that items with a unit cost of \$5,000 or more have the prior written approval of the Federal awarding agency or pass-through entity.
- C. Capital expenditures for improvements to land, buildings, or equipment which materially increase their value or useful life are unallowable as a direct cost except with the prior written approval of the Federal awarding agency, or pass-through entity.
- D. All Federally-funded contracts in excess of \$2,000 related to construction, alteration, repairs, painting, decorating, etc. must comply with Davis-Bacon prevailing wage requirements.
- E. Allowability of depreciation on buildings, capital improvements, and equipment shall be in accordance with 2 CFR 200.436 and 2 CFR 200.465.
- F. When approved as a direct cost by the Federal awarding agency or pass-through entity under Sections A - C, capital expenditures will be charged in the period in which the expenditure is incurred, or as otherwise determined appropriate and negotiated with the Federal awarding agency.
- G. If the Corporation is instructed by the Federal awarding agency to otherwise dispose of or transfer the equipment, the costs of such disposal or transfer are allowable.

### **Cost Compliance**

The Superintendent shall require that grant program funds are expended and are accounted for consistent with the requirements of the specific program and as identified in the grant application. Compliance monitoring includes accounting for direct or indirect costs and reporting them as permitted or required by each grant. Costs incurred for the same purpose in like circumstances shall be treated consistently as either direct or indirect costs, but may not be double charged or inconsistently charged as both.

### **Determining Whether a Cost is Direct or Indirect:**

- A. Direct costs are those costs that can be identified specifically with a particular final cost objective, such as a Federal award, or other internally or externally funded activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy.

These costs may include: salaries and fringe benefits of employees working directly on a grant-funded project; purchased services contracted for performance under the grant; travel of employees working directly on a grant-funded project; materials, supplies, and equipment purchased for use on a specific grant; program evaluation costs or other institutional service operations; and infrastructure costs directly attributable to the program (such as long-distance telephone calls specific to the program, etc.). Direct costs may also include capital expenditures if approved by the Federal awarding agency or pass-through entity, as well as capital expenditures for special purpose equipment with a unit cost of less than \$5,000.

- B. Indirect costs are those that have been incurred for a common or joint purpose benefiting more than one cost objective and are not readily assignable to the cost objectives specifically benefited without effort disproportionate to the results achieved. Costs incurred for the same purpose in like circumstances shall be treated consistently as either direct or indirect costs.

These costs may include: general data processing, human resources, utility costs, maintenance, accounting, etc.

Federal education programs with supplement not supplant provisions must use a restricted indirect cost rate. In a restricted rate, indirect costs are limited to general management costs. General management costs do not include divisional administration that is limited to one component of the Corporation, the governing body of the Corporation, compensation of the Superintendent, compensation of the chief executive officer of any component of the Corporation, and operation of the immediate offices of these officers.

The salaries of administrative and clerical staff normally should be treated as indirect costs. Direct charging of these costs may be appropriate only if all of the following conditions are met:

1. Administrative or clerical services are integral to a project or activity.
2. Individuals involved can be specifically identified with the project or activity.
3. Such costs are explicitly included in the budget or have the prior written approval of the Federal awarding agency.
4. The costs are not also recovered as indirect costs.

Where a Federal program has a specific cap on the percentage of administrative costs that may be charged to a grant, that cap shall include all direct administrative charges as well as any recovered indirect charges.

Effort should be given to identify costs as direct costs whenever practical, but allocation of indirect costs may be used where not prohibited and where indirect cost allocation is approved ahead of time by the Indiana Department of Education (IDOE) or the pass-through entity (Federal funds subject to 2 C.F.R. Part 200 pertaining to determining indirect cost allocation).

Equipment and other capital expenditures are unallowable as indirect costs.

### **Timely Obligation of Funds**

Financial obligations are orders placed for property and services, contracts and sub-awards made, and similar transactions that require payment.

This term is used when referencing a recipient's or subrecipient's use of funds under a Federal award.

The following list illustrates when funds are determined to be obligated under the U.S. Department of Education regulations.

If the obligation is for:

- A. Acquisition of property - on the date which the Corporation makes a binding written commitment to acquire the property.
- B. Personal services by an employee of the Corporation - when the services are performed.
- C. Personal services by a contractor who is not an employee of the Corporation - on the date which the Corporation makes a binding written commitment to obtain the services.
- D. Performance of work other than personal services - on the date when the Corporation makes a binding written commitment to obtain the work.
- E. Public utility services - when the Corporation receives the services.
- F. Travel - when the travel is taken.
- G. Rental of property - when the Corporation uses the property.
- H. A pre-agreement cost that was properly approved by the Secretary under the cost principles in 2 C.F.R. Part 200, Subpart E - Cost Principles - on the first day of the project period.

### **Period of Performance**

All financial obligations must occur during the period of performance. Period of performance means the total estimated time interval between the start of an initial Federal award when the Corporation is permitted to carry out the work authorized by the grant and the planned end date. The period of performance may include one or more funded portions or budget periods. The period of performance is dictated by statute and will be indicated in the grant award notification ("GAN"). As a general rule, State-administered Federal funds are available for obligation within the year that Congress appropriates the funds for. However, given the unique nature of educational institutions, for many Federal education grants, the period of performance is twenty-seven (27) months. This maximum period includes a fifteen (15) month period of initial availability, plus a twelve (12) month period for carryover. For direct grants, the period of performance is generally identified in the GAN.

In the case of a State-administered grant, financial obligations under a grant may not be made until the application is approved or is in substantially approvable form, whichever is later. In the case of a direct grant, a grantee may use grant funds only for obligations it makes during the grant period unless an agreement exists with the awarding agency or the pass-through entity (e.g., Indiana Department of Education) to reimburse for pre-approval expenses.

If a Federal awarding agency or pass-through entity approves an extension, or if the Cooperative extends under C.F.R. 200.308(e)(2), the Period of Performance will be amended to end at the completion of the extension. If a termination occurs, the Period of Performance will be amended to end upon the effective date of termination. If a renewal is issued, a distinct Period of Performance will begin.

For both State-administered and direct grants, regardless of the period of availability, the Corporation shall liquidate all financial obligations incurred under the award not later than ninety (90) days after the end of the funding period unless an extension is authorized. Any funds not obligated within the period of performance or liquidated within the appropriate timeframe are said to lapse and shall be returned to the awarding agency. Consequently, the Corporation shall closely monitor grant spending throughout the grant cycle.

2 C.F.R. 200.403-407  
2 C.F.R. 200.413(a)-(c)  
2 C.F.R. 200.430(a)  
2 C.F.R. 200.431(a)  
2 C.F.R. 200.439(b)(2)  
2 C.F.R. 200.458  
2 C.F.R. 344(b)  
34 C.F.R. 75.703  
34 C.F.R. 76.707  
34 C.F.R. 76.708(a)

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Book	Policy Manual
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Adopted	November 14, 2016
Last Revised	May 9, 2022

### Revised Policy

#### 6325 - PROCUREMENT – FEDERAL GRANTS/FUNDS

Procurement of all supplies, materials, equipment, and services paid from Federal funds or School Corporation matching funds shall be made in accordance with all applicable Federal, State, and local statutes and/or regulations, the terms and conditions of the Federal grant, and School Board policies and administrative procedures.

The Superintendent shall have and use a procurement and contract administration system in accordance with the USDOE requirements (2 C.F.R. 200.317-.326), including affirmative steps for small and minority businesses and women's business enterprises, for the administration and management of Federal grants and Federally-funded programs. The Corporation shall maintain oversight that requires contractors to perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. Except as otherwise noted, procurement transactions shall conform to the provisions of the Corporation's documented general purchasing Policy 6320 and AG 6320A.

All Federally-funded contracts in excess of \$2,000 related to construction, alteration, repairs, painting, decorating, etc. of public buildings or public works must comply with Davis-Bacon and Related Acts prevailing wage requirements.

All Corporation employees, officers (that is, Board members), and agents who have purchasing authority shall abide by the standards of conduct covering conflicts of interest and governing the actions of its employees, officers, and agents engaged in the selection, award, and administration of contracts as established in Policy 1130, Policy 3113 and Policy 4113 – Conflict of Interest.

The Corporation shall avoid acquisition of unnecessary or duplicative items. Additionally, consideration shall be given to consolidating or breaking out procurements to obtain a more economical purchase. And, where appropriate, an analysis shall be made of lease versus purchase alternatives and any other appropriate analysis to determine the most economical approach. These considerations are given as part of the process to determine the allowability of each purchase made with Federal funds.

To foster greater economy and efficiency, the Corporation may enter into State and local intergovernmental agreements, where appropriate, for procurement or use of common or shared goods and services.

### **Competition**

All procurement transactions for the acquisition of property or services required under a Federal award paid for from Federal funds or Corporation matching funds shall be conducted in a manner that encourages full and open competition and is in accordance with good administrative practice and sound business judgment. In order to promote objective contractor performance and eliminate unfair competitive advantage, the Corporation shall exclude any contractor that has developed or drafted specifications, requirements, statements of work, or invitations for bids or requests for proposals from competition for such procurements.

Some of the situations considered to be restrictive of competition include, but are not limited to, the following:

- A. unreasonable requirements on firms in order for them to qualify to do business;
- B. unnecessary experience and excessive bonding requirements;
- C. noncompetitive pricing practices between firms or between affiliated companies;
- D. noncompetitive contracts to consultants that are on retainer contracts;
- E. organizational conflicts of interest;
- F. specification of only a "brand name" product instead of allowing for an "*or equal*" product to be offered and describing the performance or other relevant requirements of the procurement; and
- G. any arbitrary action in the procurement process.

Further, the Corporation shall not use statutorily or administratively imposed State, local, or tribal geographical preferences in the evaluation of bids or proposals unless 1) an applicable Federal statute expressly mandates or encourages a geographic preference; or 2) the Corporation is contracting for architectural and engineering services, in which case geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

To the extent that the Corporation uses a pre-qualified list of persons, firms or products to acquire goods and services that are subject to policy, the pre-qualified list includes enough qualified sources as to ensure maximum open and free competition. The Corporation allows vendors to apply for consideration to be placed on the list \_\_\_\_\_ **[insert frequency. see Drafting Note].**

**[Drafting Note: The Corporation shall allow vendors not on the pre-qualified list to apply for placement on the list periodically. The Corporation may determine how frequently the pre-qualified list becomes open for new vendors or whether it is open continuously.]**

The Corporation shall require that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to provide maximum open and free competition. The Corporation shall not preclude potential bidders from qualifying during the solicitation period.

### Solicitation Language (Purchasing Procedures)

The Corporation shall have written procurement procedures that require that all solicitations made pursuant to this policy incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, shall set forth those minimum essential characteristics and standards to which it shall conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible.

When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a "brand name or equivalent" description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which shall be met by offers shall be clearly stated; and the solicitation shall identify all requirements which the offerors shall fulfill and all other factors to be used in evaluating bids or proposals.

The Board will not approve any expenditure for an unauthorized purchase or contract.

### Procurement Methods

The Corporation shall have and use documented procedures, consistent with the standards described above, for the following methods of procurement:

#### A. Informal Procurement Methods

When the value of the procurement for property or services under a Federal award does not exceed the simplified acquisition threshold or a lower threshold established by the State, formal procurement methods are not required. The Corporation may use informal procurement methods to expedite the completion of its transactions and minimize the associated administrative burden and cost. The informal methods used for procurement of property or services at or below the simplified acquisition threshold include:

##### 1. Micro-purchases

Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed \$\_\_\_\_\_ ~~[not to exceed \$10,000]~~. To the maximum extent practicable, the Corporation should distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be made without soliciting competitive quotations if the Purchasing Agent identified in Policy 6320 considers the price to be reasonable based on research, experience, purchase history, or other relevant information and documents are filed accordingly. The Corporation shall maintain evidence of this reasonableness in the records of all purchases made by this method.

~~[ ] Unless otherwise defined by State or local law, corporations are responsible for determining and documenting an appropriate micro-purchase threshold based on internal controls, an evaluation of the risk, and its documented procurement procedures. The micro-purchase threshold used by the Corporation shall be authorized or not prohibited under State, local, or tribal laws or regulations. A corporation which is qualified as a low-risk auditee for the most recent audit (C.F.R. 200.520) may increase the micro-purchase threshold up to \$50,000. An eligible corporation may self-certify the increased micro-purchase threshold on an annual basis after completing the annual internal institutional risk assessment to identify, mitigate, and manage financial risks. The self-certification, in accordance with 2 C.F.R. 200.335, must include a justification, clear identification of the threshold, and supporting documentation of the qualifications listed above. [DRAFTING NOTE: The Federal regulation allows for a \$50,000 threshold. While this authority is allowed for an entity qualified as a low-risk auditee, Neola does not suggest its use due to the complexity and subjectivity of the mechanism.]~~

##### 2. Small Purchases

Small purchases include the acquisition of property or services, the aggregate dollar amount of which is higher than the micro-purchase threshold but does not exceed the simplified acquisition threshold of \$\_\_\_\_\_ ~~[not to exceed \$250,000]~~. Small purchase procedures require price or rate quotations shall be obtained from ( ~~( )~~ ) (x ) an adequate number of [END OF OPTION] qualified sources. [Drafting Note: Unless the pass-through entity or State law defines the number of quotes required, the Corporation may define in policy how many quotations are adequate. The number must be greater than one (1).]

Corporations are responsible for determining an appropriate simplified acquisition threshold based on internal controls, an evaluation of risk, and its documented procurement procedures which must not exceed the threshold established in the Federal Acquisition Regulations (FAR). When applicable, a lower simplified acquisition threshold used by the non-Federal entity must be authorized or not prohibited under State, local, or tribal laws or regulations.

## B. Formal Procurement Methods

When the value of the procurement for property or services under a Federal award exceeds the simplified acquisition threshold, or a lower threshold established by the State, formal procurement methods are required. Formal procurement methods require following documented procedures. Formal procurement methods also require public advertising unless a non-competitive procurement method can be used in accordance with the standards on competition in 200.319 or non-competitive procurement. The formal methods of procurement are:

### 1. Sealed Bids

Sealed, competitive bids shall be obtained when the purchase of, and contract for, single items of supplies, materials, or equipment amounts to more than \$~~\_\_\_\_\_~~ **[the lesser of the established Small Purchase threshold or \$250,000]** and when the Board determines to build, repair, enlarge, improve, or demolish a school building/facility the cost of which will exceed the amount allowed by Indiana statute.

In order for sealed bidding to be feasible, the following conditions shall be present:

- a. a complete, adequate, and realistic specification or purchase description is available;
- b. two (2) or more responsible bidders are willing and able to compete effectively for the business; and
- c. the procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.

When sealed bids are used, the following requirements apply:

- a. Bids shall be solicited in accordance with the provisions of State law and Policy 6320. Bids shall be solicited from ~~( )~~ **(x)** an adequate number of **[END OF OPTION]** qualified suppliers, providing sufficient response time prior to the date set for the opening of bids. The invitation to bid shall be publicly advertised.
- b. The invitation for bids shall include product/contract specifications and pertinent attachments and shall define the items and/or services required in order for the bidder to properly respond.
- c. All bids shall be opened at the time and place prescribed in the invitation for bids; bids shall be opened publicly.
- d. A firm fixed price contract award shall be made in writing to the lowest responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts may be used to determine the low bid only when prior experience indicates that such discounts are usually taken.
- e. The Board reserves the right to reject any or all bids for sound documented reason.

### 2. Proposals

Procurement by proposals is a method in which either a fixed price or cost-reimbursement type contract is awarded. Proposals are generally used when conditions are not appropriate for the use of sealed bids or in the case of a recognized exception to the sealed bid method. Indiana law stipulates a threshold for which sealed bids are required. (See Policy 6320.) **[Drafting Note: Federal law does not require a competitive proposal unless the procurement is for over \$250,000. The State/Corporation may set a lower threshold for sealed bids and competitive proposals. Sealed bids are required when the Board seeks to build, repair, enlarge, improve, or demolish a school building/facility if the cost will exceed \$50,000. (See Policy 6320).]**

If this method is used, the following requirements apply:

- a. Requests for proposals shall be publicized and identify all evaluation factors and their relative importance. Any response to the publicized requests for proposals shall be considered to the

maximum extent practical.

- b. Proposals shall be solicited from ~~( )~~ (x) an adequate number of **[END OF OPTION]** sources.
- c. The Corporation shall use its written method for conducting technical evaluations of the proposals received and for selecting recipients.
- d. Contracts shall be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.

The Corporation may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can be used only in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.

### 3. Noncompetitive Procurement

Procurement by noncompetitive proposals allows for solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:

- a. micro-purchases
- b. the item is available only from a single source
- c. the public exigency or emergency for the requirement will not permit a delay resulting from publicizing a competitive solicitation
- d. the Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the Corporation
- e. after solicitation of a number of sources, competition is determined to be inadequate

### Domestic Preference for Procurement

As appropriate and to the extent consistent with law, the Corporation shall, to the extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States. Such requirements shall be included in all subawards including all contracts and purchase orders for work or products under the Federal award.

### Contract/Price Analysis

The Corporation shall perform a cost or price analysis in connection with every procurement action in excess of \$250,000, including contract modifications. A cost analysis generally means evaluating the separate cost elements that make up the total price, while a price analysis means evaluating the total price without looking at the individual cost elements.

The method and degree of analysis is dependent on the facts surrounding the particular procurement situation; however, the Corporation shall come to an independent estimate prior to receiving bids or proposals.

When performing a cost analysis, the Corporation shall negotiate profit as a separate element of the price. To establish a fair and reasonable profit, consideration is given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

### Time and Materials Contracts

The Corporation uses a time and materials type contract only 1) after a determination that no other contract is suitable, and 2) if the contract includes a ceiling price that the contractor exceeds at its own risk. Time and materials type contract means a contract whose cost to the Corporation is the sum of the actual costs of materials and direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, the Corporation sets a ceiling price for each contract that the contractor exceeds at its own risk. Further, the Corporation shall assert a high degree of oversight in order

to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

### **Suspension and Debarment**

The Corporation shall award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of the proposed procurement. All purchasing decisions shall be made in the best interests of the Corporation and shall seek to obtain the maximum value for each dollar expended. When making a purchasing decision, the Corporation shall consider such factors as 1) contractor integrity; 2) compliance with public policy; 3) record of past performance; and 4) financial and technical resources.

The Superintendent shall have the authority to suspend or debar a person/corporation, for cause, from consideration or award of further contracts. The Corporation is subject to and shall abide by the nonprocurement debarment and suspension regulations implementing Executive Orders 12549 and 12689, 2 C.F.R. Part 180.

Suspension is an action taken by the Corporation that immediately prohibits a person from participating in covered transactions and transactions covered under the Federal Acquisition Regulation (48 C.F.R Chapter 1) for a temporary period, pending completion of an agency investigation and any judicial or administrative proceedings that may ensue. A person so excluded is suspended. (2 C.F.R. Part 180 Subpart G)

Debarment is an action taken by the Superintendent to exclude a person from participating in covered transactions and transactions covered under the Federal Acquisition Regulation (48 C.F.R. Chapter 1). A person so excluded is debarred. (2 C.F.R. Part 180 Subpart H)

The Corporation shall not subcontract with or award subgrants to any person or company who is debarred or suspended. For contracts over \$25,000, the Corporation shall confirm that the vendor is not debarred or suspended by either checking the Federal government's System for Award Management, which maintains a list of such debarred or suspended vendors at [www.sam.gov](http://www.sam.gov); collecting a certification from the vendor; or adding a clause or condition to the covered transaction with that vendor. (2 C.F.R. Part 180 Subpart C)

### **Bid Protest**

The Corporation maintains the following protest procedures to handle and resolve disputes relating to procurements and, in all instances, discloses information regarding the protest to the awarding agency.

A bidder who wishes to file a bid protest shall file such notice and follow procedures prescribed by the Request For Proposals (RFPs) or the individual bid specifications package for resolution. Bid protests shall be filed in writing with the Superintendent within seventy- two (72) hours of the opening of the bids in protest.

Within five (5) days of receipt of a protest, the Superintendent shall review the protest as submitted and render a decision regarding the merits of the protest and any impact on the acceptance and rejection of bids submitted. Notice of the filing of a bid protest shall be communicated to the Board and shall be so noted in any subsequent recommendation for the acceptance of bids and awarding of contracts.

Failure to file a notice of intent to protest or failure to file a formal written protest within the time prescribed shall constitute a waiver of proceedings.

### **Maintenance of Procurement Records**

The Corporation shall maintain records sufficient to detail the history of all procurements. These records shall include but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price (including a cost or price analysis).

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Book	Policy Manual
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Adopted	May 28, 1996
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### **Revised Policy**

#### **8330 - STUDENT RECORDS**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

In the case of a health or safety emergency, "appropriate officials" include local or State law enforcement officials, Department of Child Services (DCS) officials, trained medical personnel, and school administrators whose knowledge of PII in a student's education records is necessary to protect the health or safety of students or other persons on Corporation property. The term "school administrator" includes a principal, an assistant principal, a superintendent, and an assistant superintendent. ( x ) The term "school administrator" also includes a director of special education or assistant director of special education. **[END OF OPTION]**

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

The Board authorizes the administration to:

- A. forward student records including disciplinary records with respect to suspensions and expulsions upon request to a private or public school or school corporation in which a student of this Corporation seeks or intends to enroll, or is instructed to enroll, on a full-time or part-time basis, upon condition that:
  - 1. a reasonable attempt is made to notify the student's parent or eligible student of the transfer (unless the disclosure is initiated by the parent or eligible student; or the Board's annual notification – Form 8330 F9 - includes a notice that the Board will forward education records to other agencies or institutions that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer);
  - 2. the parent or eligible student, upon request, receives a copy of the record; and

3. the parent or eligible student, upon request, has an opportunity for a hearing to challenge the content of the record;
- B. forward student records, including disciplinary records with respect to suspensions and expulsions, upon request to a public school or school corporation in which a student in foster care is enrolled. Such records shall be transferred within one (1) school day of the enrolling school's request.
  - C. provide, disclose, or report on the education records of a student, including PII contained in the education records, without the consent of the student's parent or eligible student, to appropriate officials and the parents of an eligible student whose knowledge of the information is necessary to protect the health or safety of the student or other individuals if school administrators determine there is an articulable and significant threat to the health or safety of a student or other individuals, considering the totality of the circumstances;
- Information concerning any suspicious activity or potential criminal activity related to a child that is shared between a law enforcement officer and the Corporation or an appropriate official shall not be stored or maintained in any type of database.
- D. request each person or party requesting access to a student's record to abide by the Federal and State regulations concerning the disclosure of information to a third party;
  - E. report a crime committed by a child to appropriate authorities, and, with respect to reporting a crime committed by a student with a disability, to transmit copies of the student's special education and disciplinary records to the authorities for their consideration;
  - F. disclose personally identifiable information from education records, without consent, to organizations conducting studies "for, or on behalf of" the Corporation for purposes of developing, validating or administering predictive tests, administering student aid programs, or improving instruction;

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

**[Corporations without administrative guidelines should include the following paragraph]**

This written agreement must include: 1) specification of the purpose, scope, duration of the study, and the information to be disclosed; 2) a statement requiring the organization to use the personally identifiable information only to meet the purpose of the study; 3) a statement requiring the organization to prohibit personal identification of parents and students by anyone other than a representative of the organization with legitimate interests; and 4) a requirement that the organization destroy all personally identifiable information when it is no longer needed for the study, along with a specific time period in which the information must be destroyed.

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

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

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

**[NOTE: CHOOSE OPTION A OR OPTION B.]**

**☒ Option A [NOTE: The following sentence should be selected by corporations with administrative guidelines.]**

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

**~~[ ] Option B [NOTE: The following two paragraphs should be selected by corporations without administrative guidelines.]~~**

~~This written agreement must include: 1) designation of the receiving entity as an authorized representative; 2) specification of the information to be disclosed; 3) specification that the purpose of the disclosure is disclosed; 4) a summary of the activity that includes a description of methodology and an explanation of why personally identifiable information is necessary to accomplish the activity; 5) a statement requiring the organization to destroy all personally identifiable information when it is no longer needed for the study, along with a specific time period in which the information must be destroyed; and 6) a statement of policies and procedures that will protect personally identifiable information from further disclosure or unauthorized use.~~

~~Under the audit exception, the Corporation will use "reasonable methods" to verify that the authorized representative complies with FERPA regulations. Specifically, the Corporation will verify, to the greatest extent practical, that the personally identifiable information is used only for the audit, evaluation or enforcement of a government supported educational program. The Corporation will also ascertain the legitimacy of the audit or evaluation and will only disclose the specific records that the authorized representative needs. Further, the Corporation will require the authorized representative to use the records only for the specified purpose and not to disclose the information any further, such as for another audit or evaluation. Finally, the Corporation will verify that the information is destroyed when no longer needed for the audit, evaluation, or compliance activity.~~

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

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

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

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

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

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

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

## **DIRECTORY INFORMATION**

Each year, the Superintendent shall provide public notice to students and their parents of the Corporation's intent to make available, upon request, certain information known as "directory information". The Board designates as student "directory information": a student's ( **x** ) name; ( ~~—~~ ) address; ( ~~—~~ ) telephone number; ( **x** ) date and place of birth; Age; ( ~~—~~ ) e-mail address ( **x** ) photograph ( **x** ) major field of study; ( **x** ) grade level; ( **x** ) participation in officially recognized activities and sports; ( **x** ) height and weight, if a member of an athletic team; ( **x** ) dates of attendance; date of graduation; ( **x** ) type of diploma awarded; ( **x** ) awards received; ( **x** ) honor rolls; ( **x** ) scholarships; ( ~~—~~ )

**[NOTE: The following option should be selected if the Board assigns school email accounts to students per Policy 7540.03. This option is provided to address potential confidentiality issues presented by Policy 7540.03 and is supported by Federal FERPA regulation 34 CFR 99.37(d).]**

~~[ ] The Board designates school assigned email accounts as "directory information" for the limited purpose of facilitating students' registration for access to various online educational services, including mobile applications/apps that will be utilized by the student for educational purposes. School assigned email accounts shall not be released as directory information beyond this limited purpose and to any person or entity but the specific online educational service provider.~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- A. inspect and review the student's education records;
- B. request amendments if the record is inaccurate, misleading, or otherwise in violation of the student's privacy rights;
- C. consent to disclosures of personally-identifiable information contained in the student's education records, except disclosures allowed without parental consent;
- D. challenge Board noncompliance with a parent's request to amend the records through a hearing;
- E. file a complaint of Corporation noncompliance with the United States Department of Education;
- F. obtain a copy of the Corporation's policy and administrative guidelines on student records.

The Superintendent also shall develop procedural guidelines for:

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

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

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

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

#### **Address Confidentiality Program**

If a parent (or adult student) presents information to the Corporation certifying that the parent (or adult student), his/her child, or a member of the parent's household is a participant in the Address Confidentiality Program administered by the State Attorney General, the Corporation shall refrain from including the student's actual/confidential residential address in any student records or files (including electronic records and files) or disclosing the student's actual/confidential residential

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

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

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

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

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

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

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Book	Policy Manual
Section	Volume 34, No. 2 for Board Approval
Title	Revised Policy - Vol. 34, No. 2 - April 2022 - PROTECTIVE FACIAL COVERINGS DURING PANDEMIC/EPIDEMIC EVENTS
Code	po8450.01
Status	
Adopted	November 9, 2020

### **Revised Policy**

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

~~DRAFTING NOTE—Due to the rapidly evolving nature of the COVID-19 pandemic and regulations adopted by various public agencies, the Board is encouraged to communicate with its legal counsel regarding the Board's obligations/rights/authority under Indiana law as it relates to facial coverings. Any changes in Indiana law or agency regulations may require immediate revisions to this policy.~~

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

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

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

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

~~[ ] Face masks/shields will be provided by the Corporation to employees. Alternatively, employees may elect to wear their own face coverings if they meet the requirements ( ) of this policy ( ) the Corporation approved re-opening plan, [END OF OPTIONS] as well as any requirements issued by State or local health departments.~~

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

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

**[NOTE: Optional language as this content can be included in the Corporation Approved re-opening plan]**

~~[ ] Face masks/coverings should:~~

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

~~[ ] ( ) Be a solid color and not include any logos or print other than the school logo ( ) except that in the case of students with IEPs, the use of face masks / coverings with certain cartoon characters may be permitted if necessary to encourage the student to wear a face mask / covering.~~

**Exceptions include: Removal of face masks/face coverings may be considered when:**

- ~~A. Face masks/coverings in the school setting are prohibited by law or regulation;~~
- ~~B. Face masks/coverings are in violation of documented industry standards;~~
- ~~C. Face masks/coverings are not advisable for health reasons;~~
- ~~D. Face masks/coverings are in violation of the school's documented safety policies;~~
- ~~E. Face masks/coverings are not required when the staff works alone in an assigned work area; or~~
- ~~F. There is a functional (practical) reason for a staff member or volunteer not to wear a face mask/covering in the workplace;~~
- ~~G. Face masks/coverings are not advisable based on a health issue as documented by a licensed Indiana physician, psychologist, ( ) \_\_\_\_\_; or~~
- ~~H. Necessary to accommodate a student with a disability.~~

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

### **Face Shields**

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

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

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

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

**~~[END OF OPTIONAL LANGUAGE]~~**

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Book	Policy Manual
Section	Volume 34, No. 2 for Board Approval
Title	Revised Policy - Vol. 34, No. 2 - April 2022 - FOOD SERVICE PROGRAM
Code	po8500
Status	
Legal	<p>Healthy, Hunger-Free Kids Act of 2010 and Richard B. Russell National School Lunch Act, 42 U.S.C. 1751 et seq.</p> <p>Child Nutrition Act of 1966, 42 U.S.C. 1771 et seq.</p> <p>7 CFR Parts 15b, 210, 215, 220, 225, 226, 227, 235, 240, 245, 3015</p> <p>2 C.F.R. Part 200</p> <p>USDA Smart Snacks in School Food Guidelines (effective July 1, 2014)</p> <p>SP 32-2015 Statements Supporting Accommodations for Children with Disabilities in the Child Nutrition Programs</p> <p>Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794</p> <p>34 CFR Part 104</p> <p>Uniform Compliance Guidelines for Indiana Public School Corporation (Indiana State Board of Accounts)</p>
Adopted	May 28, 1996
Last Revised	August 12, 2019

## Revised Policy

### 8500 - FOOD SERVICE PROGRAM

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

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

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

The Food Service program will comply with Federal and State regulations pertaining to the selection, preparation, consumption, and disposal of food and beverages, including but not limited to the current USDA school meal pattern requirements and the USDA Smart Snacks in School nutrition standards, as well as to the fiscal management of the

program. In addition, as required by law, a food safety program that is based on the principles of the Hazard Analysis and Critical Control Point (HACCP) system shall be implemented with the intent of preventing food-borne illnesses. For added safety and security, access to the facility and the food stored and prepared therein shall be limited to food service program staff and other authorized persons.

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

### **Dietary Modifications**

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

The medical certification must identify:

- A. the child's physical or mental impairment and why the student's disability or medical condition necessitates such a restriction of the child's diet;
- B. an explanation of what the Food Service Program must do to accommodate the child's disability; and
- C. the food(s) to be omitted from the student's diet and the recommended food or choice of foods that must be substituted (e.g., caloric modifications or use of liquid nutritive formula).

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

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

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

A request for substitutions to the standard meal requirements due to food allergies shall be accommodated, when requested by an adult student who is not identified as having a disability or the parent of a student who is not identified as having a disability, without delay and at no additional charge. An adult student who is not identified as having a disability or the parent of a student who is not identified as having a disability making such a request of the Food Service Director shall be informed that a signed medical statement from a health care provider who has prescriptive authority in the State of Indiana that the student cannot consume certain food items due to a medical condition or some other special dietary need must be submitted within \_ten\_\_\_\_\_ (\_10\_) school days or the dietary modification may be discontinued until such statement is received.

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

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

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

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

**~~{Choose one of the following two options.}~~**

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

~~☐ The Food Service Program shall accommodate a student's request for specific substitutions to the standard meal pattern requirements that is based solely on religious or lifestyle choices.~~

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**~~{End of Options}~~**

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

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

### **Meal Charges**

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

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

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

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

The Superintendent shall develop procedures regarding meal charges (AG 8500B), which shall be implemented by the \_\_\_Food Service Director\_\_\_\_\_. The procedures will provide direction so that deposits into a student's account are not considered income to the child nutrition program until the student charges a meal to his/her account. Further, the procedures will: 1) provide direction so that students attending Corporation schools who do not have funds in their account or on-hand to cover the cost of their meal at the time of service are treated consistently, 2) address feeding students with unpaid meal balances without stigmatizing them, 3) provide for notification of parents when a student charges a meal, and 4) establish a plan to collect the charges made by students so that the unpaid charges are not classified as "bad debt" at the end of the school year.

Significant negative lunch account balances shall not be permitted. A significant negative lunch account balance is any balance owed in excess of \$\_10.00\_\_\_\_\_.

### **{CHOOSE ONE OF THE FOLLOWING TWO OPTIONS}**

#### **[ x {Option 1}**

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

**~~{End of Option 1}~~**

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#### **~~{ } {Option 2}~~**

~~If a student has a significant negative lunch account balance, s/he shall be provided an alternate meal ( ) at a reduced price recommended by the Superintendent and approved by the Board **[end of option]**, the cost of which shall continue to accrue to his/her negative lunch account balance, and his/her parent(s) shall be contacted to collect the outstanding charges. The alternate meal will be a low cost alternative to the regular reimbursable meal and shall meet USDA nutritional standards or the Smart Snacks in Schools Regulations so that it qualifies for reimbursement under the National School Lunch/Breakfast Program.~~

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**~~{End of Option 2}~~**

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

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

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

A lunch account becomes inactive after eighteen ( 18 ) weeks with no deposits or withdrawals. An inactive lunch account that has a positive balance of \$ 10.00 [SBOA recommends \$10.00] or less may be receipted back into the [select one of the following options] **x** ( ) school lunch fund ( ~~-~~ ) extracurricular activity fund [END OF OPTION] where the School Lunch Program funds are maintained. An inactive lunch account that has a nominal negative account balance of \$ 10.00 or less may be offset against the positive balances in the Fund; provided, however, that if the parent requests and can document entitlement to the positive balance in the account, the parent is entitled to a refund of that amount.

### Bad Debt/Uncollectable Debt

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

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

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

### Additional Compliance

In accordance with Federal law, the Food Service Director will take such actions as are necessary to obtain a minimum of two (2) food safety inspections per school year, which are conducted by the State or local governmental agency responsible for food safety inspections. The report of the most recent inspection will be posted in a publicly visible location, and a copy of the report will be available upon request. **[Please note: schools participating in more than one (1) child nutrition program are required to obtain only two (2) food safety inspections per school year if the nutrition programs offered use the same facilities for the preparation and service of meals. Also, the requirement for two (2) inspections does not apply to schools that offer only the Special Milk Program.]**

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

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

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

- A. maintenance of sanitary, neat premises free from fire and health hazards;
- B. preparation of food that complies with Federal food safety regulations;
- C. planning and execution of menus in compliance with USDA requirements;
- D. purchase of food and supplies in accordance with State and Federal law, USDA regulations, and Board policy; (see Policy 1130, Policy 1214, Policy 3113, Policy 3214, Policy 4113, Policy 4214, and Policy 6460);
- E. compliance with food holds and recalls in accordance with USDA regulations;
- F. accounting and disposition of food-service funds pursuant to Federal and State law and USDA regulations;
- G. safekeeping and storage of food and food equipment pursuant to State and Federal law and USDA regulations;

H. regular maintenance and replacement of equipment;

I. compliance with the Corporation's time and effort record-keeping policy by all Corporation employees whose salaries are paid from USDA funds or with non-Federal funds used to meet a match or cost share requirement. (See Policy 6116)

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

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

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

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

This institution is an equal opportunity provider.

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

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Book	Policy Manual
Section	Volume 34, No. 2 for Board Approval
Title	Revised Policy - Vol. 34, No. 2 - April 2022 - SCHOOL VISITORS
Code	po9150
Status	
Legal	I.C. 20-26-5-4 I.C. 35-42-4-14
Adopted	May 28, 1996
Last Revised	October 10, 2011

### Revised Policy

#### 9150 - SCHOOL VISITORS

The School Board ~~welcomes and encourages visits to school by parents, other adult residents of the community, and interested educators. But~~ understands that parents or other persons with legitimate educational purposes may visit the school; however, in order for the educational program to continue undisturbed when visitors are present and to prevent the intrusion of disruptive persons into the schools, it is necessary to invoke visitor controls.

The Superintendent or principal has the authority to prohibit the entry of any person to a school of this Corporation or to expel any person when there is reason to believe the presence of such person would be detrimental to the good order of the school. If such an individual refuses to leave the school grounds or creates a disturbance, the principal is authorized to request from the local law enforcement agency whatever assistance is required to remove the individual.

**x ]** Persons who have been entered into the State Sex and Violent Offender Registry or the equivalent Federal registry will not be permitted access to school grounds, except as otherwise required to comply with State or Federal law.**[END OF OPTION]**

Persons who meet the definition of Serious Sex Offender under Indiana law will not be permitted access to school grounds, except as otherwise required to comply with State or Federal law.

#### **[SELECT ONE OF THE TWO FOLLOWING OPTIONS:]**

##### **[x ] Option 1:**

**Visits by persons other than parents, including but not limited to outside therapists, doctors or other service providers, are not permitted in classroom settings.**

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

##### **~~[ ] Option 2:~~**

**~~Visits by persons other than parents, including but not limited to outside therapists, doctors or other service providers, are subject to administrative guidelines established by the Superintendent.~~**

**{END OF OPTION 2}**

[ ☒ Except as set forth in Corporation policy or in the case of "service animals" required for use by a person with a disability, no other animals may be on school premises at any time.

The Superintendent shall promulgate such administrative guidelines as are necessary for the protection of students and employees of the Corporation from disruption to the educational program or the efficient conduct of their assigned tasks.

Rules regarding entry of persons other than students, staff, and faculty upon school grounds or premises shall be posted conspicuously at or near the entrance to such grounds or premises if there are no formal entrances, and at the main entrance to each school building.

Individual Board members who are interested in visiting schools or classrooms on an unofficial basis shall make the appropriate arrangements with the principal. In keeping with Board bylaws, such Board member visits shall not be considered to be official unless designated as such ( ☒ ) by the Board. ~~( ) by the President. ( ) by a committee chairman.~~

The Board member shall be visiting as an interested individual in a similar capacity of any parent or citizen of the community. These visits should not be considered to be inspections nor as supervisory in nature.

If, during a visit to a school or program, a Board member observes a situation or condition which causes concern, ~~s/he~~ the Board member should discuss the situation first ~~( ) with the principal~~ ( ☒ ) with the Superintendent **[END OF OPTION]** as soon as convenient or appropriate. Such a report or discussion shall not be considered an official one from the Board.

If the Board member believes the situation or condition serious enough, ~~s/he~~ the Board member may wish to ~~also~~ inform the Superintendent in addition to the principal.

I.C. 20-26-5-4

I.C. 35-42-4-14

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